CHAPTER 2

2.1: FORMATION OF WOMEN'S ORGANISATIONS FOR EMPOWERMENT OF WOMEN IN INDIA:

In the early 20th century, organised efforts were made by the Indian women to form women's organisation on an all India basis and as such in 1910, they formed Bharat Stree Mahamandal with the objective to bring all organised women's groups together. In 1915, further efforts were made to form another organisation called Women's Indian Association. It was formed in Madras, and it led a delegation for women's franchise to the British Indian Parliament. The demand for women's franchise was first initiated in 1917. A deputation of Indian women led by Sarojini Naidu presented the draft to British Parliament with the demand for enfranchisement of women on the basis of equality with men.

The Reforms Act 1921 enfranchised a small faction of the Indian population, including women. The right to vote however was subjected to certain conditions. Only those women who were married, educated or possessed property were entitled to vote.¹ In 1927, the All India Women's Conference was established, which aimed to impart education to Indian women. The Madras-based, Women's Indian Association, established 48 branches by 1921. This association got absorbed

into the All India Women’s Conference. It advocated women’s equality and right to participate at National Political level.

In 1931, a meeting of representative women’s organisation drafted a memorandum demanding immediate acceptance of adult franchise without sex discrimination. In the same year (1931), the women’s organisations submitted this collective memorandum before the Franchise sub-committee of the Round Table Conference that was to meet in London. The memorandum emphasised:

1. Equal rights and obligations for all citizens, with no discrimination on the basis of sex.

2. No bar on citizen’s religion, caste, creed or sex, in aspiring for public employment, office or power of honour, and in the exercise of any trade.

3. Women to fight elections on equal terms with men in the general elections.

4. No reservation of seats for women as such and no special nominations.

The All Indian Women’s Conference agitated in 1934 and demanded for the formation of a Commission to look after the women’s inheritance and

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divorce issues. However women’s associations struggled for 12 years which resulted in the formation of the Hindu Law Reforms Committee in 1946.\(^4\)

The Government of India Act of 1935 increased the number of enfranchised Indians, relaxed some of the previous qualifications i.e., Marriage Clause. All under this 1935 Act, Right to Vote was given to those women who were above the age of 21, educated, and had property. The All India Women’s Conference was formed through an amalgam of various women’s groups. However after the enactment of Indian Constitution in 1950, All Indian Women’s Conference also discussed those issues which affected the welfare of the people of India, which included women and children.

Thus, granting of the political rights with the advent of Gandhiji, gave them crucial political experience. Gandhiji’s call for women to join freedom struggle enabled them to participate politically.

2.2: **GANDHI'S INITIATIVES TO EMPOWER WOMEN IN THE 20\textsuperscript{th} CENTURY:**

The main factor which contributed towards women’s movement was the spontaneous and massive participation of women in the struggle for Indian freedom. The movement developed by Mahatma Gandhi encouraged women to

\(^4\) *Ibid., P.8.*
actively participate in it. This participation helped in the removal of social obstacles and activated women to press for political equality.

Mahatma Gandhi has been an important figure, one among the few down the ages who has empathised with the women's cause. He acknowledged the debt of his mother, wife and the black women in South Africa as influences on the evolution of his concept of Satyagraha. Gandhi endeavoured to bring about the regeneration of women in India and as such he searched for the cause of their repression and questioned the then existing social structure which was full of prejudices against women. He advocated for women's rights, which worked as a forward step for the promotion and awareness among the women folk, when women's activities were confined within the four wall of family structure.\(^5\) Gandhiji felt that, Indian women needed courage and self-confidence, a sense of self-respect to break free from the slavish mentality developed over centuries of bondage, before getting politico-economic rights. As such Gandhi worked for the emancipation of women.\(^6\)

Gandhi wanted women to fight injustice by developing inner strength and the power to suffer. Addressing a Women's Meet in Bombay in 1919, he said, "Those among you who are educated will have read about the Swadeshi vow in the papers. The thing I have been saying over and over again ever since my return from


\(^6\) Ibid., P.1.
South Africa is this “So long as women in India do not take equal part with men in the affairs of the world and in religious and political matters, we shall not see India’s star rising. According to Gandhi, a man who suffers from paralysis of one side of the body can do no work. Similarly, if women do not share in men’s tasks, the country is bound to remain in a wretched state”.

In Gandhi’s Eighteen Point Constructive Programme, the upliftment of women occupied an important place. It was an agenda for social revolution. During the Gandhian phases of various struggles, he also intended to awaken the dormant spirit of women and men. He gave a call to the women to join the Non-violent Satyagraha Movement and shoulder the responsibility of the Constructive Programme. Gandhi aimed at an inner awakening of the women. Gandhi believed that only women should head organizations devoted to the cause of women’s empowerment in society. Gandhi looked at women as capable as any man to ‘shape their own destiny’.

Gandhi was in fact far ahead of his time. He was sensitive to women’s suffering and conscious of their lot\(^7\). He was a great advocate of economic independence of women and articulated his views on this matter with great force and clarity. He advocated equal wage for women when the attention of others was yet to be drawn to this glaring disparity. He consciously tried to involve women in the Non-cooperation movement with the objective of leading them to their struggle for

\(^7\) Ibid., P. 2.
social emancipation with the larger movement for national independence. During the Salt Satyagraha movement, Gandhi’s views on women underwent a positive change. That time, Gandhi envisaged a more direct role for women into the arena of public activity. By sunset of the first day of the Salt Satyagraha on 6th April, 1930 it turned into a mass movement and swept the entire country. He was always appreciative of the enormous sacrifices of women.

Gandhi’s towering and inspiring leadership encouraged thousands of women to come out of the four walls of their houses. He said, “The British Rule in India could end in minutes if the women of India wanted and understood it”. Gandhi did not expect all Indian women to become Joan of Arc or Rani of Jhansi. He wanted them to be as proud and brave as Sita. He said, ‘Rani of Jhansi could be subdued, but not Sita’.

He gave open call to women to join the National Movement. The first woman to respond to his call was Katurba, his wife. A symbol of self-sacrifice, she displayed qualities of leadership particularly when Gandhiji was in jail, a pillar of strength to Gandhi’s struggle for Non-Violent Movement. She was always in the forefront in all his Non-Violent agitations in South Africa as well as at home. Although herself illiterate, she stood for the education of women for their empowerment.9

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9 Ibid., P. 3.
2.3: WOMEN’S ROLE IN THE FREEDOM STRUGGLE: A WAY TO WOMEN’S EMPOWERMENT:

Mahatma Gandhi was quite instrumental in bringing thousands of women out of their homes to join the freedom struggle. He believed that upliftment of women was a necessary pre-condition to regenerate the Indian society. So, he mobilized women for the national movement apart from working for their emancipation.\(^\text{10}\)

Some of the important women leaders during Gandhi’s freedom movement were Madame Cama, Sister Nivedita, Annie Besant, Pandita Ramabai, Sorojini Naidu, Kamla Nehru, Manimen Patel, Vijaylakshmi Pandit, Sucheta Kripalani, Prabhavati Devi and a thousand others who sacrificed their homes to see the country free. Even those who did not fully subscribe to Non – Violence, joined the movement for a new India through revolutionary methods. Those included Durga Bhabi, the associate of Bhagat Singh, Satyavati Devi, Khurshed Behn, Sado, Rani Zutshi, Aruna Asaf Ali, Usha Mehta and Prithilata Waddedar not to mention Durgabai Deshmukh and Amonu Swaminathan who served the country through social service.\(^\text{11}\)


These women participated fully during the freedom movement of India. Madame Cama exercised tremendous influence on the minds of Bhagat Singh and his Comrades. Popularly known as the “Mother of Revolution”, she asked her countrymen to pledge to overthrow the foreign yoke: “Learn to shoot straight because the day is not far when you will be called upon to shoot the English out of the land we love so passionately’.\textsuperscript{12}

Durgavati and Susheeta Devi are two sisters who played a united role in the revolutionary movement of the Bhagat Singh era. Durgavati was popularly known as Durga Bhabi. Her most glorious movement came on 17\textsuperscript{th} December 1928, when after killing Jamamdars, Bhagat Singh and Sukhdev were advised by her to leave for Calcutta.\textsuperscript{13} After his execution, she openly came out in the field and decided to kill Lord Hailey, the Ex-Governor of Punjab and a staunch enemy of the revolutionaries. Although the Governor escaped, his aides were killed. Durga Bhabi was arrested and sentenced to three years imprisonment. After independence, she almost led a life of seclusion and died at Ghaziabad on 15\textsuperscript{th} October 1999 at the age of 92.

Satyawati, daughter of Swami Shradhananda, was another woman whose only passion was India’s freedom. Of the 37 years she lived, she spent 12 years in prison; she served 11 jail terms and died two years before India gained independence. She stood for Swadeshi, burnt foreign cloth, boycotted liquor shops,

\textsuperscript{12} Ibid, P.7.
\textsuperscript{13} Ibid, P. 7.
British dress and goods and took active part in Gandhiji's Civil Disobedience Movement. Lado Rani Zutshi, wife of a Lahore advocate, and her two daughters, Janak Kumari Zutshi and Swadesh Kumari Zutshi – also played prominent roles in the Civil Disobedience Movement in Punjab, particularly Lahore.

Usha Mehta of Bombay was, however, a different type of revolutionary – one who kept the torch of freedom alive with her Freedom Radio. She became popular during the “Quit India” Movement started by Gandhiji. She started a secret radio and called it Voice of Freedom.

Aruna Asaf Ali, the heroine of the 1942 Movement, was made of very different stuff. Originally a Gandhian, she later changed her views on non-violent methods. With Dr. Lohia and Jayaprakash Narayan, she founded the Socialist Wing of the Indian National Congress.

These women of India showed their passion for fighting during the freedom movement in India. They proved that public use was not the exclusive preserve of men. The Intellectual gaps were filled by women like Sarojini Naidu, Vijayalaksmi Pandit and Sucheta Kripalani. Besides these women, Captain Laksmi Sehgal fought shoulder to shoulder with men in the Indian freedom struggle beyond the Indian borders across the seas. She was the head of the Rani Jhansi Regiment of Indian National Army (INA). She was one of the most trusted and loyal aide of

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14 Ibid., P. 7.
15 Ibid., P. 7.
Netaji Subhas Chandra Bosh. Netaji wanted to make women’s Regiment one that could be depended upon to fight bravely, but recognized the difficulties of recruiting and training protected young women to be soldiers. However, Captain Lakshmi bravely accepted the challenge.\(^{16}\)

Another well known figure was Sarojini Naidu, the Nightingale of India’s freedom movement. She was a poet who played her role during the freedom movement of India. Once she wrote of Gandhiji, “The specialists think that my heart disease is in advanced and dangerous stage, but I cannot stir till I stir the heart of the world to repentance over the tragedy of martyred India”.\(^{17}\)

A princess of the erstwhile native Kapurthala state, Rajkumari Amrit Kaur was Gandhiji’s Secretary for 16 years and free India’s first Health Minister. She was imprisoned a number of times and lathi-charged along with Gandhiji during the day of martial law in Punjab. She decided to forsake the princely pomp and joined Gandhiji’s ashram. Another important woman was Amma Swaminathan popularly known as Cheri Amma, mother of Col. Lakshmi of the Indian National Army. She was a founder member of the All India Women Conference, situated in Madras. She joined the Indian National Congress in 1934 and played a leading role

\(^{16}\) Geraldine Forbes, *Indian Women and the Freedom Movement: A Historian’s Perspective* (Research Centre for Women’s Studies Gender Series, Mumbai, 1997), P.42.
in the ‘Quit India’ Movement in 1942. She became a member of the Constituent Assembly and stood for a new India based on social Justice and gender equality.\(^{18}\)

In short, women participated in the freedom struggle and accelerated its onward march. Women’s contribution during the freedom struggle also enabled them to participate in the public life, fight for their socio-economic and political equality. It helped them to struggle for their empowerment. Women fight for their representation through reservation in the Parliament and Legislative Assemblies. Even after fifty seven years of Independence, women remain under-represented in the decision-making bodies in the post-independence era despite the fact that they contributed a lot during the national Movement of India. Of course in 1992, women’s 1/3 of seats have already been reserved at the grass root levels i.e., in the Panchayati Institutions and Municipalities.

2.4: CONSTITUTIONAL EMPOWERMENT OF WOMEN IN INDEPENDENT INDIA:

Independence brought the promise of liberation and equality. With the grant of constitutional gender-equality in free India, the legal support was also granted to women through a series of legislations. While dealing with gender issues, the Constitution of India has guaranteed equality before law and equal protection of

law (Article 14). Article 15 of the Constitution categorically prohibits any kind of discrimination, and enjoins the state to make special provisions for women.

The Constitution of India according to Article 23 and 42 has made provisions to prohibit traffic in human beings and to provide for just and humane conditions of work along with maternity relief. It has become a Constitutional duty of every citizen to renounce practices derogatory to the dignity of women under (Article 51 A)\(^9\). The Directive Principle of State Policy in Part IV of the Constitution incorporates the policy goals of a welfare state. All these have assured normatively significant status of the Indian women.

The Indian Constitution made deliberate radical changes in the age-old social status of women by granting them equal social and political status. In the post-independence era, women have been recognised as a separate target group and the government has directed its efforts towards mainstreaming of women into the national developmental process. The post Independence period has witnessed far-reaching changes in almost all spheres of women’s lives be it political, economic or social. In terms of Constitutional, legal and administrative measures, many commendable initiatives have been taken. Prominent among them are the Constitutional provisions for gender equality and justice. The government of India has enacted new laws and amended the existing laws to protect and promote the interests of women. It set up women-specific administrative and economic

structures, such as Women and Child Development Department at the Union and State Government levels; Government of India formed National Commission for Women. It also set up State Women Development Corporations, orienting plan strategy to include women specific and women related programmes. Government launched special schemes like Rashtriya Mahila Kosh and Mahila Samridhi Yojana, Indira Mahila Yojana, etc. for the growth and development of Indian women.²⁰

Since the inception of the plan era in 1951, thrust has been given on development of women. But till 1971, the thrust was mainly on welfare aspect of women and the economic front was not adequately taken into consideration. For bringing women to the mainstream of development, the Sixth Plan recommended a list of programmes exclusively for women. Development of Women and Children in Rural Areas (DWCRA) was one such programme. This programme was started in the year 1982-83 as a sub-scheme of Integrated Rural Development Programme (IRDP). It aimed to enable poor rural women to get organised into small groups with the purpose of understanding and analysing their existing situations, thereby finding out solutions to their miseries.²¹

²⁰Ibid. P. 622.
2.5: WOMEN'S POLITICAL MOBILISATION THROUGH POLITICAL PARTIES:

Initially, some parties like the Indian National Congress and Communist Party of India have formed women’s fronts. Later on other parties also did the same. Some of the activities which these parties took up relating to women’s political participation were:

1. Mobilisation of women voters at the time of elections on some popularly attractive electoral promises and slogans, relating to the socio-economic upliftment of women.

2. Mobilisation of women activists and other common women citizens belonging to different occupations and pockets in rallies, demonstrations and campaigns.

3. Mobilisation of women activists and party workers in organising conferences focused on women specific themes.

4. Imparting specific training programmes for active members of the women’s wing of the parties in order to sustain their commitment to the party ideology and programmes besides keeping them informed of future courses of action.22

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2.5.1: THE MOVES OF MAHILA MORCHA OF INDIAN NATIONAL CONGRESS IN EMPOWERING WOMEN:

In the past, the Mahila Morcha (the Women’s Front) had taken up the role of an educator for the women cadres and leaders at various levels. It became an active agency under Smt. Kumudben Joshi’s Presidency. She helped in bringing out an Action Plan, which was carried out during May-December 1990 for the district and Block Mahila Congress office-bearers. In the Action Plan, more stress was given on the following issues:

1. Membership drive.
2. Price rise.
3. Atrocities against women.
4. Training camps to provide proper guidance.
5. Literacy and Health programmes.
6. Communal harmony.

Also in order to encourage the women workers, following steps were taken:

1. Awards were promised to those States which would enroll the maximum number of women members.

2. Also those women members whose enrolment of members would rise to 100 or above would be given Identity Card.  

\[23 \text{Ibid., P.29.} \]
To popularise the congress ideology amongst the women, the All-India Mahila Congress prepared a folder which was circulated to all the State Units, MPs and MLAs. It was decided to conduct training camps for women leaders all over the country to provide to acquaint them with the ideology, programmes as well as to increase their political awareness. During 1991, Seminars, Conferences and District meetings were organised by the state units of the congress Mahila Party to enhance women's political awareness.

The Mahila Congress had also seized the initiative to nominate women candidates for the elections in 1991 for the Parliament and State Assemblies. Many important members of the Mahila Congress had their own organisations. These organisations celebrated International Women’s Day together or separately. There were also other voluntary organisations like all-India Centre for Urban and Rural Development, which organised a two day Conference on Prevention of Atrocities on women on 20-21 July 1989. 24

2.6.2: BHARATIYA JANATA PARTY’S MOVES TO EMPOWER WOMEN:

B.J.P’s Mahila Morcha was formed in 1980 in the first B.J.P. Party Conference, which was held in Bombay under the Presidentship of Atal Behari Vajpayee. Rajmata Vijay Raje Scindia and Smt. Mridulas Sinha were appointed Co-ordinator and Assistant Co-ordinator respectively. In 1986, Smt. Mridula Sinha was

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appointed President of Bharatiya Mahila Morcha. The B.J.P. Party Mahila Morcha has 20 state units. The main objectives are:

1. To raise social awareness among women and strengthen their national duty.
2. To struggle against economic, social and political injustice.
3. To build a free new society based on social equality and justice.
4. To revive India’s ancient civilization and traditional values.
5. Also to apply scientific ways.  

The meetings of Mahila Morcha Central Committee are held once in six months. Discussions are held on national problems as well as state issues. Apart from this, the B.J.P. Mahila Morcha held meetings, seminars, dharnas, protests, etc. at national as well as state levels.

2.5.3: THE COMMUNIST PARTY OF INDIA (MARXIST)’S ATTEMPTS TO EMPOWER WOMEN:

The C.P.I.(M) is one of the most organised parties in India. The C.P.I.(M) women have been poorly represented either in the legislative positions in Parliament or State Legislatures all along. While the ideological positions based on class are more important to the Marxist Parties than issues based on gender. In the

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25 Ibid., P.57.
26 Ibid., P.58.
recent times, there is a perceptible shift in the same and women’s issues have taken an important place in the party’s agenda of activities. Two organizations, the All India Democratic Women’s Association (AIDWA) and the All Indian Co-Ordination Committee for Working Women came up and specifically focus on the problems of women; to attempt establish linkages between women’s issues and the broader ideology of the movement.\textsuperscript{27}

The AIDWA mainly undertook two types of functions in the context of women:

1. To represent individual women’s issues which have a bearing on the political issues and development.

2. To organise protest rallies, campaigns and demonstrations around specific issues like dowry; Muslim women’s rights (Right to Maintenance Bill); Deorala Sati and the Sati Bill, and women’s employment, wages, etc.

Apart from specific women's issues, AIDWA believed that the women’s movement should forge its links with the political movement and organisations and thereby place it on the national agenda. Campaigns, rallies and celebrations of International Women’s Day at the national, regional and local levels were the main methods of educating common women for C.P.I.(M). In addition to it, the state units and districts units of AIDWA conduct regular classes for the women

\textsuperscript{27} Ibid., P.59.
activists. Among other subjects, which they discussed were on Marxism, women’s status, women and law, roots of women’s oppression, religious fundamentalism, role of women movements etc.\textsuperscript{28}

\textbf{2.5.4: NATIONAL FEDERATION OF INDIAN WOMEN ATTEMPTS TO EMPOWER WOMEN:}

It was started in 1954 in Calcutta mainly by those who co-ordinated the delegation for the World Congress of Women, held at Copenhagen in June 1953. Its aims and objectives were to look beyond India, to promote ‘friendship, unity and solidarity of women throughout the world’. It worked for women’s equality and socio-economic order where there would be no exploitation. Since its foundation, NFIW had mobilised women on the basis of economic issues—mainly which affected society adversely like price rises, hoarding, labour issues and issues relating of women workers strikes, etc. Thus it combined the issue of women’s rights, equality and domestic and political conditions. Its methods were mostly campaigning and organising demonstrations.\textsuperscript{29} It brings out booklets which deal with various women’s burning issues of the society like Sati System, Dowry issue, women’s education, employment and training, economic conditions of rural women, communalism, world peace etc.\textsuperscript{30}

\textsuperscript{28} Ibid, P.60.
\textsuperscript{29} Ibid, P.60-61.
2.5.5: COMMUNIST PARTY OF INDIA (MARXIST-LENINIST)'S ATTEMPTS TO EMPOWER WOMEN:

The women's wing of C.P.I(M-L) consisted of Kumudini Pati, Bharati S. Kumar, and others organised a national women's convention against the increasing suppression of women's rights by the religions fundamentalists. The Convention was held on the topic the "Rightist Offensive and the Women's Response" held at Patna on 29-30 August 1992. In this convention, 33 women's organisations participated.\(^{31}\)

The Pragatisheel Mahila Manch (Progressive Women's Forum), Patna, consists of many academics and professionals who organised rallies for International Women's Day on 6-7 March 1991. These women also participated in other general conventions, in poll campaigning and demonstrations etc. which were organised by the CPI(M-L).

2.5.6: JANATA DAL PARTY'S MOVES TO EMPOWER WOMEN:

The Janata Dal Party was formed in 1988. It has been credited with a liberal outlook and has as its foremost leaders and members, persons with a progressive, liberal and intellectual outlook towards India's political issues. The Janata Dal has a women's wing at the national, state and at district levels. It's

\(^{31}\) Ibid., P.38.
women's wings are spread in the blocks and villages of Maharashtra. Its women's unit convenor, Ms. Pramila Dandavate was a member of the Working Committee. She operated effectively through the voluntary organisation called Mahila Dakshita Samiti. This Mahila Dakshita Samiti had organised demonstrations against price rise and raised consumer protection awareness among other activities.\(^{32}\)

2.6: THE STRUGGLE FOR RESERVATION:

The women's reservation issue was raised by women's organisations which wanted women's reservation at the political institutions. Some women leaders had raised the demand for reserved seats in the 30s, especially at the level of the Municipality. They feared that women would not be able to contest in the elections unless such special provisions were granted to them. The Women's Indian Association had demanded reservation of 20 per cent seats in the newly enlarged legislature as a transitory measure. It pleaded for their votes and proposed proportionate representation for women in the newly elected Council. This organisation also proposed that from the panel of names sent forward by the officially recognised association of women to be included as the members of the Council.

During the nationalist movement, all women's organizations, including the All India Women's Council, National Council for Women in India and Women's

\(^{32}\) Ibid, P.39
India Association, demanded adult franchise for women. In the early 70’s, the committee on the Status of Women in India (CSWI) observed that, “Women’s ability to produce an impact on the political process has been negligible because of the inadequate attention paid to their political education and mobilization by both political parties and women’s organizations”.

Through the 80s, the women’s movement rejected the demand for the reservation of seats for women at the higher levels of government. Nonetheless, the 90s saw a shift, with the women’s movement beginning to look favourably on the demand for reservation of seats. Women activists realized that the low level representation of women in higher decision making bodies was a grave handicap. They felt that unless women have a voice at all levels of governance, their interests would be set back indefinitely. Vina Mazumdar, a member Secretary of CSWI felt that the committee should have paid greater need to the issue of reservation, which was necessary for the health of Indian democracy.

However, major sections of the women’s movement have been conglomering actively, with considerable public support, to institute reservations for women in Parliament. This marked a radical change of perspective because ever since the 1930s, and even as recently as the 1990’s, most women’s Organizations

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and their supporters resisted and openly rejected proposals for reserved seats because they were insisting on adult franchise for women.

The pro-reservation stance seems to have begun in the late 1980s when the 73rd & 74th Amendments were introduced where 33 percent reservations for women in Local Self-Governmental institutions were introduced. The 64th Constitutional Amendment Bill was introduced in Parliament in 1989, which also provided for 30 per cent reservation for women. But it could not be passed on the ground that it was based on a uniform pattern for the entire country; the Centre would have to deal with the Panchayats directly, bypassing the states in the process. This had implications on many schemes which were initiated and financed by the centre. However, it was strongly opposed by the non-Congress parties. The Bill was defeated by a narrow margin in the Upper House. The Bill was reintroduced in September 1991, as the 72nd and 73rd Constitutional Amendment Bills with an additional provision such as one-third representation for women in the capacity of chairperson positions also. These Bills were finally passed on December 1992. It was ratified by half the states by April 1993. It came into operation from 24th April 1993.

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2.6.1: THE 73RD AND 74TH CONSTITUTIONAL AMENDMENTS:

The provisions of the 73rd and 74th Amendment provided direct elections to all the seats of the Panchayats and Municipal Councils. This Act is significant with regards to the reservation for women:

It has the following aims:

1. To provide Constitutional guarantees to safeguard the interests of both rural and urban local governments.

2. To enable them to function as effective democratic and self-governing institutions at the grassroots level.

3. To decentralize decision making.

4. To provide greater transparency at all levels.

5. To strengthen the financial base by ensuring that both PRIs and Municipal bodies have funds/resources for meeting the needs of people particularly the poor.

6. To protect the democratic process by making the elected representatives of people responsible for decision making.

7. To ensure a voice for the people, and to enable elected representatives to communicate people’s needs to planners.\textsuperscript{38}

This amendment was considered as a landmark in the empowerment of women. For instance, after the 1992 election in Maharashtra, a total of 28,000

Panchayati Raj Institutions yielded positions of power to 93,333 women in various Panchayats as members and as chairpersons.\textsuperscript{39}

Having provided reservation for women in Panchayats and Municipalities, it was felt that reservation for women on the same lines be provided in Parliament and State Legislative Assemblies by amending the Constitution. All major national political party unambiguously supported this contention and concretized their commitment in their election manifestoes. The United Front government, made a commitment in their Common Minimum Programme, and proposed to provide one-third reservation for women in Parliament and State Assemblies by amending the Constitution. Accordingly, the Eighty-first Constitution Amendment Bill was introduced in the Lok Sabha on 12\textsuperscript{th} September 1996. It was just a day before the closing of the monsoon session. The Bill had the following provisions:

1. Minimum of one – third seats to be reserved for women in the Lok Sabha and Legislative Assembly.
2. Indefinite period of reservation.
3. Constituencies reserved through rotation.
4. Parallel sub – reservation for women with the SC/ST quota. In addition to the existing 22.5 percent seats reserved for them, 7.5 per cent would be set aside for women. However, in cases where there are less than

\textsuperscript{39} Ibid, P.25.
three seats reserved for SC/ST, there would be no sub – reservation for women.\footnote{Ibid., P. 54.}

But the Bill could not be passed because of the lack of quorum in the Parliament. Only 233 MPs were present in the House as against the minimum 273 (50 per cent of the total strength) to approve a Constitutional Amendment. There were disagreements over the issue of separate quota for OBC women. Therefore, the Constitution (81st Amendment) Bill, 1996, as reported by the Joint Committee, however, lapsed with the dissolution of Eleventh Lok Sabha. The Constitution (84th Amendment) Bill, 1998, was again proposed to be introduced in the Parliament. It contained the same provisions as the 81st Amendment. On 10th July, 1998, the BJP led government decided to introduce the Constitution (84th Amendment) Bill, 1998.\footnote{Ibid., Pp.56-57.} The Constitution (84th Amendment) Bill, 1998 or the Women’s Reservation Bill as introduced in the Parliament, included the following key provisions:

1. One-third of Lok Sabha and Assembly seats shall be reserved for Women.

2. Reservation shall be by rotation of constituencies.

3. One-third of reserved seats for women shall be reserved for women from SC/ST.

4. If there is only one SC/ST seat in a State. The seat shall be reserved for SC/ST women only in the first election.

5. Reservation shall also be for nominated Anglo – Indian members.
6. Reservation shall initially be for 15 years. That is, each seat shall be reserved for only one of three five-year terms. After this period, there shall be a review.

7. Reservation for women in Rajya Sabha and Legislative Council is included though modalities were to be worked out.

On 12th July, 1998, RJD MP Mr. M.M.A. Fatmi announced that all Muslim MPs, cutting across party lines, would scuttle the Bill if reservation for OBCs and Muslim women were not made. Former Prime Minister Deve Gowda, too, made a forceful plea for a quota for OBCs and Minorities in the Bill.

The BJP-led Government failed to introduce the 84th Constitution Amendment Bill on 13th July, 1998. The decorum and dignity of Lok Sabha became a serious casualty when an RJD member, Surendra Pratap Yadav, rushed to the podium and snatched some papers from the hands of speaker, G.M.C. Balyogi. Later he grabbed some papers lying on the table of Law Minister Thambi Dusai who was listed to introduce the 84th Constitution Amendment Bill. The RJD leaders – Laloo Prasad Yadav, M.M.A.Fatmi, Raghimir Prasad Singh, SP leader Mulayam Singh Yadav, and BSP leader Ms. Mayawati were seen together pressing their demand for deforming the introduction of the Bill. The Prime Minister Atal Bihari Vajpayee described the incident as a ‘shameful act’ and said that physical intimidation by a handful of MPs prevented the introduction of the Bill. The Bill was again introduced as 85th Amendment Bill in 1999 but lack of consensus pushed it
back to its earlier position. The most interesting part of the Bill was its introduction on the very last day of the winter session of the Parliament in the year 2000, manifesting the lack of seriousness among the parliamentarians in their agreement on the Bill.\textsuperscript{42}

Despite all these setbacks, women's insistent demand for reservation in Parliament and State Assemblies continues unabated, to the point where increasing women's representative presence seems to have become something of a contemporary battle-cry for women.\textsuperscript{43}

It seems clear that while the pressure mounted by the women's movement and women within political parties led to the introduction of the 81\textsuperscript{st} Constitutional Amendment Bill (Women's Reservation Bill) in September 1996. The Bill could not have been formulated and accepted without the support of the major political parties. However, witnessing the storm of debate unleashed by the formal introduction of the bill reveals the high level of dissension and lack of support within the very parties, which had promised the reservation of seats for women in their election manifestoes. This proves the fact that while all political parties cry themselves hoarse about supporting the cause of women, but in actuality they do not like to share power with women representatives.


\textsuperscript{43} E.Mary John, Op. Cit., P.3822.
2.6.2: JUSTIFICATION FOR WOMEN’S RESERVATION:

The number of women representatives in India at present is utterly negligible. Women in India are victims of gender discrimination, and even the law-making as well as the law-enforcing agencies in the country are gender-biased. Hence, the National Women’s Commission has proposed a programme, termed as ‘Gender sensitization for the Judges,’ to foster a gender-neutral orientation among the Judges. According to an Indian woman writer, these instances point to the fact that women in India are still struggling to fight the stronghold of patriarchy, which tries to marginalize women at every level and puts obstacles in the way of women empowerment.

The Committee on the Status of Women in India, government of India (GOI) has drawn up a report to justify the Bill for 33 percent reservation quota for women in the Parliament and states.\textsuperscript{44} According to this report, reservation is a necessity because of the following reasons:

1. Difficulty experienced by women in obtaining adequate representation and spokespersons for their cause in these bodies.

2. Declining trend of women legislatures due to the reluctance of political parties to sponsor women candidates.

3. Over a time women may lose faith in the political system and may actively opt out of the political system or become passive to their exclusion.

4. Reservation will provide impetus both to women as well as the political system to give a fair deal to nearly half the population in the various units of governments.

5. Reservation may also increase the women legislator’s sense of responsibility and concern for the problems affecting women. It would improve political mobility both in the party and within the electorate.

According to another report put forward by a group of scholars, Indian political culture and forces of tradition have been particularly against participation of women in politics. They state that improving the political status of women is an integral aspect of the overall problem of socio-economic change.

Usha Lalwani, an Indian woman writer is of the opinion that demanding reservation for women should not be regarded as asking for special privileges or admitting that women are incapable of competing with men. It has been seen that because of existing socio-political culture, even capable women are disabled through subtle or obvious discrimination and domination. In electoral politics, very few women are given party tickets and most women are prevented
from taking effective part because of the all-pervasive culture of violence, money, and muscle power.\(^45\)

The women's Bill deals with the issue of increasing representation of women in elected bodies. A suggestion has been made that instead of seats, the People's Representation Act should be amended to ensure that one-third reservation is made for women in the lists of candidates put up by political parties. However, the problem with this suggestion is that there is no guarantee that women will be given seats where the party is strong and confident of winning. Although the number of women in party lists will go up, the number of women in State Assemblies and Parliament will not. Therefore, reservation of seats is the best way to prevent political match-fixing against women, according to Brinda Karat.\(^46\)

The demand for the reservation of seats for women in Parliament and State Assemblies is in keeping with the goals of gender equality and gender justice. The essence of the arguments justifying the Bill is stated as under:

1. Reservation will give representation to women who constitute 50 percent of the population and almost the same percentage of electorate. The current scenario, in which women represent less than 10 per cent in Parliament and in the State Assemblies, is both inadequate and undemocratic. Reservation for women would correct this imbalance.

\(^{45}\) Ibid., pp. 66-67.

As an enabling mechanism, it will ensure them their rightful place in
the decision making process.

2. The very process of standing for elections and assuming the
subsequent responsibility will empower women and bring about
gender justice. Women legislators will develop a sense of
responsibility and concern for the problems affecting women. It could
lead to increase in women’s participation.47

According to another woman writer, reservation cannot be the way for
true empowerment of women as it continues to be the rule of patriarchy by proxy.
However, there is no harm if women are given the opportunity to participate in the
political structures and processes which, probably in due course, would change the
culture of governance. Research on the performance of women in Panchayats and
urban local bodies has revealed that quite a few women are successful in discharging
their duties. Some of them, who were experienced social workers, have been
supported by women’s self-help groups, while the left parties have involved them in
their demonstrations against revealed socio-political issues. Such women would
perform better with proper training and if they are given the chance to be elected
subsequently, which may not be possible due to rotation.48

2.6.3: ARGUMENT AGAINST THE WOMEN’S RESERVATION BILL:

The Indian writer Chakraborty Shivani Banerjee opined that it is understandable that an increased numerical strength of women in the Parliament and State Assemblies is an indicator of women’s empowerment. But it is difficult to support the argument that reservation induced numerical strength would break the bastion of Patriarchy, and thereby actually change power relations in the country\(^49\).

Reservation may not lead to proper empowerment of the Indian women. In fact, reservation often helps to breed vested interests in the society. Experience shows that the existing reservation system for the SC/ST has not benefited the really downtrodden, as the fruits of reservation have failed to trickle down to the lower strata of these societies. Rather, it has created a privileged class within these societies.

According to one view, even if 33% seats are reserved for women in the Parliament and the State Assemblies, many qualified and professionally established women may feel disinterested in joining a highly criminalized and vote-oriented politics. Instead, ambitious politicians may push their wives, daughters, or sisters as party candidates, who have hitherto no connection with active politics. In

this fashion, they will try to manipulate the political process to enjoy power from behind the curtain.\textsuperscript{50}

The proposed Constitutional Amendment for 33 percent reservation for women is not the correct way to tackle the problem of women’s marginalization in politics. It provides for entry of women members to fill one – third of vacancies in the Lok Sabha and Vidhan Sabhas. While this may bring about a quantitative jump in the proportion of women in Legislatures, it is unlikely to improve the quality of governance in the country. According to the proposed Bill, one-third seats are reserved and they will be rotated in every general election. This rotation will forcibly unseat the two-thirds of incumbent members in every general election. This means that the remaining seat will not know, until the last moment, whether or not their Constituency will form part of the one-third randomly reserved seats. They have to struggle at a short time to find another seat to contest. Inevitably, there will be vociferous and justified demand for rotation of seats reserved for Scheduled Caste, and in some cases, Scheduled Tribes, where their population may not be very large. This will trigger off further instability in Indian polity.\textsuperscript{51}

Further, the Bill is not commensurate with the idea of the equality of men and women. A woman should participate in national politics because she is capable and talented and not just because she is a woman. The representation policy


goes against the spirit of the women's movement, which had tried to establish that women's issues are social issues and concerns everybody. Feminism fights patriarchy and not men.\textsuperscript{52}

Politics has become a citadel of corruption and crime and fewer women are joining political parties. In such a scenario, powerful male politicians are sure to present their wives and daughter to corner the women's quota. The Parliament will then be filled with members of a "biwi–beti–brigade" who will act as proxies for their husbands or male relatives.\textsuperscript{53}

Another argument against the reservation policy is that a woman who gets elected is not likely to be interested in her constituency, as in the next election, it will become a general constituency. But why foreclose the possibility that a women MP will not fight in a general constituency in the next general election.

The Panchayati Raj institutions have witnessed a dramatic rise in women's political ambition. A large number of women have professed their interests in seeking re-election even though their constituencies are unlikely to be reserved ones.\textsuperscript{54} The critics of women's reservation argue that elected women will represent the proxy rule by men and that only the beti – biwi brigade will benefit by

\textsuperscript{52} Anchita Ghatak, "Make Way for the Ladies First", The Telegraph, (Calcutta, 24\textsuperscript{th} Sept. 1998), in Usha Lalwani, Enhancing Women's Participation in Politics, (Research Centre for Women's Studies, Mumbai, 2002),P. 72.
\textsuperscript{53} Ibid.
these reservations. Wives and daughters may be put up as mouthpieces of their male kin. But as in the case of Panchayats, wives of party men, once elected, have asserted their independence. One can, therefore, hope that women may be able to respond to the power on their own. Men who seek to speak through wives and daughters cannot possibly thwart a large number of women into formal political process.

2.7: CONCLUSION:

To conclude it may be sated that the struggle for women’s rights has undergone various changes throughout India’s long history. Women generally enjoyed high status during the Vedic period, being treated with justice and kindness. But the deteriorating process set in mainly during the Pauranic Age. It was during this time that pre-puberty marriage came to be practiced, widow remarriage was prohibited, and education was totally denied to women, among other changes in the social field. In the economic field, a woman was denied a share in her husband’s property. During the Smriti Age, absolute change in the status and role of women occurred. Indian women who were entitled to fullest freedom were suddenly confined within the four walls of the houses. A steady deterioration of the status of women reached a new low after the disruption of the Mughal Empire. Women’s position was at its worst when the British period started.
However, during the 19th century and early 20th century, many social reformers attempted to revive the traditional old women’s rights in India, which brought about a near revolution. The Era of emancipation began with social reformers like Raja Ram Mohan Roy, Swami Dayanand, Ishwar Chandra Vidyasagar, Gopal Krishna Gokhale, Pandit Ramabai and Mahatma Gandhi.

Gandhi emerged as an all-important leader among the small list of those illustrious and sensitive men of the 20th century, who have spontaneously empathized with the women’s cause. He looked at a woman as an entity in her own right, capable as much as any man of “shaping her own destiny.” The first woman to respond to his call was Katurba, his wife, who was always in the forefront in all his non-violent agitations in South Africa as well as at home. Other eminent women included Madame Cama, sister Nivedita, Annie Besant, Pandita Ramabai, Sarojini Naidu, Kamla Nehru, Maniben Patel, Vijayalaksmi Pandit, Sucheta Kripalani, and Prabhavati Devi, not to mention the thousand others who sacrificed their homes to see the Country free.

Though the question of women’s emancipation was first taken up by the social reform movement of the 19th century, it was only in the 20th century that women began to formulate their own political agenda. This came with the establishment of the Women’s Indian Association in 1915, which subsequently got absorbed into the All India Women’s Conference. The demand for women’s franchise was first initiated in 1917 and The Reforms Act of 1921 saw a small
faction of the Indian population, including women, given the right to vote. However, this was subjected to certain conditions, as only those women who were married, educated or propertied were entitled to vote.

The full demand for reservation started in the 30s, with the Women's India Association suggesting, as a temporary measure, a reservation of 20 per cent seats for women in the newly enlarged Legislature. It continued up to the 80s. The women's movement rejected the demand for the reservation of seats for women at the higher levels of government both in the State Assemblies and the Parliament. Later in the 90s, the women's movement began to look favourably on the demand for reservation of seats. The pro-reservation stance gained favour in the late 1980s when the 73rd and 74th Amendments introduced 33 per cent reservations for women in local self-government institutions. This has been followed by the current demand for a similar provision in Parliament and State Assemblies, which has led to the introduction of the 81st and 84th Constitution Amendment Bill. These bills failed to receive consensus in the Parliament of India.

Majority of the men spoke against women's empowerment through reservation and selected few women supported their argument and those against the reservation charge the Bill of diversion, misrepresentation, alienation, unfairness and stagnation. However, the debate on the Women's Reservation Bill is still going on. The question of gender discrimination has deep socio-economic, political and cultural significance. The existing political process is not conducive to women's
empowerment. Empowerment denotes a process by integrating women into the political system, and reservation is obviously an instrument of empowerment. However, without the spread of education and growth of social consciousness, women empowerment would remain largely unrealized. Unless there is gross change in the social attitude, mere reservation will not bring justice to Indian women.

Yet, reservation will ensure the meaningful participation of women, who constitute 50 per cent of the total population, in the political process. This in turn will enhance their ability to challenge the existing power structures and their inherent ideologies, which are bent on keeping women subordinated. The implementation of the 73rd & 74th Constitutional Amendment has brought nearly one million women into the political mainstream. The massive emergence of women in the political institutions has disproved the earlier and false belief that women were unfit for politics, and revealed the immense potential that women represent.