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EQUAL RIGHT: BUT IN VAIN

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ABSTRACT

Despite the fact that the Indian Constitution guarantees equal rights for men and women, it is found that a majority of women do not enjoy their rights. This is particularly so in the rural areas, where women are not even aware of their basic rights. The sex ratio, which in 2001 was 933 women for every 1000 men, is proof enough of the growing difference that exists in our society.

INTRODUCTION

Perhaps, it is the 73rd and 74th Constitutional Amendment Acts, which took the courageous step of acknowledging the role of women in the development of their own communities. In making the landmark provision of one third reservation for women, the 73rd Constitutional Amendment Act opened the space for women's contribution in the political decision making processes and enlarged the possibility of change within the political discourse of the country. For the first time ever, one million women were elected to the local government. For the first time ever, there was a shift towards recognition of public voter of women. The fact remains that women are now legally empowered to participate in the decision making processes of their village. Over the years, there has been a shift from proxy candidature and obedience to a situation where there are increasing numbers of cases where women have started handling the panchayat affairs confidently and efficiently. Numerous examples may be cited from across the country where women have demonstrated their initiatives – in taking the lead in construction of link roads, building schools to closing down of liquor shops. Special mention needs to be made of Ms. Urmila Yadav, a widow Sarpanch of Kosli panchayat, Haryana. This Sarpanch succeeded in getting the encroached panchayat land vacated, negotiating soft loans and building a market complex that generated additional revenue for the panchayat, provision of safe drinking water and minimizing the risks of water borne diseases.

What is critical however is the need for sensitivity to the exercise of leadership by women particularly at the village level, given its highly challenging nature? For one, this is a major shift from the customs and norms of a typical Indian village society, where women's voice in decision making processes is discouraged of. Secondly, there are factors like illiteracy, compliance with social restrictions, and lack of comprehensive understanding of roles and responsibilities which hamper the functioning of women leaders. The 73rd Constitutional Amendment Act was a significant step towards opening up the space for women's political participation and in acknowledging their role in the development of their village. For the first time, in the history of this country, one million women were elected to various tiers of Panchayat. Women who have been elected to power in the Panchyati Raj Institutions represent various backgrounds – rich and

poor, dominant classes and oppressed social classes, educated and illiterate. It was found in a study of Panchayats', in early 2010 that most women elected members were in the age group of 35-55 years. The study revealed that only 20 per cent of the women, as compared to 80 per cent of men, had previous political experience.

The story of women elected members however go beyond sheer numerical strength to their struggle and determination to fight traditional power structures and gender barriers in the exercise of their responsibilities. Experiences point towards the beginning of a positive change process. The future challenge continues to be their will to carry forward the aspirations of millions of women they represent and in fructifying the development needs.

The following examples of effective women governance at the grassroots level, which other women can look toward to and derive inspiration from. The case of Rummebai, a tribal elected panchayat member, for example points to the fact that women leaders have increasingly realized the power of their position and feel empowered to demand their basic rights. They may not succeed in each and every case. But the message that comes clear through these examples is the courage and commitment shown by women in standing their ground, doing exemplary work despite the odds, under the watchful eyes of the villagers to whom they are accountable. Given the opportunity and required support, women will assume their rightful role as leaders and decision makers.

Reservations have provided an opportunity for the legal empowerment of women. But the actual process of empowerment, it is seen, has not been a very easy process. This is mainly because the efforts at empowerment are greatly affected by the prevailing mindsets of people regarding the traditional role of women and the dominant influence of the powerful elites. This has led to stiff resistance/ Opposition resulting in violence and oppression. It becomes all the more ruthless when the person in question is a woman belonging to the marginalized sections, where she faces twin oppression. In such situations, it becomes highly difficult for women to discharge their required responsibilities. What comes out clear from the below mentioned examples of violence against women is that the change that is envisaged through reservations provided by the Constitutional Amendment is inevitable. Though the evolution of power from the male and powerful elites is a very slow and at times a painful Process, where women and their families are made victims. For instance, on the day of counting during the panchayat elections, the vehicle of Sangeeta Rather of Gohad Panchayat Samiti in Madhya Pradesh, was fired upon and she had to run away for her life. She stated that it was difficult even to call a Panchayat Samiti meeting because of the fear of violence and abuse. There have been two reports from the Nimad region of Bhopal, Madhya Pradesh, and again illustrating violence against women. In the first incident, a woman Up-Sarpanch of Piplod Khurd in Khandawa district, allegedly instigated her family members, to drag another woman out of her house, and parade her naked through the village. The second incident is more shocking. The Zila Panchayat President of Khargone, Sildar Patel assisted by the Sarpanch of Dabal Panchayat, allegedly kept a woman teacher in illegal

confinement for seven months and repeatedly raped her. The fact that he used the official car for the abduction shows a wanton misuse of position. In both cases, the Panchayat representatives got active support from their families. Both incidents smack of a complete misuse of power for settling personal scores or for satisfying lust. In the first case, the woman was completely humiliated because her husband had an illicit relationship with the daughter-in-law of one of the Panchayat representatives. In the second case, the teacher's only fault was that she was a woman. Both women were victims of a system that denies women their rightful place in society.

Being elected to office is of course a major step taken by women to enter the political arena. But this is only the first step. The real test of women's empowerment begins when they start exercising their rights and responsibilities – participating actively in the decision making processes of their village, developing their confidence and establishing their qualitative presence in the power structure. A study conducted by PRIA and its partners on 'Women leadership in Panchayat' highlighted some of the factors which adversely affected the active participation of women: illiteracy and low education levels, compliance with social restrictions, lack of comprehensive understanding of their roles, caste system, patriarchy, political affiliations and indifferent attitude of government officials etc.

A great hurdle faced by women elected members is the legal provision of no confidence motion, which was often misused by the influential sections and upper caste to thwart the enthusiasm of the women elected members and the marginalized groups. Spread of malicious rumors by vested interests is yet another constant fear that women face. In the case of SC/ST members the prejudices of government officials are discernible. Used to interaction based on a well-defined caste hierarchy, these officials found it hard to re-orient themselves in dealing with women and SC/ST elected members. The following points of these challenges that women face in their day-to-day political functioning. Women who have stood up to these challenges are those who have attempted to gain an understanding of their own oppression and utilized their offices to break away from the oppression that they along with other women in the community faced. In Gram Panchayat and Gram Sabha meetings, women are rarely given an opportunity to speak or express them. Several women have complained that their opinions were not taken into consideration in decision making and they were made to sit quietly at the back. On speaking, they were silenced, the elected women representatives feel cheated. Although they are called for meetings, they are not allowed to speak. All the male members of the Panchayat take the decisions and the women are asked to sign on the papers. If the women question, they are taken to task by their husbands at home. A lot of them do not understand why they have been made members if no one is willing to listen to them. The local people, who earn their livelihood through labor or running small businesses, feel that the Panchayat is full of prosperous people. They do not feel connected to the Panchayat at all. The people who have moved into the flats and colonies that have recently sprung up, are not concerned at all with the functioning or non-functioning of the Panchayat. They feel that they earn more than the Panchayat can give and so do not look to the Panchayat for any support.

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