

Jus Corpus Law Journal

Open Access Law Journal – Copyright © 2022 – ISSN 2582-7820 Editor-in-Chief – Prof. (Dr.) Rhishikesh Dave; Publisher – Ayush Pandey

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium, provided the original work is properly cited.

Women as Political Proxies in India

Sonal D. Pandhare^a

^aVidya Pratishthan's Vasantrao Pawar Law College, Baramati, India

Received 05 May 2022; Accepted 30 June 2022; Published 25 July 2022

Today the women of India stood up in almost every field and proved their efficiency and ability. Basically, the first time Indian women witnessed politics was during the ancient era and it widened in the British era. Before this, the first women leader who became a torch for other women was Razia Sultan. She was the only lady warrior who ruled over Delhi. Noor Jehan was the real force behind the Mughal ruler in the Mughal period. The golden era started of Indian women in politics started with the name of Vijayalaxmi Pandit and continues with the iron lady Mrs. Indira Gandhi. After the demise of Indira Gandhi, there was no big name for almost a decade. Apart from the above-mentioned leaders, some so many key leaders restructured politics. Opportunity comes with challenges so despite increasing women's participation in politics there are a lot of hurdles that still unnoticed. As a part of patriarchal society male counterparts uses them just like a puppet and most of the time on reserved seat women are just shown as the face of the candidate despite the constitutional safeguards. The general perception is that politics is not a women's cup of tea and still today every party is patriarchal. There is a need to change the stereotypes. It is important to create awareness about politics as a career and need to assure safety. Democracy needs more women's participation in policymaking not only in favor of women but for other subjects also. The number of bills and constitutional safeguards is useless in front of the stereotypical mindset of Indian society. There is a need to change from the grass root level to the top most instead of doing paperwork.

Keywords: arduous path, nepotism, politics, stereotypes, constitution.

INTRODUCTION

Equal participation of women in leadership especially in politics is necessary to achieve the sustainable goal of 2030. In ancient times India had a very rich culture with respect to gender equality in almost every sphere of society. But with the changing time, the position of women become worse and India suffered as a patriarch nation. Instead of this Indian women's participated freely in the freedom movement and played a key role in the independence struggle. Since then women didn't get active representation in decision-making. Indian women's started their demand in 1917 for voting rights. Indian constituent assembly incorporated the equality provisions and protects women from any kind of discrimination. Indian constitution gives equal right to vote to women. On the other hand, the constitution provides directives and principles to the state to make special provisions and welfare schemes to protect women's rights. It is the duty of the state to make sure about women's representation in every sphere of society and increase their numbers through special legislation etc. The state becomes successful to improve at least in other sectors but in politics, it completely failed. In a patriarchal society, there are various factors become an arduous path for women in a political career instead of various constitutional provisions.

ARDUOUS PATH

There is the famous quote by Eleanor Roosevelt "If women want to be in politics they need to grow skin as thick as a rhinoceros." Indian politics and masculinity have a very close nexus. The government made various provisions and welfare schemes to increase the number of female representatives as well as to strengthen their role. It is not sufficient to deal with this issue only with the help of paperwork, there is a need to change the set narrative or the society's mindset. It is not a cakewalk to make a career in politics, in fact, it becomes an arduous path for every women representative in a number of the way such as:1

• **Stereotypes:** Dirty politics is not a cup of tea for women. It is an unhealthy career or option .patriarchal mindset of society makes a male strong and women are always considered in the submissive role and she should follow the path which chosen by her

¹ Kanak Mukherjee, 'Indian Women on an Arduous Road to Equality' (*Tri Continental*, 8 March 2021)

https://thetricontinental.org/dossier-45-womens-movement-india/ accessed 25 April 2022

male counterparts, sometimes it's her father, brother, husband, and son. Her role is defined only by her household responsibilities. Even today in India it feels shameless or insulting to take orders from women, especially those who hold higher authority. It is the most basic yet important challenge to encourage women to come into the mainstream of politics.

- Safety issues: Women have their household responsibilities and they should be dealt with it on priority. so the advice has been given to them to stay away from dirty politics. Women should face derogatory comments and sexual remarks so it is considered an unfriendly environment.
- **Financial support:** Women are always second preference from the political parties to contest the election and they do not provide financial support.in her personal earnings also she did not have control over her own money. The ultimate control over her financial freedom is of her either family members or her husband. Lack of financial aid she is unable to stand on her own feet.
- Political awareness: Still today in India there is a lack of knowledge about politics.
 Especially women are not interested in having their own voting cards and voting. So it is far to contest the elections and to be aware of their own rights. Even they don't know what the constitution is and have a number of rights and duties. It is the basic task to create awareness about their rights in politics.
- Societal and cultural norms: The cultural, economic, and societal norms affect the participation of women in politics. It imposes restrictions and bars them to enter into politics. Family background also matters into it.
- Political violence: Women's work efficiency was never recognized by dominant political parties. The rise of political criminalization, an increase in the corruption ratio, and insecurity have driven them from politics.

MEASURES²

Social Awareness:

There is a need to organize social awareness campaigns through various NGOs, educational institutions, government bodies, media, celebrities, etc. for political rights of participation

Empowerment:

To improve the political condition of women to provide them with good education and opportunities at various levels in the public sphere.

Gender equality:

Indian constitution gives equal rights to women along with men and made special provisions for increasing the representation of women. It should invoke on the field rather than on paper. Women should avoid as proxies for their male counterparts.

Special initiatives:

Constitution and government took special initiatives through the various institutes. It is the responsibility of every citizen and government to reach it at the ground level.

NEPOTISM

Internationally Indian politics is acclaimed as a family business.in every part of India, almost each and every party follows nepotism. Not only Bollywood but also Indian politics encourage nepotism. There is a dynasty in Indian politics. Only the Indian National Congress gave the fierce women leader to India and that is only one. Not only do the national parties encourage nepotism but on the other hand, but regional parties also promote nepotism. But only as proxies and not as active leaders who participate in decision or policy framing. Women politicians get a smooth entry on the nepotism but later on, they also face challenges while dealing with the next term or election. As a woman from political background had face fewer difficulties compared to common females. It's easy to get entry but difficult to maintain the

² Eleen Garg, 'Political participation of women: debunking the Indian reality' (*Ipleaders*, 20 January 2021)

https://blog.ipleaders.in/political-participation-women-debunking-indian-reality/ accessed 25 April 2022

position and women also face derogatory and sexual remarks. Mostly female nepotism in politics is used as proxies and does not give chance to decide on their own.³

CHALLENGES

- To improve the poor performance of existing women politician
- To create awareness of their rights and duties.
- To avoid the use of women as proxies in Indian politics.
- There is a need to develop communication skills and leadership development for enhancing society.
- Literacy creates more awareness about the system of governance.
- To break the set mindset about politics i.e. dirty politics.
- To create awareness in women about their political rights.

WOMEN -POLITICS AND CONSTITUTION

Pre-independence era noticed the active participation of women in the freedom struggle and it was a stepping stone for female participation. These lawmakers played an important role to protect the right of a significant class of society by ensuring their rights through the constitutional provisions. Later on, India granted the right to vote to women in 1947 with independence. India granted this right prior to the United States.

Indian lawmakers had focused on the constitution and the principle of gender equality with respect to the preamble, fundamental rights, and directive principles of state policy. Indian constitution empowers the state to make legislation on protective discrimination and favored women to increase their participation and strengthen quality. For coming into the mainstream not only in politics but from the other sector.

As per the Global Gender Gap Report 2021, India declined in the political empowerment index by 13.5% and also decline in the number of women ministers from 23.1% in 2019 to 9.1% in

³ Amrit Dhillon, 'Nepotism: the way they do politics in India' (*The Sydney Morning Herald*, 27 March 2014) < https://www.smh.com.au/opinion/nepotism-the-way-they-do-politics-in-india-20140327-zqnpg.html accessed 25 April 2022

2021. Even Pakistan and Bangladesh have a good representation than India. The world witnessed the strong women leaders during the pandemic.in India, most of the high positions are held by women but still, there is less representation ratio in politics. India had 153rd rank out of 190 countries in the representation of women in the lower house of the world parliament. The number of voting women is increased but the representation is still very low compared to the population of women.

Indian constitution guarantees privileges to women through various articles, such as:

Preamble ensures equal rights irrespective of gender to participate effectively in the administration of society.

Equality before law:

Article 14⁴: provides the general principle of equality before the law and equal protection of laws.

It prohibits discrimination on the ground of race, caste, sex, religion, and place of birth.

Article 15⁵: gives power to the state to make special provisions for the benefit of women and children.

Article 16⁶: creates equal opportunities for all citizens in employment and it cannot be denied on any ground of sex, race, caste, religion, and place of birth.

Article 39⁷: empowers the state to make policies for securing the interest of livelihood of every citizen irrespective of gender.

Article 39 (b)⁸: provides equal pay for equal work to both men and women.

• Humane condition at Workplace:

Article 429 empowers the state to enact legislation for providing justice and humane conditions at the workplace and special provisions for maternity relief.

⁴ Constitution of India, 1950, art.14

⁵ Constitution of India, 1950, art.15

⁶ Constitution of India, 1950, art.16

⁷ Constitution of India, 1950, art.39

⁸ Constitution of India, 1950, art.39(b)

• Fundamental Duty:

Article 51 A (e)¹⁰ enjoins every citizen to renounce derogatory practices to the dignity of women. The fundamental concept behind these provisions is to boost women's participation and preserve the balance of the community and boost their ability for advancement in different spheres of life.

• Reservation to women:11

The mutual efforts of law and society encouraged the government to make some provisions of reservation and introduced 73rd& 74th constitutional amendments i.e. the panchayats and the municipalities:

Article 243 D & T (3)12:

It provides the reservation to the women in panchayats and municipalities of not less than one-third of the total number of seats allotted in different constituencies by the rotation.

Article 243 D & T (4):

It provides that not less than one-third of the total number of officers of chairperson in the Panchayat and Municipalities are reserved for women at each level.

• Electoral laws with Voting Rights:

There should be reserved seats for the women i.e. third seat. Seats are allotted in Panchayat to the various constituencies by rotation. In the village or the other level of Panchayat, the seat of the chairperson should be reserved for the scheduled caste and scheduled tribes and especially for the women. With respect to that state legislature has the power to enact legislation. Municipalities also provided a reserved seat for women, 73rd amendment of the constitution is a milestone step in women's reservation policy and this experiment proved a big success

⁹ Constitution of India, 1950, art.42

¹⁰ Constitution of India, 1950, art.51A(e)

¹¹ P. Srivasta, 'Political Empowerment of Women and Panchayat Raj' (*Yojna*, October 2016)

<http://yojana.gov.in/public-

account_2016sep.asp#:~:text=Under%20the%2073rd%20amendment%20of,are%20reserved%20for%20women%20candidate> accessed 25 April 2022

¹² Constitution of India, 1950, art.243D &T(3)

especially as it boost the opportunity for women who come from a rural background and those who engaged in household works. It is helpful to increase women's participation in politics.

Political empowerment starts actively in the political and administrative institutions with this strong initiative. Even though this provision was made for the benefit of the women but it was misused by many of them and women portraying as a proxy by their husbands, political parties, etc. Many of the female candidates are unaware of their rights and duties. They don't know they have a right. Recently during the COVID 19 pandemic, the lady Prime Minister Jacinda Kate Laurel Ardern of New Zealand received immense appreciation from the entire world for controlling the pandemic when the entire world facing the same challenge. India fails in participate women in politics instead of various constitutional safeguards. Internationally it proved India didn't achieve a satisfactory level of women empowerment in politics. Universal Declaration of Human Rights Article 21¹³ inserted for providing a right to everyone to participate in the government of the state in an equal manner.

WOMEN AS PROXIES

Women are always considered a weak or vulnerable section. In India, as a patriarchal society, it is not acceptable to hold a high position as a woman, and it feels insulting or shameful to take orders from a female counterpart in almost every sphere of society. After the 73rd and 74th constitutional amendments, women's representation immensely increased at the local and municipal level but women were just presented as proxies and their male counterparts handled everything. "panchpati" or "pradahanpati" are the terms that evolved from this issue. Women are just showcased as a candidate and the real master is someone other especially male from the family member or the political parties' .the ultimate control is in the hand of the male counterpart. It's not just on the local level but at the parliament and assembly level too but the situation is not worst like the local level. More or less there is also the impact of nepotism. So the main object of this provision is not fulfilled to empower the common women in politics as a career like any other sector.

¹³ Constitution of India, 1950, art.21

CONCLUSION AND SUGGESTION

With the help of Constitutional amendments and other provisions increase the participation of women in politics, later on, was misused by many powerful hands and other societal, cultural, and economic stereotypes. Women remained proxies by their male counterparts and do not get full control or active participation in policy-making. It is so far to participate women in decision making. It suffered over the ages and still, it continues because numbers of factors are there, government can ensure strict implementation of women-related laws and other provisions. To accept women as active politicians and make a healthy environment with healthy competition to create awareness through education, various NGOs, government bodies, and media to break the set narrative about women. To create more opportunities for the female candidate at the local level. It is a need of the hour to implement it on ground level rather than paperwork.