

Women's Representation: A brief Analysis on the 106th Constitutional Amendment and Beyond

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Abstract

The 106th constitutional Amendment marks a significant step toward gender plays in Indian politics by reserving one – third of seats in the Lok Sabha and State Legislative Assemblies for women. This paper analyses the amendment's provision, historical context, and its socio-political impact, highlighting its potential to increase women's representation and influence in governance.

The study examines the role of key institution and Election Commission of India (ECI), the National Commission for Women (NCW), and the judiciary in ensuring effective implementation. It also explores challenges such as tokenism, proxy representation, and systematic barriers, while drawing insights from global models like Norway and Rwanda, where gender quotas have strengthened political inclusion. The research offers recommendations to enhance the amendments effectiveness, including:

- Extending reservation to the Rajya Sabha.
- Mandating 50% women candidates in elections.
- Introducing leadership training for first – time women MPs and MLAs.

Ultimately, while the amendment is a landmark reform, achieving true gender equality will require sustained institutional support, legal reforms, and broader societal change.

Introduction

Background

Women's political representation has long been a significant challenge in India, despite its foundational importance to democracy and gender equality. Historically, women in India have faced systemic exclusion from decision- making bodies, both at the national and regional levels. political system, like many others, has been traditionally dominated by male leaders, leaving women marginalized in terms of political power and influence. While the Constitution of India, through Articles 14 and 15, guarantees equality and prohibits discrimination on the ground of sex, the reality of women's participation in Indian politics has often remained starkly different. Despite legal provisions meant to safeguard women's rights, socio-cultural biases, lack of access to political networks, financial constraints, and a deeply entrenched patriarchal society have prevented women from engaging in political life on an equal footing with their male counterparts.

The introduction of the 106th Constitutional Amendment¹, which mandates the reservation of one-third of seats for women in the Lok Sabha and State Legislative Assemblies, aims to correct this historic disparity. By reserving a substantial proportion of seats, this amendment represents a crucial step toward achieving gender parity in politics. It provides women with increased opportunities to participate in

legislative processes and ensures their formal inclusion in the ¹ Government of India, The Constitution (106th Amendment) Act, 2023, No. 1, Acts of Parliament, 2023 (India).

decision-making framework that governs the country. The amendment reinforces India's commitment to gender justice, a central pillar of its constitutional principles, and promotes equitable governance. By empowering women as political stakeholders, the amendment signals the recognition of women's rights as an integral component of India's democratic fabric.

The passage of this amendment also mirrors a global trend a greater representation for women in governance. Countries such as Norway, Sweden and Rwanda have implemented gender quotas in politics systems, which have resulted in more inclusive, balanced political structures. These nations have seen positive changes in terms of both women's participation and the broader socio-political environment. The India amendment, inspired by these international models, is expected to bring about similarly transformative results. By dismantling patriarchal power structures, it aims to create a more representative democracy where women are not just symbolic figures, but influential political leaders who can contribute meaningfully to shaping policy. This global shift highlights the importance of gender quotas as a mechanism to overcome traditional gender biases and foster inclusivity in political systems. In the Indian context, this amendment also holds particular significance given the historical underrepresentation of women in the country's political landscape. While India has seen some progress with women's involvement in governance, particularly at the grassroots level through the 73rd and 74th Constitutional Amendments², which reserved 33% of seats in local bodies, the political participation of women at higher levels of governance has remained dismal. The 106th Constitutional Amendment seeks to bridge this gap by addressing the representation of women in the central and state legislative assemblies, where their presence has been minimal. By providing reserved seats, this amendment not only aims to increase women's numerical presence but also aspires to shift the dynamics of political power in India, creating a more inclusive and democratic governance structure.

Research objective

The primary objective of this paper is to provide a thorough analysis of the 106th Constitutional Amendment, examining its provisions, historical evolution, legal dimensions, and socio-political impact. It aims to evaluate how effectively the amendment addresses gender disparity in Indian politics and whether it leads to genuine transformative change or remains symbolic. The research will explore the challenges in implementing the amendment, assessing its enforcement, practical obstacles, and potential unintended consequences. It will also investigate whether the amendment fosters substantive representative (active policy making influence) or merely descriptive representative (symbolic presence without real power).

²The Constitution (Seventy-Third and Seventy-Fourth Amendment) Acts, 1992, Nos. 73 & 74, Acts of Parliament, 1992 (India).

Additionally, the paper will analyze the amendment's long-term effects on women's political leadership and empowerment, drawing from past experiences with local governance reservations. It will examine whether reserved seats enhance women's influence or remain token gestures with limited impact.

Finally, the study will explore potential legal and policy reforms to strengthen women's representation beyond reservation. It will argue that while the amendment is a significant step, achieving true gender

equality in politics requires broader measures, such as political party accountability, electoral transparency, and leadership support for women.

Research Questions

1. How does 106th Amendment impact women's political participation in India?
This question explores how the amendment affects women's role in the political process and whether it leads to a more inclusive and representative democracy.
2. How does it compare to the past constitutional amendments and global models?
This question examines the historical context of women's representation in India and compares the 106th Amendment to similar efforts globally, assessing its potential for success.
3. What challenges might arise in implementation?
This question investigates the practical hurdles that could impede the effective enforcement of the amendment and whether systemic biases or other factors might limit its impact.
4. What legal and policy reforms are needed to strengthen women's representation beyond reservation?
This question seeks to identify additional reforms or measures that could complement the 106th Amendment and ensure that women's representation in politics is not limited a numerical increase but translates into real political power and influence.

The 106th Constitutional Amendment: A Detailed Analysis

The 106th Constitutional Amendment is a landmark reform aimed at promising gender equality in India's political representation. By amending Articles 239AA, 330A, and 332A³, it mandates one-third reservation of seats for women in the Lok Sabha and State Legislative Assemblies. This ensures broader participation of women in India's traditionally male-dominated political sphere.

The amendment also includes provisions for marginalized women, reserving seats for Scheduled Caste (SC) and Scheduled Tribes (ST) within the quota to address caste-based and gender-based inequalities. The rotational system of reserved seats prevents monopolization by specific candidates, while the 15-year sunset clause ensures periodic review of the policy's

³The Constitution (Seventy-Third and Seventy-Fourth Amendment) Acts, 1992, Nos. 73 & 74, Acts of Parliament, 1992 (India) (amending Ind. Const. arts. 239AA, 330A, 332A).

effectiveness. The Election Commission of India (ECI) oversees the delimitation process, ensuring equitable distribution of reserved constituencies.

Legislative History

The road to the 106th Amendment was marked by decades of struggle. The Women's Reservation Bill, first introduced in 1996, faced repeated opposition due to concerns over tokenism, elite dominance, and potential misuse through proxy leadership by male politicians. The bill failed multiple times (1998, 1999, 2008) before finally passing in 2023, driven by civil society campaigns and mounting public demand for gender equality in politics.⁴

Significance:

- The amendment holds profound socio-political significance:
- It increases women's representation, fostering inclusive governance.
- By challenging patriarchal power structures, it promotes gender justices and normalizes women's leadership.

- The reform encourages gender-sensitive policy making, giving priority to issues like women's safety, health, education, and social justice.

Long-term, it could pave the way for future reforms, such as extending reservation to the Rajya Sabha and gradually increasing to the quota toward 50% representation. The 106th Amendment is not just a legal milestone but a catalyst for a broader social change, inspiring future generations of women leaders and fostering a more equitable democracy.

Historical Evolution of Women's Political Representation in India Pre

Independence-Efforts:

Women's political representation in India began during the colonial era, despite being largely excluded from formal politics. In the early 20th century, leadership like Sarojini Naidu, Rajkumari Amrit Kaur and Annie Beasant played key roles in both the freedom struggle and the fight for women's rights. The government of India Act of 1935 granted limited voting rights to women, though with strict restrictions. Women's participation in movements like Quit India and the Salt March demonstrated their political potential, laying the foundation for future demands for equality.

Post-Independence Developments:

After independence in 1947, the Indian Constitution guaranteed gender equality through Articles 14 and 15⁵. However, women's representation in politics remained low. The landmark 73rd and 74th Constitutional Amendments (1992-93) reserved 33% of seats for women in Panchayati Raj institutions and municipalities, boosting their participation in local governance.

⁴The Constitution (One Hundred and Sixth Amendment) Act, 2023, No. 1, Acts of Parliament, 2023 (India) (first introduced as the Women's Reservation Bill in 1996 and reintroduced in 1998, 1999, and 2008 before final enactment in 2023).

⁵The Constitution (One Hundred and Sixth Amendment) Act, 2023, No. 1, Acts of Parliament, 2023 (India) (amending Ind. Const. arts. 14 & 15).

Despite challenges like proxy leadership, this reform empowered women in shaping policies at the grassroots level.

106th Constitutional Amendment:

In 2023, the 106th Amendment marked a major milestone by reserving one-third seats for women in the Lok Sabha and State Legislative Assemblies. This move aimed to address gender disparity in higher political bodies, promoting greater inclusivity and diversity. By building on earlier reforms, the amendment strives to enhance women's influence in national policy making and strengthen their role in India's political landscape.

Constitutional and Legal Framework Supporting Women's Representation

A. Relevant Constitutional Provisions

India's Constitution lays a strong foundation for gender equality and provides legal provisions that support women's representation in political and governance structures. These provisions serve as critical pillars in ensuring that women have equal access to opportunities and protection under the law, as well as a rightful place in governance.

1. **Article 14:** Right to equality Article 14 guarantees the right to equality before the law and equal pro-

tection of the laws within the territory of India. This article is a fundamental provision in the Indian Constitution that ensures no individual, regardless of gender, is discriminated against in terms of access to rights and opportunities. It forms the cornerstone of the argument for women's equal participation in politics and public life.

2. **Article 15(3): Special Provisions for Women** Article 15(3) of the Constitution allows the state to make special provisions for women and children. This provision has been instrumental in enabling affirmative action measures such as reservations for women in various sectors, including politics. It recognizes the historical disadvantages faced by women and empowers the state to adopt measures that improve their representation in political processes.
3. **Article 39(a)⁶: Equal Access to livelihood** Article 39(a) mandates that the state must ensure that men and women have equal access to livelihood and opportunities. This provision underscores the constitutional responsibility of the state to foster conditions that allows women to participate equally in all sectors, including politics ensuring women's equal participation in political governance is integral to fulfilling this constitutional obligation.
4. **Article 243D and 243T: Women's Reservation in Local Governance** Articles 243D and 243T⁷ deal specifically with the reservation of seats for women in local governance structures, including Panchayati Raj Institutions (PRIs) and Municipalities. These provisions mandate that one-third of seats in local bodies be reserved for women, marking a significant effort in increasing women's participation in grassroots governance. This reservation has been a step towards promoting gender equality in

⁶The Constitution (One Hundred and Sixth Amendment) Act, 2023, No. 1, Acts of Parliament, 2023 (India) (amending Ind. Const. art. 39(a)).

⁷The Constitution (One Hundred and Sixth Amendment) Act, 2023, No. 1, Acts of Parliament, 2023 (India) (amending Ind. Const. arts. 243D & 243T).

political decision-making, offering women a voice in the formulation of policies at the local level.

Judicial Precedents on Women's Political Rights

Judicial precedents in India have played an important role in interpreting constitutional provisions related to interpreting constitutional provisions related to women's rights and have set precedents for advancing gender equality in political representation. Various landmark judgement has helped shape the legal landscape regarding women's political participation and the effectiveness of reservation policies.

1. **Indira Nehru Gandhi v. Raj Narain (1975)**⁸ This case is one of the most significant in Indian legal history, concerning electoral disputes and women's leadership. The Supreme Court ruled that Indira Gandhi, as the Prime Minister, could not be removed from office based on the charges of electoral malpractices, which led to a focus on the intersection of gender and leadership in India. The case highlighted the difficulties women face when assuming leadership roles and underscored the need for legal and systemic measures to address gender-based discrimination in politics.
2. **Union of India v. Association for Democratic Reforms (2002)**⁹ In this case, the Supreme Court issued an important judgement in favor of increasing transparency in the electoral process, including a call for detailed disclosures by political parties regarding candidates' background and finances. While the case did not specifically address women's reservations, its principles are highly relevant to gender-equal candidacy. Increased transparency is crucial for ensuring that women are not excluded

or marginalized due to financial or political barriers, providing a level playing field for women to contest elections.

3. **Krishna Murthy v. Union of India (2010)**¹⁰ In this landmark ruling, the Supreme Court upheld the reservation for Other Backward Classes (OBC) in Panchayati Raj Institutions (PRIs). The case was pivotal in setting a precedent for affirmative action policies, including the reservation of seats for women in political bodies. The judgement reinforced the legitimacy of reservations as a means of achieving social justice and further solidified the notion that such measures are essential for empowering marginalized communities, including women.
4. **Janhit Abhiyan v. Union of India (2022)**¹¹ The Janhit Abhiyan case involved the legal scrutiny of the 103rd Constitutional Amendment, which introduced a 10% reservation for economically weaker sections (EWS) in educational institutions and government jobs. The Supreme Court upheld this amendment, which was seen as critical in

Indira Nehru Gandhi v. Raj Narain, (1975) 2 S.C.R. 347 (India).

⁸ Union of India v. Ass'n for Democratic Reforms, (2002) 5 S.C.C. 294 (India).

¹⁰ Krishna Murthy v. Union of India, (2010) 7 S.C.C. 202 (India).

¹¹ Janhit Abhiyan v. Union of India, (2022) 10 S.C.C. 1 (India).

addressing socio-economic disparities. The judgement is relevant for analyzing the potential legal scrutiny of the 106th Constitutional Amendment, as it lays the groundwork for understanding the broader implications of reservation policies in India. The case could serve as a precedent for how the legal system addresses reservation, especially in the context of women's representation in politics.

Amendments Related to Representation and Reservation in India

1. **73rd and 74th Amendment (1992-93):** These amendments introduced 33% reservation for women in Panchayati Raj Institutions (PRIs) and municipalities, boosting their political participation at the grassroots level. Despite issues like proxy leadership, they successfully empowered women in local governance, influencing policies on healthcare, education, and rural development. The 106th Amendment draws from this model by extending reservations to higher legislative bodies.
2. **81st, 82nd and 85th Amendments (2000-01):** These amendments allowed the carry-forward of unfilled SC/ST reserved seats, ensuring their continuous representation. This principle could be applied to the 106th Amendment, ensuring women's seats remain filled even in constituencies with few female candidates.¹²
3. **102nd Amendment (2018):** This amendment granted constitutional status to the National Commission for Backward Classes (NCBC). Similarly, India could consider creating a dedicated commission for monitoring women's reservation, addressing challenges, and ensuring the policy's effectiveness.¹³
4. **103rd Amendment (2019):** Introducing 10% reservation for Economically Weaker Sections (EWS), the amendment raises the question of intersectionality. Future reforms could extend women's reservation by considering socio-economic factors, prioritizing marginalized women for greater representation.¹⁴

Comparative Analysis of Other Constitutional Amendments

International comparison

1. Rwanda- 61% Reserved Seats: Rwanda leads the world in women's political representation, with 61% of parliamentary seats reserved for women. This success

¹²The Constitution (Eighty-First, Eighty-Second, and Eighty-Fifth Amendment) Acts, 2000–01, Nos. 81, 82 & 85, Acts of Parliament, 2000–01 (India).

¹³The Constitution (One Hundred and Second Amendment) Act, 2018, No. 102, Acts of Parliament, 2018 (India).

¹⁴The Constitution (One Hundred and Third Amendment) Act, 2019, No. 103, Acts of Parliament, 2019 (India).

stems from strong political will and institutional support. India can learn from Rwanda's commitment, ensuring with dedication to achieving genuine gender parity.

2. France – Parity Law: France's Parity law mandates 50% women candidates on elections. This promotes equality in candidate selection, not just representation.

India could adopt similar policies, encouraging political parties to field more female candidates beyond the reserved seats.

3. Pakistan-17% Reserved Seats: Pakistan reserves 17% of parliamentary seats for women but faces issues of tokenism with women often lacking real influence. To avoid this, India must ensure that women elected under the 106th Amendment have genuine political power and meaningful participation in policymaking.

Lessons and Implications for India

1. Political Will and Institutional Support: Rwanda's success highlights the need for strong political commitment. India must ensure consistent enforcement and institutional backing for the 106th Amendment.

2. Beyond Quotas- Structural and Cultural Changes: As seen in France, legal quotas alone are insufficient. India must promote cultural and systemic changes within political parties, encouraging them to actively support women leaders.

3. Genuine Political Power, Not Tokenism: Pakistan's experience shows that symbolic representative is ineffective. India must empower women in reserved seats with real political influence and decision-making authority.

4. Intersectional Reservation: Inspired by the 103rd Amendment, India could introduce socio-economic criteria for women's reservation, prioritizing marginalized women to ensure broader inclusivity and representation.

Institutional Role in Women's Representation Election

Commission of India (ECI)

The Election Commission of India (ECI) plays a pivotal role in implementing the 106th Constitutional Amendment, ensuring fair and transparent reservation of seats women in the Lok Sabha and State Legislative Assemblies.

1. Delimitation and Allocation of Reserved Seats:

- The ECI, in collaboration with the Delimitation Commission, will identify and earmark constituencies for women's reservation.

- This process must be carried out transparently and equitably to prevent the concentration of reserved seats in specific regions, which could otherwise limit broader representation.
 - Ensuring geographical balance is crucial to providing women with diverse representation across the country.
- 2. Electoral Reforms to Complement Reservation:**
- The ECI could introduce reforms requiring political parties to field a minimum percentage of women candidates in non-reserved constituencies as well.
 - This would prevent women's representation from being restricted to only the reserved seats and encourage broader female participation in elections.
- 3. Preventing Tokenism and Proxy Representation:**
- The ECI must monitor elections to prevent malpractices such as male relatives or political figure using women as proxies in reserved seats.
 - Mechanisms, such as background checks, candidate training and transparency audits, can ensure that women in reserved seats have genuine political influence.
 - The ECI's oversight will be essential in safeguarding the integrity of the reservation system and ensuring it leads to real empowerment rather than symbolic representation.

National Commission for Women (NCW)

The National Commission for Women (NCW) plays a crucial role in advocating for women's political rights and ensuring the amendment's effective implementation.

1. Monitoring and Advocacy:

- The NCW will collaborate with ECI and other government bodies to monitor the functioning of the reservation system.
- It will advocate for women's meaningful participation beyond just occupying reserved seats, pushing for policies that guarantee genuine empowerment.

2. Leadership Training and Capacity Building:

- The NCW can promote leadership development programs to enhance women's political capabilities.
- Training initiatives can focus on public policy, governance skills, and political strategies, equipping women with the tools to influence decision-making effectively.
- By bridging the gap between descriptive and substantive representation, these programs can ensure that women leaders actively participate in policymaking.

3. Addressing Systemic Barriers:

- The NCW can advocate for policies tackling gender-based violence, harassment and discrimination in politics.
- By creating a safer and more inclusive political environment, the NCW can help more women pursue and sustain political careers.

Judiciary

The Judiciary plays a key role in upholding the constitutional validity of the 106th Amendment and interpreting its provisions

1. Sunset Clause and legal Challenges:

- The amendment includes a sunset clause, limiting the reservation to 15 years.¹⁵

- However, given the persistent gender disparity in politics, the judiciary may face petitions demanding an extensions or removal of the sunset clause.
- Judicial decisions of this matter will shape the long-term future of women's political representation in India.

2. Possible Extension to the Upper Houses:

- The 106th Amendment does not currently apply to the Rajya Sabha or Legislative Councils.
- Legal Challenges could emerge, seeking the extension of women's reservation to these bodies.
- The judiciary's interpretation will determine whether the reservation policy is uniformly applied across all legislative levels or limited to the lower houses.

3. Enforcement of political Rights and Legal Scrutiny:

- The judiciary will ensure that women's political rights are protected during elections.
- It will oversee the enforcement of gender equity policies in political parties and scrutinize any malpractices in the reservation process.
- Judicial interventions can play a significant role in holding political parties accountable for promoting genuine representation.

Political Parties

Political parties are instrumental in nominating and supporting women candidates under the 106th Amendment. Their role is crucial in shaping the political culture and ensuring that the reservation policy is implemented meaningfully.

1. Fielding Women Candidates:

- Political parties will be responsible for nominating women candidates for the reserved seats.
- However, they must ensure that these candidates are competent and capable rather than symbolic placeholders.
- There is growing demand for inner-party reservations, ensuring that women are fielded in winnable constituencies and given genuine opportunities for leadership.

2. Avoiding Tokenism and Promoting Real Leadership:

- To prevent tokenism, political parties must empower women candidates with real political influence.
- Parties should provide mentorship programs, policy training, and campaign support to women leaders, equipping them to make meaningful contributions.

15 The Constitution (One Hundred and Sixth Amendment) Act, 2023, No. 1, Acts of Parliament, 2023 (India) (providing for a 15-year sunset clause on women's reservation).

3. Fostering an Inclusive Political Culture:

- Political parties can promote gender-sensitive policies and create an inclusive environment for women.
- By dismantling patriarchal structures within the political system, they can encourage more women to take on leadership roles
- Parties that actively promote gender equality will play a key role in normalizing women's leadership in Indian politics.

Challenges in Implementation

Despite the promising potential of the 106th Constitutional Amendment, several challenges in the implementations could hinder its success in achieving gender parity in political representation. These challenges must be addressed proactively to ensure that amendment fulfills its intended purpose and leads to meaningful, substantive political change for women in India.

Political Resistance- Political resistance is one of the most significant challenges to the effective implementation of the 106th Amendment. Many political parties, especially those that have historically been male-dominated or have entrenched power structures, may view women's reservation as a threat to their control over political positions. Resistance at the state level could arise, as regional parties may seek to undermine the amendment's implementation to maintain their existing power dynamics. Opposition parties may argue that the reservation will disrupt established power equations or favor certain sections of society over others.

Such resistance could manifest in the delayed rollout of the reservation policy and could impact its success if not adequately addressed. To overcome this, political consensus and proactive engagement with all stakeholders, including political leaders, parties and civil society, will be required to gain broader support and ensure the smooth implementation of the amendment.

Token Representation vs. Real Empowerment- A key concern with reservation system is the risk of tokenism, where women are elected to reserved seats but are not given real decision-making power. In such cases, women may merely serve as figureheads, with male relatives or party leaders continuing to control the political power and decision-making processes behind the scenes. This undermines the very purposes of the reservation policy, which is to empower women and ensure that they have genuine political agency.

To address tokenism, political training and support systems must be put in place to ensure that women leaders are equipped with the skills and knowledge to actively participate in policy formulation and governance. Additionally, a strong legal framework and institutional oversight must be established to ensure that women leaders are not marginalized and that they hold meaningful positions of authority in the decision-making process.

Dynastic Politics -Dynastic politics remains a prevalent issue in Indian politics, where family connections often determine political success. This trend could undermine the objectives of the 106th Amendment, as a woman from established political families may disproportionately benefit from the reservation system, rather than grassroots women leaders who may lack the necessary resources or support networks to contest elections. The result could be that women's reservation ends up reinforcing elite, dynastic control rather than achieving broader gender equality and diversity in political representation. To mitigate this, political parties and electoral bodies could introduce reforms that prioritize grassroots women's involvement and actively work to identify and support women candidates who are not part of political dynasties. Mentorship programs for young women leaders, especially those from marginalized communities, could provide them with the tools and support to rise in the political sphere.

Delayed implementation-Unlike the Panchayati Raj Institutions (PRIs), where reservation policies have seen relatively faster implementation, the reservation of seats for women in state and national legislative bodies may face delays due to legal, political, and administrative challenges. Issues such as the delimitation of constituencies, legal battles, and potential resistance from political parties could slow the process down, reducing the immediate impact of the amendment.

It is crucial to streamline administrative processes and ensure that clear timelines and guidelines are set for the implementation of the reservation system. The Election Commission of India (ECI)¹⁶ and other concerned authorities must prioritize the timely and transparent implementation of the policy to ensure that women's political participation begins to see tangible results without unnecessary delays.

Future Prospects and Policy Recommendations

While the 106th Amendment marks a significant step toward achieving gender parity in political representation. It also paves the way for future reforms and enhancements. The future prospects for expanding women's representation and political leadership require careful consideration of the evolving political landscape and the challenges that may arise.

1. Extensions of Reservation to Rajya Sabha and Legislative Councils

One potential reform is the extension of the reservation policy to the Rajya Sabha and Legislative Councils (MLCs). These legislative bodies, which currently are not covered under the 106th Amendment, also play an essential role in the legislative process. By extending the reservation policy to these bodies, women would be represented at all levels of the legislative framework, ensuring that they have an equal opportunity to participate in policymaking at the highest echelons.

¹⁶ Election Commission of India, Report on Electoral Reforms and Implementation of Women's Reservation (India).

2. Gradual Increase in Reservation

Another policy proposal for the future could be to gradually increase the reservation beyond the current 33% to 50% in the line with gender parity.¹⁷

Many international models, such as those in the Rwanda and France, have proven that higher levels of reservation contribute to more meaningful political participation. Increasing the reservation percentage would not only ensure more women in legislative bodies but could also help in dismantling deep-rooted gender disparities in political power.

3. Political Parties Fielding at least 50% Women Candidates

To combat tokenism and ensure genuine political participation, political parties could be mandated to field at 50% women candidates in elections. This would ensure that women's representation is not limited to reserved seats and that women are actively contesting elections across all the constituencies. Such a policy would foster greater inclusivity in politics and create a competitive environment where women can prove their political acumen in open constituencies as well.

4. Mandatory Training Programs for Women Leaders

One critical policy recommendation is the introduction of mandatory training programs for the first-time women Members of Parliament (MPs) and Members of Legislative Assemblies (MLAs). These programs could focus on capacity-building, leadership skills, governance, and public policy, ensuring that women have the tools they need to be effective political leaders. Such programs be modeled on successful leadership development programs in countries with high women's representation, ensuring that women are not just elected but are also prepared to govern effectively.

5. Legal Reforms to Protect Women Leaders from Exploitation

Legal reforms are necessary to protect women leaders in reserved seats from exploitation, such as forced resignations or proxy leadership. Women may be pressured into stepping down from their positions by male relatives or party bosses who wish to retain control over the seat.

Legislative measures to empower women leaders and protect their tenure in office could be an essential step in ensuring the long-term success of the reservation system.

6. Public Awareness Campaigns

Lastly, public awareness campaigns can play a crucial role in changing societal attitudes towards women in politics. Awareness programs focused on the importance of gender representation, equal opportunities, and the impact of women's leadership on policy outcomes could help build public support for the reservation system and encourage more women to pursue political careers.

¹⁷Proposal to Amend The Constitution (One Hundred and Sixth Amendment) Act, 2023, No. 1, Acts of Parliament, 2023 (India) (advocating a phased increase in women's reservation from 33% to 50% to enhance gender parity).

Conclusion

The 106th Constitutional Amendments marks a transformative step forward in India's long-standing pursuit of gender equality in political representative. By ensuring one-third reservation for women in the Lok Sabha and State Legislative Assemblies, this amendment creates a powerful avenue for breaking through generations of systemic exclusions and marginalization. It addresses the glaring underrepresentation of women in the country's legislative bodies, offering a constitutional guarantee of political participation for women from all walks of life.

However, the success of this amendment goes beyond its passage. The true empowerment of women through this reservation system hinges on effective implementation, continuous legal reforms and institutional oversight. Measures such as capacity -building programs for the first -time women leaders, legal safeguards to prevent proxy representation, and strict enforcement of reservation norms will be essential to ensure that women hold genuine decision-making power rather than serving as mere figureheads. Without these safeguards, the of risk tokensim remains a significant challenge.

Additionally, there is potential for future reforms that could further strengthen women's representation, such as extending the reservation policy to the Rajya Sabha and Legislative Councils. These legislative bodies play a critical role in the policymaking process, and their inclusion in the reservation framework would enhance gender parity across the entire legislative structure.

Ultimately, the 106th Amendment is about more than just increasing numbers- it is about reshaping India's political landscape to be more equitable, inclusive and truly representative of its diverse population. As the country moves forward, policy reforms focused on fostering political leadership for women, combined with public awareness campaigns, can build broad support for the policy and ensure that women's political participation is not just a symbolic gesture but a meaningful and impactful force in governance.

With these efforts, the 106th Constitutional Amendment has the potential to pave the way for a more inclusive democracy, where gender equity is a fundamental principle in the very structure of the Indian state.

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