



## “Critical Analysis Of Law Enhancing Political Empowerment For Women”

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### ABSTRACT

This research investigates the political empowerment of women in India, with a particular focus on Tamil Nadu, through a socio-legal lens. Despite constitutional guarantees under Articles 14, 15(3), 16, 243D, and 243T, and progressive legislative measures like the 73rd and 74th Constitutional Amendments and the 106th Constitutional Amendment Act, 2023, women in India continue to face systemic and structural barriers in political participation.

The study critically examines the legal frameworks and policies intended to enhance women's political representation, including Tamil Nadu-specific provisions such as the Tamil Nadu Panchayats (Amendment) Act, 2016 and the Urban Local Bodies (Reservation of Seats for Women) Rules, 2016. Drawing on empirical data collected from 70 respondents—including politicians, legal professionals, and general voters—this research highlights the persistent issues of patriarchy, tokenism, gender bias, lack of financial and institutional support, and societal resistance.

Statistical tools including the chi-square test reveal that while gender perceptions influence participation, legal provisions often fall short of achieving substantive representation. The study underscores that legal quotas alone are insufficient without corresponding societal change, media sensitivity, institutional reforms, and leadership capacity-building for women.

Ultimately, the research calls for a paradigm shift from symbolic representation to meaningful participation, suggesting targeted legal, political, and social strategies to bridge the gender gap in Indian politics.

### Keywords

Women's Political Empowerment, Gender Equality, Reservation Policies, 106th Constitutional Amendment, Tamil Nadu Panchayats Act, 2016, Substantive Representation, Gender Discrimination, Patriarchy, Tokenism, Socio-Legal Study, Political Participation, Affirmative Action, Panchayati Raj Institutions, Electoral Reform, Women's Rights in Governance

## CHAPTER I

## INTRODUCTION

## 1.1 BACKGROUND OF THE STUDY

Women's political empowerment refers to the ability of women to participate equally in political activities, decision-making processes, and governance at all levels. Globally, several countries have made considerable progress in increasing the presence of women in politics, with nations like Rwanda, Finland, and Sweden demonstrating high levels of female representation in parliaments and ministerial positions. In contrast, India, while having a long-standing democratic system, continues to struggle with the underrepresentation of women in political institutions, particularly at the national and state legislative levels.

Legal structures both promote and protect women's political participation. In India, the Constitution, laws, policies, and case law work together to develop a framework-based strategic governance approach. These frameworks not only aim for adequate representation but also for substantial inclusion of women in politics, governance, and decision-making processes.

At the national level, the Constitution of India equally enables women and men through the following provisions:

- Article 14: Equality before the law.
- Article 15(3): Permits special provisions to be made for women and children.
- Article 16: Equal opportunity in public employment.
- Articles 243D and 243T: Women are given a one-third reservation in Panchayats and Municipalities as per Constitutional provisions through the 73rd and 74th Constitutional Amendments in 1992.

The most recent passage of the 106th Constitutional Amendment Act, 2023 popularly referred to as the Women Reservation Bill aims at extending the one-third reservation to the Lok Sabha and State Legislative Assemblies, albeit subject to delimitation as well as completing census in order to give effect to the provisions. Apart from the constitutional provisions, the Representation of the People Act, 1951 also provides the governance framework for organizing elections, however, it does not stipulate any gender-based quota system, hence offering possibilities for more legislative action.<sup>1</sup> Tamil Nadu has taken the initiative in encouraging women's governance participation at the local level. It has adopted policies alongside legislative provisions and there are strategies to enable the national policy

**Women Reservation in Local Bodies (1996 onwards):** Came into effect in 1996, it enabled all women in Panchayats and Municipalities to have a one-third reservation which was the among the first in the country to do so. This strengthened the democracy at the grassroots level.<sup>2</sup>

**The Tamil Nadu Panchayats (Amendment) Act, 2016:** This Act made it mandatory to give 50% reservation to women also belonging to SC, ST and Gen category of Rural local bodies. This was a major step towards the acceptance of women in the political and administrative decision-making roles in the panchayats.<sup>3</sup>

**The Tamil Nadu Urban Local Bodies (Reservation of Seats for Women) Rules, 2016:** These rules also granted 50% reservation to women at the level of municipal corporations and municipalities for urban governance. This gave sustained attention to women's participation in governance.<sup>4</sup>

<sup>1</sup> Representation of the People Act, No. 43 of 1951, India Code (1951).

<sup>2</sup> Government of Tamil Nadu, *Policy Note: Rural Development and Panchayat Raj Department 2016–2017*, available at <https://tnrd.tn.gov.in> (last visited Apr. 6, 2025).

<sup>3</sup> Tamil Nadu Panchayats (Amendment) Act, 2016, India Code (Tamil Nadu).

<sup>4</sup> Tamil Nadu Urban Local Bodies (Reservation of Seats for Women) Rules, G.O. Ms. No. 55, Tamil Nadu Government Gazette (Mar. 14, 2016) (India).

At the international level, conventions such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) obligate signatory countries, including India, to adopt appropriate measures to eliminate discrimination in political and public life.<sup>5</sup> The Beijing Platform for Action (1995) further emphasized the need for women's full and equal participation in decision-making as a precondition for democratic governance and sustainable development.<sup>6</sup>

## 1.2 STATEMENT OF THE PROBLEM

Gender disparities in political representation and leadership remain a persistent issue across global and national platforms. Despite constituting nearly half of the population, women continue to be underrepresented in decision-making roles in governance and politics. In India, as of 2024, women occupy only a small percentage of seats in Parliament and State Legislative Assemblies, highlighting the gender gap in political participation. Male domination in political institutions is both historical and structural. Patriarchal attitudes and the traditional male-centric power hierarchies have perpetuated an environment where women find it challenging to access leadership positions. This systemic imbalance not only reflects societal inequalities but also weakens the representative character of democratic institutions.

Legal and structural barriers further hinder women's empowerment. While constitutional provisions like Articles 14, 15(3), and 16 aim to ensure equality, the lack of gender-specific mandates in laws such as the *Representation of the People Act, 1951* restricts the translation of these ideals into real-world representation. Moreover, the long delay in implementing the Women's Reservation Bill (106th Constitutional Amendment Act, 2023) due to the pending delimitation process underscores these structural challenges.

Societal and cultural factors also play a significant role in limiting women's political leadership. Deeply rooted gender norms, family responsibilities, and concerns over safety and public perception deter many women from entering political spaces. Even where legal opportunities exist, cultural resistance can significantly affect women's active and meaningful participation.

Although various legal provisions and policy frameworks exist to promote gender equality in politics, their effectiveness in addressing gender-based challenges remains questionable. The gap between law and practice is evident in both national and state contexts, including in progressive states like Tamil Nadu, where despite 50% reservation in local bodies, women still face hurdles in exercising autonomy and authority in decision-making roles<sup>7</sup>.

## 1.3 RESEARCH QUESTIONS

1. How have legal frameworks influenced women's political empowerment in India?
2. How does male domination in politics affect the implementation of laws aimed at enhancing women's political participation?
3. What are the challenges women face in achieving equal representation despite constitutional and policy measures?

<sup>5</sup> *Convention on the Elimination of All Forms of Discrimination Against Women*, Dec. 18, 1979, 1249 U.N.T.S. 13, available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women> (last visited Apr. 6, 2025).

<sup>6</sup> *Beijing Declaration and Platform for Action*, U.N. Fourth World Conference on Women, U.N. Doc. A/CONF.177/20/Rev.1 (1995), available at

[https://www.un.org/en/events/pastevents/pdfs/Beijing\\_Declaration\\_and\\_Platform\\_for\\_Action.pdf](https://www.un.org/en/events/pastevents/pdfs/Beijing_Declaration_and_Platform_for_Action.pdf) (last visited Apr. 6, 2025).

<sup>7</sup> Government of Tamil Nadu, *Tamil Nadu State Policy for Women*, 2017, available at <https://www.tn.gov.in> (last visited Apr. 6, 2025).

## 1.4 RESEARCH OBJECTIVES

1. To critically examine the legal framework for women's political empowerment with a focus on gender disparities.
2. To assess the impact of affirmative action policies (e.g., reservation quotas) in promoting women's political participation.
3. To identify structural and societal barriers contributing to male dominance in politics and their legal implications.

## 1.5 REVIEW OF LITERATURE

The literature on women's political empowerment in India reveals a complex interplay of constitutional promises, legislative measures, and sociopolitical realities. Scholars have consistently explored how legal and institutional reforms can enhance women's representation in governance.

- **Nivedita Menon**, in her influential work, **Recovering Subversion: Feminist Politics Beyond the Law**, underscores that mere legal formalism does not ensure empowerment unless the larger political structure accommodates substantive participation<sup>8</sup>.
- Similarly, **Flavia Agnes** in her article "**Women's Rights and Legislative Reforms: An Overview**"<sup>9</sup> argues that entrenched patriarchy within democratic institutions remains a formidable barrier, often neutralizing the benefits of constitutional guarantees.
- Additional empirical and doctrinal research by Indian and international scholars has focused on how gender quotas have transformed political dynamics in rural India. **Bina Agarwal's Gender and Green Governance: The Political Economy of Women's Presence Within and Beyond Community Forestry** – her fieldwork demonstrates that women's reservations in Panchayats have altered local power relations, enabling women to challenge patriarchal norms and assert agency<sup>10</sup>.
- **Flavia Agnes's seminal work, Law and Gender Inequality: The Politics of Women's Rights in India**,<sup>11</sup> offers a comprehensive analysis of the interplay between gender, law, and politics in India. Agnes advocates for a multi-pronged approach to legal reform, emphasizing the importance of grassroots activism, legal literacy, and the inclusion of women's voices in policymaking. She underscores that legal change must be accompanied by societal transformation to be truly effective.

Academic reviews of the **Indian Constitution** highlight key provisions such as **Articles 15(3), 243D, and 243T**, which collectively serve as foundational pillars for enabling women's political participation<sup>12</sup>. Article 15(3) permits the state to make special provisions for women, which has served as a constitutional basis for gender-specific affirmative action. Articles 243D and 243T introduced through the **73rd and 74th Constitutional Amendments** mandate the reservation of one-third of seats for women in Panchayati Raj Institutions and Urban Local Bodies, thus institutionalizing gender-based political inclusion at the grassroots level.

Despite this positive trajectory, literature also identifies gaps in the effective implementation of these laws, often due to societal resistance, proxy representation, and lack of political will<sup>13</sup>. Thus, while the

<sup>8</sup> Nivedita Menon, *Recovering Subversion: Feminist Politics Beyond the Law* 91–95 (Permanent Black 2004).

<sup>9</sup> Agnes, Flavia. "Women's Rights and Legislative Reforms: An Overview." *International Journal of Legal Information*, vol. 36, no. 2, 2008, pp. 265–270.

<sup>10</sup> Bina Agarwal, *Gender and Green Governance: The Political Economy of Women's Presence Within and Beyond Community Forestry* 124–130 (Oxford Univ. Press 2010).

<sup>11</sup> Agnes, Flavia. *Law and Gender Inequality: The Politics of Women's Rights in India*. New Delhi: Oxford University Press, 1999.

<sup>12</sup> *Constitution of India*, arts. 15(3), 243D, 243T.

<sup>13</sup> Gov't of India, Ministry of Panchayati Raj, *Status Report on Women's Participation in PRIs*, 2020, available at <https://www.panchayat.gov.in> (last visited Apr. 6, 2025).

constitutional and legal framework provides a robust foundation, the practical realization of women's political empowerment requires continuous policy innovation and enforcement.

## 1.6 SCOPE OF THE STUDY

This study critically examines the impact of India's legal and policy frameworks in enhancing the political empowerment of women, with a particular emphasis on Tamil Nadu as a case region. The geographic focus is centered on Salem district, allowing the research to explore localized political dynamics and gendered power relations. Tamil Nadu has been a pioneering state in instituting 50% reservation for women in local governance through legal amendments such as the *Tamil Nadu Panchayats (Amendment) Act, 2016* and *Tamil Nadu Urban Local Bodies (Reservation of Seats for Women) Rules, 2016*, thus serving as a meaningful field of inquiry for assessing political inclusive at the grassroots level.<sup>14</sup>

The study particularly seeks insights from **respondents**—including those in **politics, the legal profession, and general voters**. These perspectives are crucial in understanding how support or resistance to women's political participation is socially constructed and maintained and find whether the Gender (G) has or has no significant effect on political participation (PP).

The research framework spans constitutional mandates like *Articles 14, 15(3), 16, 243D, and 243T of the Indian Constitution*, which guarantee gender equality and specific political reservation, as well as national initiatives like the 106th Constitutional Amendment Act, 2023, which proposes to extend 33% reservation for women in Parliament and State Assemblies<sup>15</sup>. It further incorporates relevant judicial interpretations such as *K. Krishna Murthy v. Union of India*, where the Supreme Court validated reservations as a tool to deepen democratic participation<sup>16</sup>.

Although primarily grounded in Indian legal discourse, the study draws comparative insights from international conventions like the *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)*, highlighting global best practices and India's obligations under international law.

Additionally, the scope encompasses the role of political parties, societal setting, and civil society organizations in either facilitating or obstructing women's political engagement. Government policy frameworks such as the *National Policy for the Empowerment of Women, 2001* are also evaluated to assess institutional commitment to gender parity in leadership<sup>17</sup>.

By blending doctrinal and empirical analysis, the study aims to bridge the gap between legal theory and ground-level realities, thereby contributing to a more comprehensive understanding of the gendered contours of political empowerment in India.

## 1.7 LIMITATION

This research is bounded by several limitations that influence its scope, findings, and generalizability. Geographically, the study is confined to the **State of Tamil Nadu**, with a particular emphasis on the **Salem region**, which may limit the applicability of findings to broader national or international contexts.

The study is primarily **legal and policy-oriented**, with only **limited engagement with psychological or sociological dimensions** of women's political participation. This delimitation was consciously adopted to maintain the doctrinal and empirical focus of the work within the available time frame and academic objectives.

<sup>14</sup> *Tamil Nadu Panchayats (Amendment) Act, 2016* (India); *Tamil Nadu Urban Local Bodies (Reservation of Seats for Women) Rules, 2016* (India).

<sup>15</sup> The Constitution (One Hundred and Sixth Amendment) Act, 2023 (India).

<sup>16</sup> *K. Krishna Murthy v. Union of India*, (2010) 7 SCC 202 (India).

<sup>17</sup> Gov't of India, Ministry of Women & Child Development, *National Policy for the Empowerment of Women, 2001*, available at <https://wcd.nic.in> (last visited Apr. 6, 2025).

The respondents in this study divided on the basis of politics, legal practice, and general voters with a total sample size of 70. This focused sampling intends to analyze the influence of male perception and institutional biases on women's political empowerment, thereby revealing gendered power imbalances that exist within governance structures.

It is important to note that this research is **not a sponsored empirical study**, and **no funding** has been allocated by any institution, government agency, or private organization. As a result, the study has been conducted within resource constraints, which may have affected the scale and breadth of data collection and analysis.

Furthermore, the **duration of the study** is limited to the period between **15<sup>th</sup> April 2025 and the end of 2<sup>nd</sup> May 2025**, which restricts longitudinal analysis and the ability to incorporate ongoing legislative or policy changes that may occur thereafter.

## 1.8 OPERATIONAL DEFINITION

### 1. Patriarchy

Patriarchy refers to a historically entrenched social system in which men hold primary power, predominantly occupying roles in political leadership, moral authority, and property control. This structure often normalizes male dominance in public and private spheres, including governance. In the Indian political context, patriarchal norms have subtly but effectively marginalized women's active participation, limiting their agency in decision-making processes despite constitutional guarantees of equality.<sup>18</sup>

### 2. Tokenism

Tokenism in politics denotes the superficial or symbolic inclusion of women in political spaces—such as nominating one or two female candidates in male-dominated political parties—without affording them actual decision-making power. Token women are often underrepresented in key committees and leadership posts, reflecting a gap between descriptive representation (presence) and substantive representation (influence).<sup>19</sup> This undermines the goal of gender justice envisaged under Articles 14 and 15 of the Indian Constitution.

### 3. Political Empowerment

Political empowerment refers to the process through which individuals—particularly women—acquire the ability and opportunity to participate in political processes, contest elections, hold public office, and influence policy and governance structures. The National Policy for the Empowerment of Women, 2001, defines political empowerment as enabling women to access decision-making positions in governance and ensuring their effective participation in the political domain.<sup>20</sup>

### 4. Gender disparities in Politics

This term refers to the unequal representation, participation, and influence of women compared to men in political and governance structures. Despite constitutional guarantees of equality, women remain underrepresented in legislative bodies, political parties, and leadership roles at all levels in India. Articles 14, 15, and 16 of the Constitution seek to eliminate these disparities.

### 5. Male Domination

Male domination in politics signifies a historically entrenched imbalance where decision-making bodies and political institutions are largely controlled and operated by men, often to the exclusion of women. This patriarchal dominance leads to systemic biases against women's participation and leadership, which

<sup>18</sup> Jaya Sagade, *Women's Rights and Patriarchy in India: An Overview*, in Feminism in India (Gita Chadha & Sumi Madhok eds., Zubaan Books 2017).

<sup>19</sup> Nivedita Menon, *Seeing Like a Feminist* (Zubaan Books 2012)

<sup>20</sup> National Policy for the Empowerment of Women, Ministry of Women and Child Development, Gov't of India (2001), available at <https://wcd.nic.in/sites/default/files/National%20Policy%20for%20Empowerment%20of%20Women%202001.pdf> (last visited Apr. 8, 2025).

is implicitly acknowledged in Articles 15(3) and 243D of the Constitution, which allow for special provisions for women to correct structural imbalances.

## 6. Reservation Quota

Reservation quota refers to the constitutionally and statutorily mandated allocation of a certain percentage of seats or positions for marginalized groups, including women, to ensure their adequate representation. Articles 243D and 243T mandate one-third reservation for women in Panchayati Raj Institutions and Urban Local Bodies respectively. In Tamil Nadu, this has been enhanced to 50% reservation under the Tamil Nadu Panchayats (Amendment) Act, 2016.<sup>21</sup>

## 7. Substantive representation

Substantive representation goes beyond numerical presence or quotas. It ensures that women's issues—such as gender-based violence, reproductive rights, equal pay, and care work—are raised and prioritized in legislative and policy-making forums. Mere reservation does not guarantee such outcomes unless female representatives are empowered through institutional support, legal enforcement, and societal validation.<sup>22</sup> Substantive representation aligns with the spirit of the 73rd and 74th Constitutional Amendments, which were designed not just to include women in Panchayats and Municipalities, but to empower them as change agents.

### 1.9 HYPOTHESIS

$H_0$  (Null Hypothesis): Gender (G) has no significant effect on political participation (PP).

$H_1$  (Alternate Hypothesis): Gender (G) has a significant effect on political participation (PP).

### 1.10 CHAPTERIZATION

#### Chapter I: Introduction

This chapter sets the context of the study by exploring the background of women's political empowerment, outlining the statement of the problem, research questions, objectives, hypothesis, scope, limitations, and operational definitions. It provides a conceptual framework for understanding gender disparities in political participation and the role of law in addressing them.

#### Chapter II: Legal Framework for Women's Political Empowerment in India

This chapter presents an in-depth analysis of constitutional provisions such as Articles 14, 15(3), 16, 243D, and 243T, along with statutes like the Representation of the People Act, 1951 and the 106th Constitutional Amendment Act, 2023. It also includes a review of Tamil Nadu-specific laws such as the Tamil Nadu Panchayats (Amendment) Act, 2016, and Urban Local Bodies (Reservation of Seats for Women) Rules, 2016. Landmark judgments and their judicial interpretations relating to women's political rights are critically examined.

<sup>21</sup> Tamil Nadu Panchayats (Amendment) Act, No. 30 of 2016, § 2 (India)..

<sup>22</sup> Madhavi Goradia Divan, *Facilitating Women's Participation in Politics: Lessons from India's Local Governance*, 9 NUJS L. Rev. 33, 35 (2016).

### Chapter III: Research Methodology

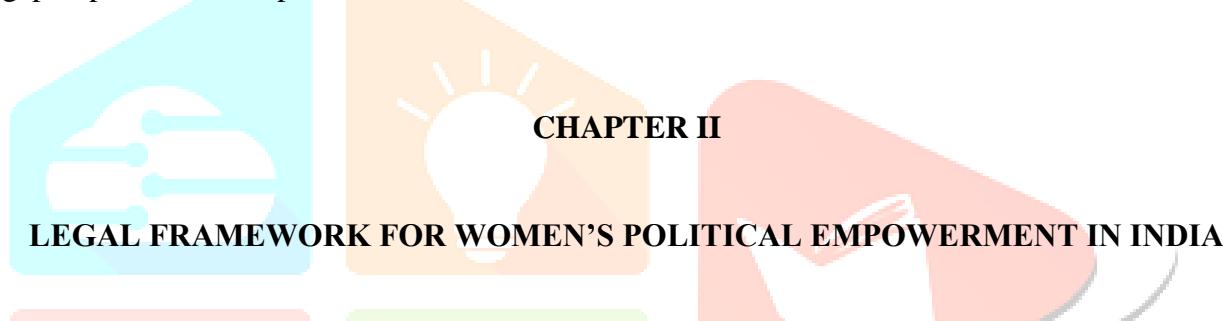
This chapter details the methodological approach adopted for the study. It covers the research design, tools for data collection, sample population (comprising 70 respondents from the fields of politics, law, and the electorate in Tamil Nadu), sampling methods, data analysis techniques, and the empirical framework. It is also noted that this is a non-funded, non-sponsored study carried out independently by the researcher.

### Chapter IV: Analysis and Findings

Based on the data collected, this chapter presents the analysis and interpretation of the findings. It identifies key patterns in perceptions of male respondents regarding women's political empowerment, evaluates the effectiveness of legal and policy measures, and highlights persisting challenges such as patriarchy, tokenism, and structural barriers.

### Chapter V: Suggestions and Conclusion

The final chapter synthesizes the findings, drawing conclusions on the role and impact of legal frameworks in enhancing women's political participation. It also offers practical and legal recommendations to bridge the gender gap in politics, with special reference to Tamil Nadu.



The legal and constitutional framework of India is foundational in shaping the trajectory of women's political participation. This chapter provides a comprehensive analysis of relevant constitutional provisions, parliamentary statutes, policy instruments, and Tamil Nadu-specific legislative interventions, alongside judicial interpretations that have played a pivotal role in furthering women's political rights.

#### 2.1 CONSTITUTIONAL PROVISIONS EMPOWERING WOMEN POLITICALLY

The Indian Constitution guarantees **gender equality and non-discrimination**, forming the cornerstone of women's political rights:

- **Article 14** ensures equality before the law and equal protection of the laws to all persons within the territory of India.<sup>23</sup>
- **Article 15(3)** allows the State to make special provisions for women and children, creating space for affirmative action such as political reservations.<sup>24</sup>
- **Article 16** guarantees equal opportunity in public employment, reinforcing the inclusion of women in political offices.<sup>25</sup>
- **Articles 243D and 243T**, introduced via the 73rd and 74th Constitutional Amendment Acts (1992), mandate the reservation of **not less than one-third** of seats for women in **Panchayats and Municipalities**, including those belonging to Scheduled Castes and Scheduled Tribes.<sup>26</sup>

<sup>23</sup> India Const. art. 14.

<sup>24</sup> India Const. art. 15(3).

<sup>25</sup> India Const. art. 16.

<sup>26</sup> India Const. arts. 243D, 243T. See also, The Constitution (73rd and 74th Amendment) Acts, 1992.

These provisions laid the groundwork for grassroots political representation and encouraged state-specific innovations in reservation policies.

## 2.2 STATUTORY PROVISIONS: WOMEN'S REPRESENTATION IN ELECTIONS

- The **Representation of the People Act, 1951**, while regulating elections to Parliament and state legislatures, does **not provide any gender-specific quotas**. However, its framework enables reservation measures under constitutional mandates, particularly at the local body level.<sup>27</sup>
- The **106th Constitutional Amendment Act, 2023** (popularly known as the **Women's Reservation Bill**) proposes **33% reservation for women** in the Lok Sabha and State Legislative Assemblies. Though passed by Parliament, its implementation is contingent upon the next **delimitation exercise post-census**.<sup>28</sup>

This landmark amendment seeks to extend gender-based representation from local governance to the upper echelons of power, reflecting a progressive step in legislative commitment.

## 2.3 TAMIL NADU-SPECIFIC LEGAL AND POLICY MEASURES

Tamil Nadu has been a **pioneer** in advancing women's political empowerment through legislative action:

- **Reservation in Local Bodies (Since 1996):** Tamil Nadu was among the earliest states to implement the 33% reservation policy for women in local self-governance institutions. This quota was later **enhanced to 50%**.
- **Tamil Nadu Panchayats (Amendment) Act, 2016:** This Act mandates **50% reservation for women**, including those from SC, ST, and General categories, in **rural local bodies**.<sup>29</sup> It marked a progressive step in recognizing women's leadership in rural governance.

**Tamil Nadu Urban Local Bodies (Reservation of Seats for Women) Rules, 2016:** This rule extended the **50% reservation** to women in **urban local bodies** like municipal corporations and municipalities, thereby strengthening urban women's participation in political governance.<sup>30</sup>

## 2.4 JUDICIAL INTERPRETATIONS AND CASE LAWS

Indian judiciary has played a pivotal role in interpreting constitutional provisions and affirming gender justice in political representation. Courts have consistently acknowledged the legitimacy of affirmative action to ensure not just numerical inclusion but meaningful participation of women in governance.

In the landmark case of *K. Krishna Murthy v. Union of India*, the Supreme Court upheld the constitutional validity of political reservations in local self-government institutions. Although the primary focus of the case was on reservations for Other Backward Classes (OBCs), the judgment reaffirmed the constitutional sanctity of Articles 243D and 243T, which mandate one-third reservation for women in Panchayats and Municipalities. The Court emphasized that such reservations are not exceptions but essential elements of participatory democracy, designed to correct historical injustices and enable inclusive governance<sup>31</sup>

Another significant case is *Rajbala v. State of Haryana*, where the Supreme Court upheld the amendments made by the State of Haryana to impose minimum educational qualifications for contesting Panchayat elections. While the law aimed to improve leadership standards, it drew criticism for disproportionately excluding women, particularly from rural and underprivileged backgrounds. The Court ruled that the right to contest elections is a

<sup>27</sup> Representation of the People Act, 1951 (India).

<sup>28</sup> The Constitution (106th Amendment) Act, 2023 (India).

<sup>29</sup> Tamil Nadu Panchayats (Amendment) Act, 2016 (India).

<sup>30</sup> Tamil Nadu Urban Local Bodies (Reservation of Seats for Women) Rules, 2016 (India).

<sup>31</sup> *K. Krishna Murthy v. Union of India*, (2010) 7 SCC 202 (India).

statutory right, not a fundamental one, and hence subject to reasonable restrictions. However, the decision sparked debates on whether such qualifications serve as indirect barriers to political empowerment, especially for women.<sup>32</sup>

These judicial pronouncements reflect a nuanced approach—endorsing affirmative action as a constitutional necessity while cautioning against policy formulations that might inadvertently reinforce gendered exclusions. The judiciary, thus, acts as a sentinel to ensure that gender-based political provisions are effectively implemented and do not remain tokenistic.

## CHAPTER III

### RESEARCH METHODOLOGY

#### 3.1 RESEARCH DESIGN

This research adopts a non-doctrinal, empirical approach, employing a qualitative and partly quantitative method to critically examine the effectiveness of legal provisions in enhancing political empowerment for women in India, with a special emphasis on Tamil Nadu. The design is exploratory and aims to uncover patterns, perceptions, and barriers within the current legal and political framework through direct interaction with stakeholders.

#### 3.2 NATURE AND SCOPE OF THE STUDY

The nature of this research is fundamentally empirical and analytical, relying exclusively on primary data collected through semi-structured interviews. The inquiry goes beyond legal analysis and incorporates individual experiences and perceptions, thereby providing a real-world perspective on the effectiveness of constitutional and legislative provisions. The scope of the study encompasses various legal instruments, such as constitutional mandates, reservation policies, and statutory provisions like the 73rd and 74th Constitutional Amendments, but only insofar as they are interpreted and experienced by actual stakeholders. While the research maintains a national legal context, it is geographically limited to Tamil Nadu, providing focused insights into a politically active and socially diverse region. The study explores not only whether laws exist, but whether they function effectively in practice, and whether women are meaningfully included in decision-making roles at all levels. It also attempts to understand perceptions of legal professionals, the engagement of voters, and the barriers faced by women candidates in the political process.

#### 3.3 SOURCES OF DATA

This study draws exclusively from primary sources, making it a purely empirical investigation. The core data has been obtained through semi-structured interviews, conducted using a standardized but flexible questionnaire. This allowed for the collection of both statistically comparable data and rich qualitative input from respondents. No secondary data—such as scholarly articles, law books, reports, or archival material—has been used in this research, in order to maintain the authenticity and originality of firsthand observations. Respondents were selected based on their relevance and involvement in the political or legal landscape of Tamil Nadu. A total of **70 respondents** formed the population size for this study. These included:

- ◆ Politicians from various parties and levels of government,
- ◆ General voters, both men and women from diverse social backgrounds, and
- ◆ Legal professionals including advocates, clerks, and those familiar with electoral laws.

<sup>32</sup> *Rajbala v. State of Haryana*, (2016) 2 SCC 445 (India).

This structure ensured that the data represented a wide spectrum of perspectives, contributing to the robustness of the study.

### 3.4 AREA OF STUDY

The fieldwork for this research was geographically confined to Tamil Nadu, a state known for its dynamic political culture, active participation in electoral processes, and history of progressive social movements. Tamil Nadu serves as a valuable case study due to its diverse population, including urban and rural communities, and its comparatively high literacy rate, which influences political awareness and participation.

### 3.5 SAMPLING TECHNIQUE

A purposive sampling method has been employed to select individuals who are actively engaged in the political and legal process. The sample of **70 individuals** includes:

- ◆ Elected representatives and party workers (politicians),
- ◆ Male and female general voters, and
- ◆ Practicing legal professionals, including advocates and judicial clerks.

This approach ensures that participants have relevant experience or engagement with the issue being examined.

### 3.6 TOOLS AND TECHNIQUES OF DATA COLLECTION

The primary data for this research was collected using a semi-structured interview method with the aid of a carefully designed questionnaire. The questionnaire was structured to include a balanced combination of closed-ended questions for measurable data and open-ended questions to allow respondents to elaborate on their experiences, perspectives, and critiques. This hybrid format provided both quantitative comparability and qualitative depth, making the data suitable for a mixed-methods analysis. The semi-structured nature of the interviews allowed the researcher to probe further based on responses, thus enhancing the quality of information gathered. The flexibility inherent in this method ensured that while a common framework was maintained across interviews, there was room to capture individual nuances and context-specific insights. The tools were designed to explore key themes such as:

- Awareness and perception of legal provisions for women's political participation,
- Personal experiences with the political system,
- Observed societal and institutional barriers, and
- Suggestions for legal and structural reforms.

The interviews were conducted both in-person and via phone or digital platforms where necessary, ensuring accessibility within the 20-day data collection period and reaching the full population of **70 participants**.

### 3.7 TOOLS OF ANALYSIS

The collected primary data has been systematically organized and analyzed using Microsoft Excel. The analysis involved the use of pie charts and bar graphs to visually represent quantitative data such as response distributions, trends, and demographic insights. Additionally, to examine the relationship between categorical variables and validate the research hypothesis, a Chi-square test was conducted. This combination of visual and statistical tools provided clarity and precision in interpreting the research findings from the 70 collected responses.

### 3.8 LIMITATIONS OF THE STUDY

While the study presents insightful findings based on direct field data, it is essential to acknowledge certain inherent limitations:

- The geographical scope is restricted to Tamil Nadu, which, while offering a rich political landscape, may not fully reflect the situation in other Indian states with differing socio-political dynamics.
- As the research is entirely based on primary data, it depends heavily on the availability, honesty, and willingness of participants to share their perspectives, which may introduce subjective bias or response gaps.
- The use of Microsoft Excel as the primary tool for data analysis limits the application of more advanced statistical tools or modeling techniques that could provide deeper quantitative insight.
- The data collection and analysis were conducted within a relatively short span of 20 days, which limited the number of interviews that could be conducted and constrained the possibility of extensive follow-up conversations that might have enriched the data further.
- Time constraints also meant that regional variation within Tamil Nadu could not be deeply explored beyond a general urban-rural distinction.
- Despite these limitations, the study offers a valid, context-specific exploration of the laws enhancing political empowerment for women and reflects ground realities from a critical and analytical perspective, based on responses from a diverse group of **70 participants**.

## CHAPTER IV

### ANALYSIS AND FINDINGS

#### 4.1 EMPIRICAL ANALYSIS OF RESPONDENTS' PERCEPTIONS

Data analysis plays a pivotal role in the action research cycle, serving as a foundation for informed decision-making and effective project implementation. It involves systematically categorizing, transforming, and interpreting raw data into meaningful insights. In simple terms, data analysis refers to the critical and structured examination of the information collected from respondents.

In this chapter, I present the findings derived from the responses of selected participants—comprising politicians, general voters, and legal professionals—through a semi-structured interview method. The analysis and interpretation of the data aim to understand the extent of legal awareness, social perceptions, and practical challenges related to laws that promote women's political empowerment in India, with special reference to Tamil Nadu. This chapter also highlights the respondents' perspectives on the effectiveness of existing legal provisions, including constitutional mandates, reservation policies, and institutional mechanisms supporting women's participation in political processes.

**TABLE 1 DISTRIBUTION OF SAMPLES**

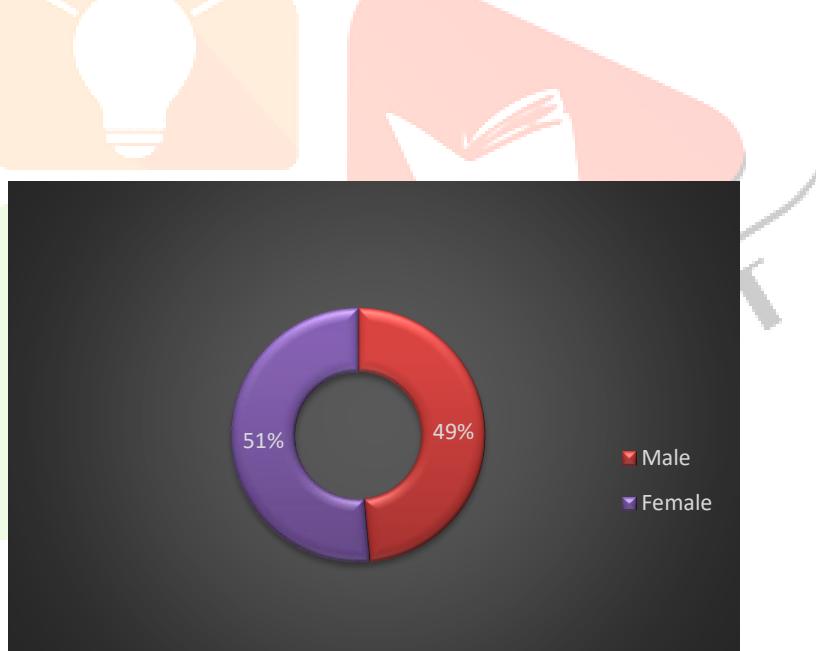
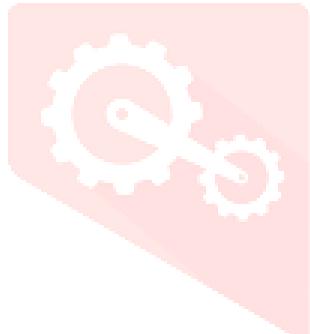
S.No	VARIABLES	OBSERVATIONS	
		N=70	%
1	Gender	Female	36
		Male	34
2	Occupation	Politician	11
		Legal professional	28
		General voter	31
3	Men and women have equal opportunities in politics in our country	Yes	42
		No	28
4	Patriarchy	17 (out of 70)	24.3

	(Multiple answer by respondents)	Lack of financial support	16 (out of 70)	22.9
		Lack of encouragement	37 (out of 70)	52.9
		Safety concerns	44 (out of 70)	62.9
		Gender bias	34 (out of 70)	48.6
5	Women in politics subjected to more criticism and scrutiny compared to men	Yes	59	84.3
		No	11	15.7
6	Gender discrimination in politics	Very high	19	27.1
		Moderately high	35	50
		Low	5	7.1
		Moderately low	9	12.9
		No	2	2.9
7	willingness to encourage the women in your family to enter politics	Yes, definitely	39	55.7
		To some extent	20	28.6
		No	11	15.7
8	women's participation in politics look different if policy focus shifted from numbers to meaningful participation	Yes	55	78.6
		No	15	21.4
9	Awareness of laws that enhance women's political representation	Yes	52	74.3
		No	18	25.7
10	Are laws effective in increasing women's political participation	Highly effective	10	14.3
		Effective	14	20
		Neutral	26	37.1
		Less effective	6	8.6
		Not effective	14	20
11	Society supports female leaders	Strongly agree	21	30
		Agree	11	15.7
		Neutral	20	28.6
		Disagree	10	14.3
		Strongly disagree	8	11.4
12	The media portray women in politics differently compared to men	Yes	43	61.4
		No	27	38.6
13	Being a woman mean can't participate in politics	Yes	38	54.3
		No	32	45.7
14	Cultural and religious norms affect women's political participation	Yes	45	64.3
		No	25	35.7

15	Awareness of government initiatives or policies that promote women's participation in politics	Yes	49	70
		No	21	30
16	Policy like 33% reservation truly beneficial	Highly beneficial	24	34.3
		Moderately beneficial	35	50
		Not beneficial	4	5.7
		Needs further amendments	7	10
17	If the government mandated 50% political representation for women across all levels of governance	Resistance and tokenism	9	1.9
		Challenges in implementation	17	24.3
		Transformation political culture	31	44.3
		Enhanced gender equality and inclusive policies	13	18.6

#### 4.2 STATISTICAL TOOLS

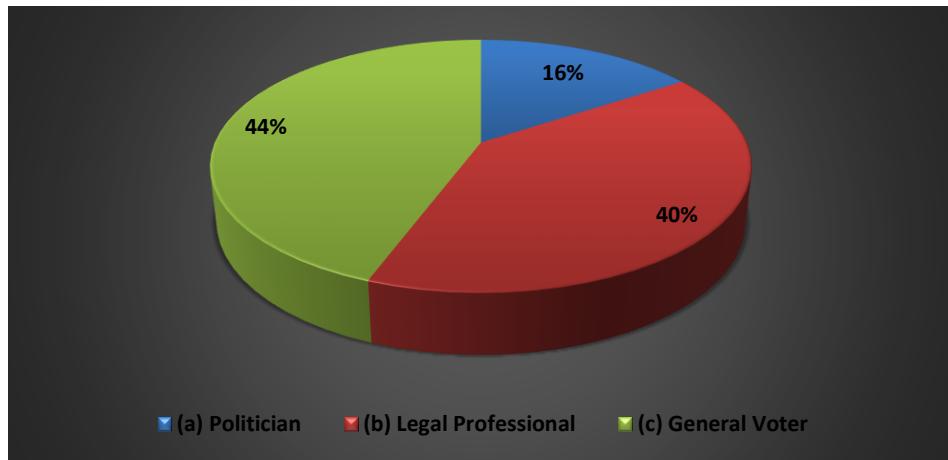
- ✓ Pie-Charts
- ✓ Bar Diagram
- ✓ Funnel Diagram



**figure 1 gender**

**Interpretation:** The donut chart visually represents the gender distribution of the respondents who participated in the study. Out of the total participants ( $N = 70$ ), 51% are female and 49% are male. This suggests a near-equal representation of both genders, with a slightly higher number of female participants compared to male participants.

**Inference:** The balanced gender ratio among respondents ensures that the data collected reflects gender-inclusive perspectives, which is crucial for a study focused on women's political empowerment. The slightly higher participation of females may enhance the depth and authenticity of insights related to the challenges, perceptions, and experiences of women in the political domain. This proportionate representation supports unbiased and equitable analysis, lending credibility to the findings on gender dynamics in political participation.



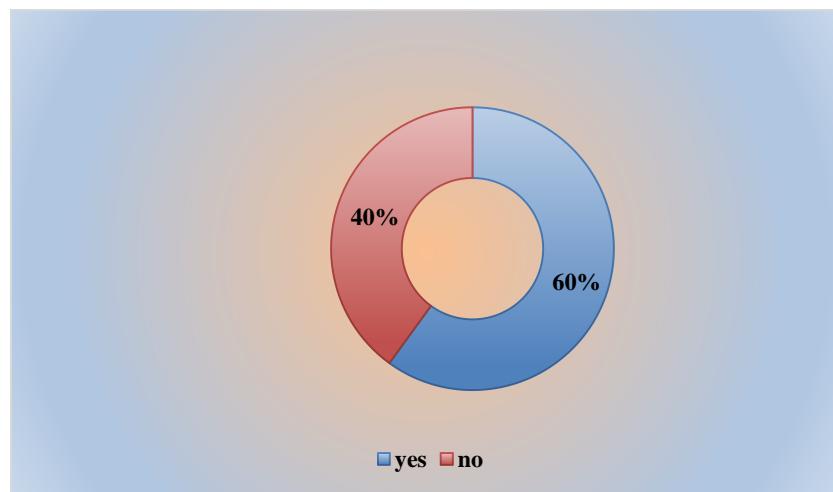
**figure 2 occupation**

**Interpretation:** From the above pie-chart it can be incurred that the respondents are divided into three key categories:

- General Voters: 44%
- Legal Professionals: 40%
- Politicians: 16%

From the chart, it is evident that General Voters form the largest group, followed closely by Legal Professionals, while Politicians constitute the smallest share of the sample. This distribution suggests that the study incorporates a broader public perspective, especially that of voters, which is crucial in understanding the grassroots impact and perception of laws enhancing women's political empowerment.

**Inference:** The occupational representation in the sample provides a multi-dimensional viewpoint. The dominance of general voters (44%) ensures that the findings reflect the public opinion, which is essential in evaluating democratic participation and policy impact. The substantial presence of legal professionals (40%) adds analytical and jurisprudential insights into the legal framework surrounding political empowerment. Although politicians form a smaller group (16%), their inclusion is critical, as they offer first-hand experiential insights into the practical challenges and systemic barriers in political engagement, especially for women. Overall, the occupational diversity of respondents strengthens the credibility and depth of the research.



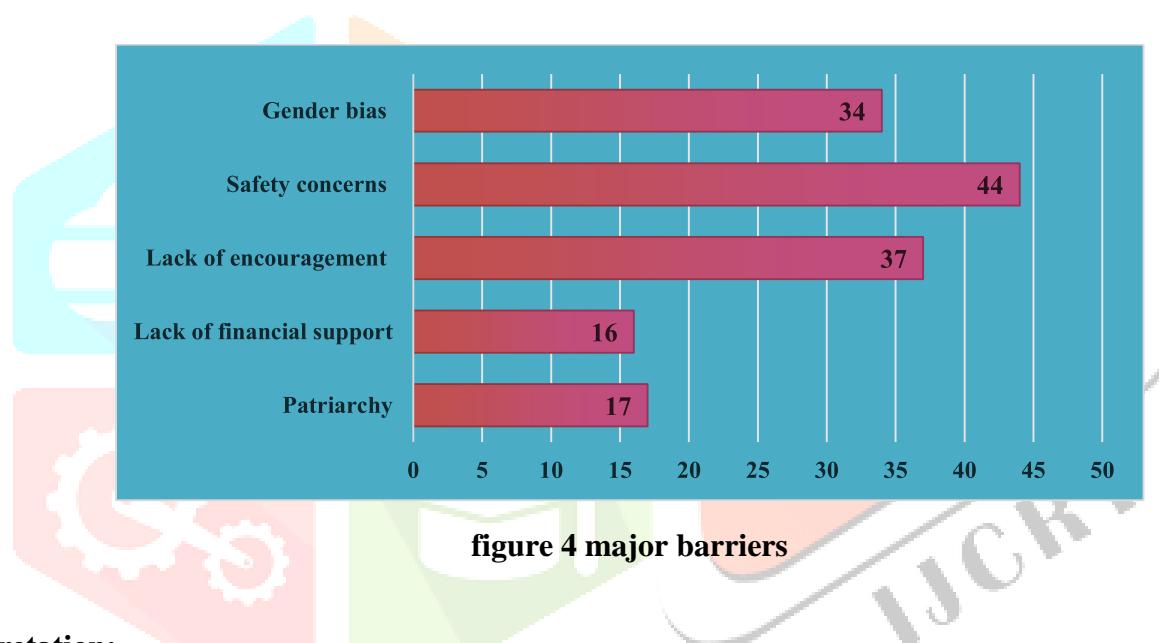
**figure 3 equal opportunity in politics**

**Interpretation:** The figure illustrates the opinions of respondents regarding the existence of equal opportunity for women in politics. According to the data:

- 60% of respondents answered “Yes”, suggesting that they believe women are being given equal opportunity in the political field.
- 40% responded “No”, indicating their belief that women still do not enjoy equal opportunities in politics.

This indicates that a majority believe in the presence of equality, but a substantial minority points toward ongoing disparities.

**Inference:** The data reflects a mixed sentiment among the surveyed population. While a progressive shift is evident through the majority affirming equality, the 40% dissent highlights the continued challenges faced by women in political participation. These may include patriarchal attitudes, lack of party support, gender bias in leadership roles, and unequal media portrayal.

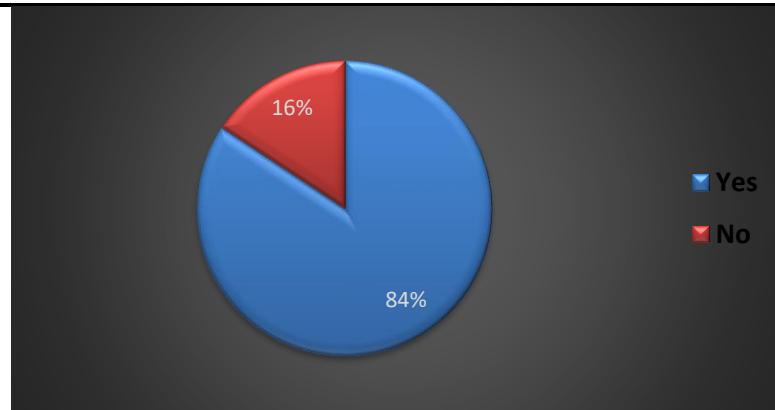


**Interpretation:**

This multiple response bar diagram illustrates the various barriers identified by the respondents that hinder women's participation. As participants were allowed to indicate more than one applicable barrier:

- Safety concerns were cited most frequently, with 44 responses.
- Lack of encouragement accounted for 37 responses.
- Gender bias received 34 responses.
- Patriarchy was mentioned in 17 responses, while lack of financial support was highlighted in 16 responses.

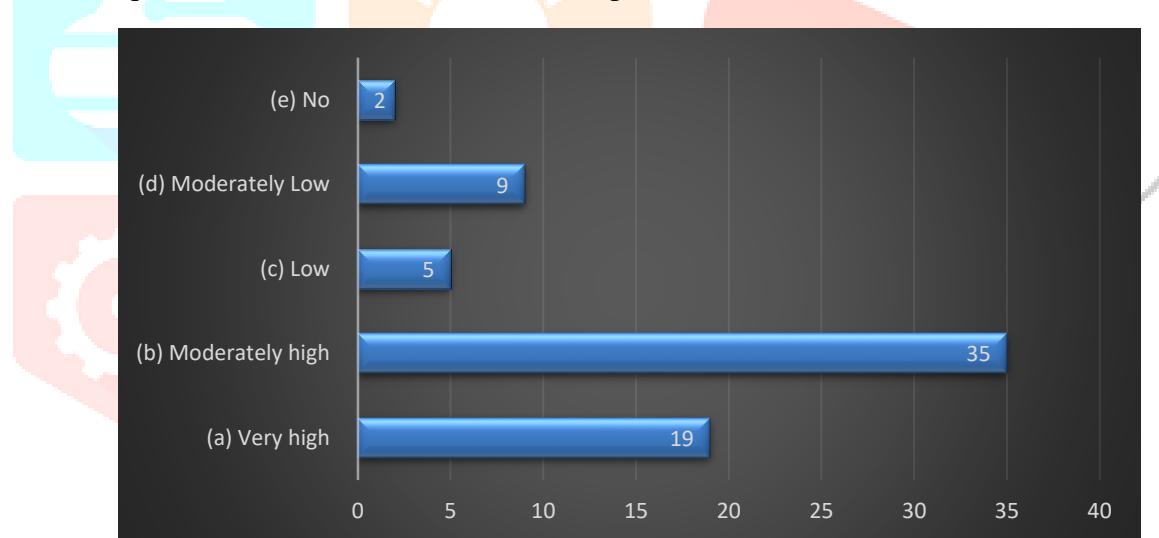
**Inference:** The responses reveal that obstacles to women's political empowerment are complex and interconnected. Gender bias, patriarchy, security issues, and a lack of social and financial support all contribute to discouraging women from participating in politics. These findings highlight the need for a strategy that addresses both social attitudes and structural challenges at the same time. Additionally, the focus on safety concerns shows that policies are needed to create safer environments for women in politics.



**figure 5 women in politics subjected to more criticism and scrutiny compared to men**

**Interpretation:** The pie chart reflects public opinion on whether women in politics face more criticism and scrutiny than men. A significant majority, 84%, responded "Yes" indicating they believe women are more harshly judged in political spaces. Only 16% responded "No" suggesting a smaller portion of respondents see no such disparity.

**Inference:** This data highlights a clear perception that women in politics are held to different and often stricter standards compared to their male counterparts. This supports the need for societal and institutional reforms to ensure fair and equal treatment for women in leadership roles.

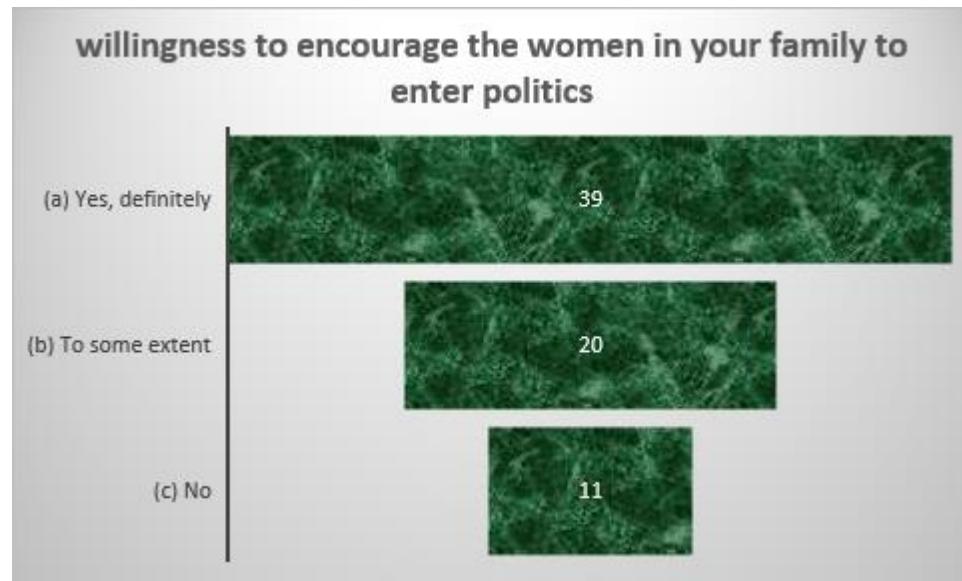


**figure 6 gender discrimination in politics**

**Interpretation:** The chart measures perceptions of gender discrimination in politics among respondents across different intensity levels. The majority, 35 respondents, believe that gender discrimination is moderately high in politics. 19 respondents feel that it is very high, highlighting a strong recognition of the issue. On the other hand, only 9 respondents perceive gender discrimination as moderately low, and 5 respondents consider it low. A very small number, 2 respondents, feel that there is no gender discrimination in politics.

**Inference:**

The findings indicate that gender discrimination in politics is perceived as a significant issue by the majority of respondents. With 54 out of the total respondents (35+19) identifying discrimination as either "moderately high" or "very high," there is a strong consensus about its prevalence. The minimal number of participants who feel that discrimination is low or non-existent (only 16 respondents in total) suggests that gender bias remains a major barrier in the political arena.



**figure 7 willingness to encourage the women in your family to enter politics**

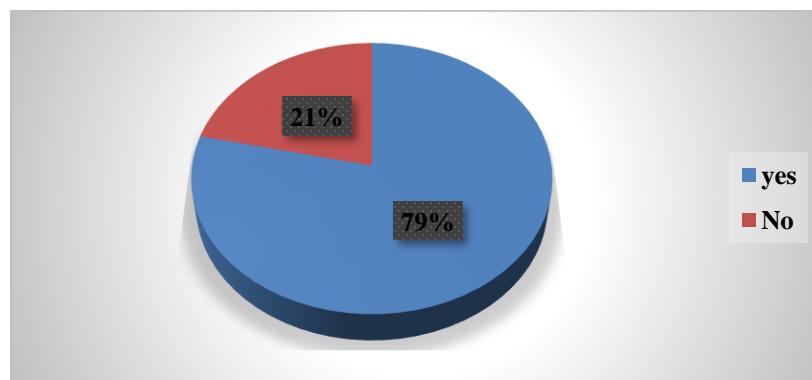
**Interpretation:** The chart displays responses regarding family support for women entering politics:

- 39 respondents said "Yes, definitely", indicating strong encouragement.
- 20 respondents said "To some extent", showing conditional or limited support.
- 11 respondents said "No", reflecting an unwillingness to support such political participation.

A clear majority express affirmative willingness, while a minority still hold reservations or outright disapproval.

**Inference:** The data indicates a positive shift in mindset toward women's political empowerment at the familial level. With over 70% (39 out of 70) of respondents expressing definite support, it is evident that many families are ready to back women's entry into politics. However, the fact that 20 respondents only support it conditionally and 11 oppose it altogether points to persistent socio-cultural or traditional barriers that still inhibit full encouragement.

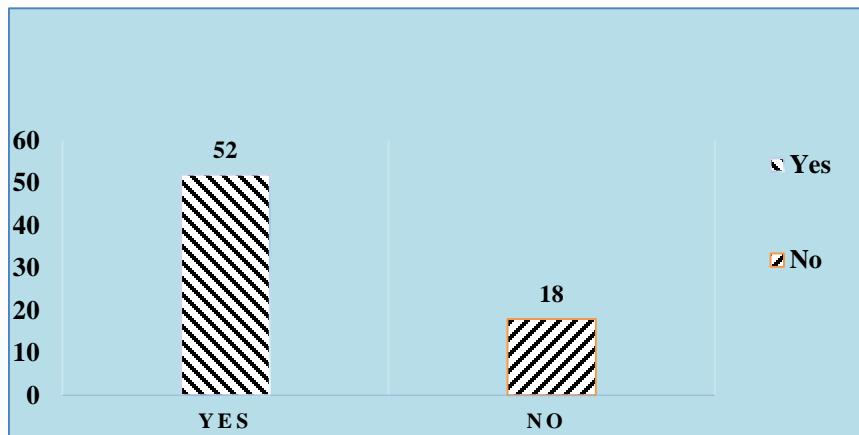
This suggests that while a progressive attitude toward women's political participation is emerging, especially within families, efforts are still needed to address underlying hesitations and cultural resistance that limit full support.



**figure 8 women's participation in politics look different if policy focus shifted from numbers to meaningful participation**

**Interpretation:** The pie chart reveals that a significant majority of respondents (79%) believe that women's participation in politics would appear different if the policy focus shifted from merely increasing numerical representation to ensuring meaningful participation. Only 21% of respondents disagreed with this proposition.

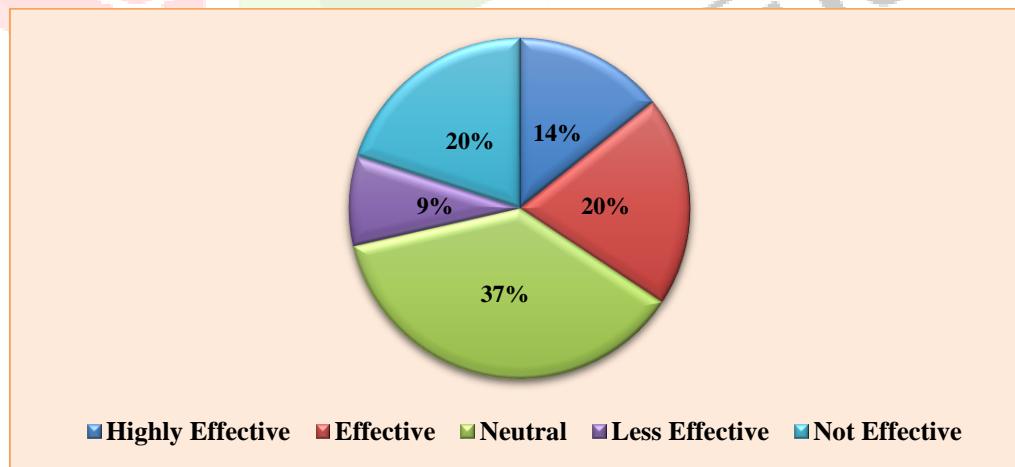
**Inference:** The data indicates a strong consensus that quality matters more than quantity in women's political engagement. This suggests a public perception that tokenism or symbolic representation is insufficient, and that structural changes are needed to ensure women's voices are substantively integrated into the political process. Policy initiatives should therefore prioritize empowering roles, decision-making authority, and leadership opportunities for women over mere numerical targets.



**figure 9 awareness of laws that enhance women's political representation**

**Interpretation:** Out of the total respondents, 52 individuals indicated awareness of laws aimed at enhancing women's political representation, while 18 respondents expressed a lack of such awareness.

**Inference:** The chart shows that most people are aware of the laws that support women's political representation. However, a smaller group still lacks this awareness. This suggests that while progress has been made in spreading legal knowledge, more efforts are needed to inform everyone about these laws so that women can participate more actively and confidently in politics.



**figure 10 are laws effective in increasing women's political participation**

**Interpretation:** The pie chart reveals that 37% of respondents are neutral about the effectiveness of laws in enhancing women's political participation. While 20% find them effective and another 14% consider them highly effective, a combined 29% view them as less or not effective (9% and 20%, respectively).

**Inference:** Although a segment of respondents acknowledges the positive impact of legal measures on women's political participation, a significant portion remains unconvinced or neutral. This suggests that either the implementation of such laws is lacking, or their impact is not visible enough to inspire confidence, pointing to a need for stronger enforcement and awareness.



figure 11 society supports female leaders

**Interpretation:** Out of the total respondents, 32 individuals (21 strongly agree and 11 agree) believe that society supports female leaders. On the other hand, 18 respondents (10 disagree and 8 strongly disagree) feel that such support is lacking. Meanwhile, 20 respondents chose a neutral stance, indicating neither agreement nor disagreement.

**Inference:** The chart reveals that a majority of respondents perceive society as supportive of female leadership, reflecting growing acceptance and encouragement of women in leadership roles. However, the large number of neutral responses suggests that many individuals are uncertain or feel that this support is not consistently visible in practice. Additionally, the 18 respondents who disagreed highlight that a portion of the population still perceives societal resistance or barriers to female leadership. This indicates a need for continued efforts in changing perceptions and ensuring tangible, inclusive support for women in leadership positions.

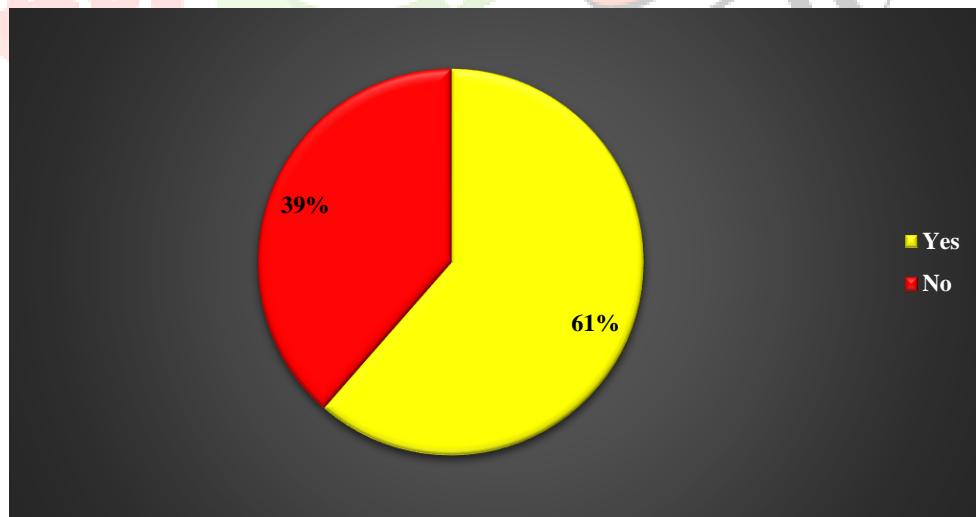
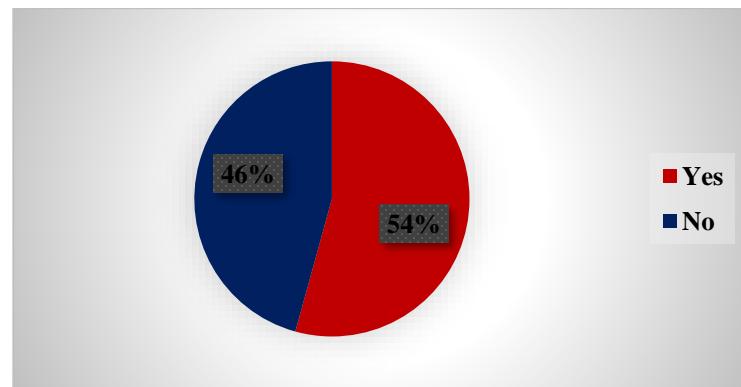


figure 12 the media portray women in politics differently compared to men

**Interpretation:** 61% of the respondents believe that the media treat women in politics differently than men, while 39% think there is no difference.

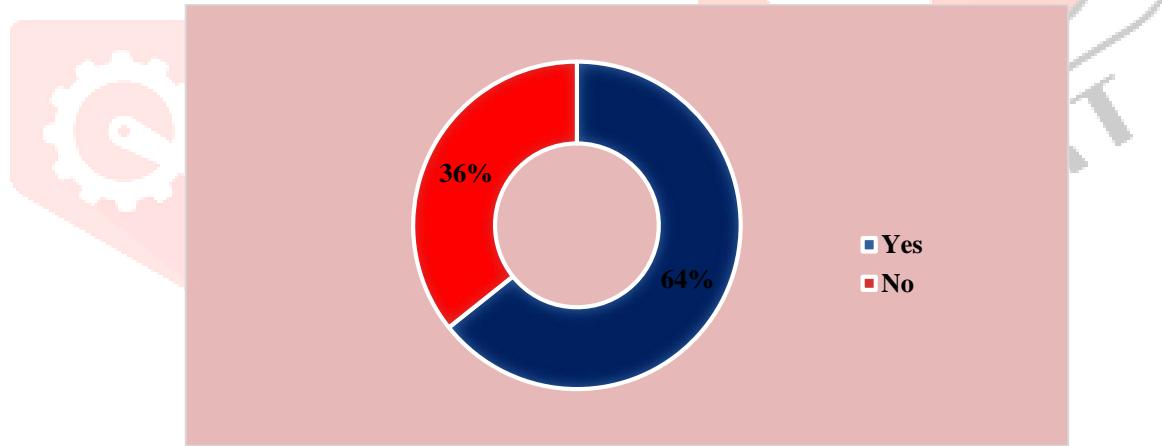
**Inference:** Most people feel that women in politics are portrayed differently in the media, which may affect how the public views them. This suggests there is still a need to improve how the media presents female leaders to promote fairness and equality. However, since a good number of people don't see a difference, it also shows that views on this issue are not the same for everyone.



**figure 13 being a woman mean can't participate in politics**

**Interpretation:** According to the chart, 38 respondents believe that being a woman limits political participation, while 32 respondents do not believe so.

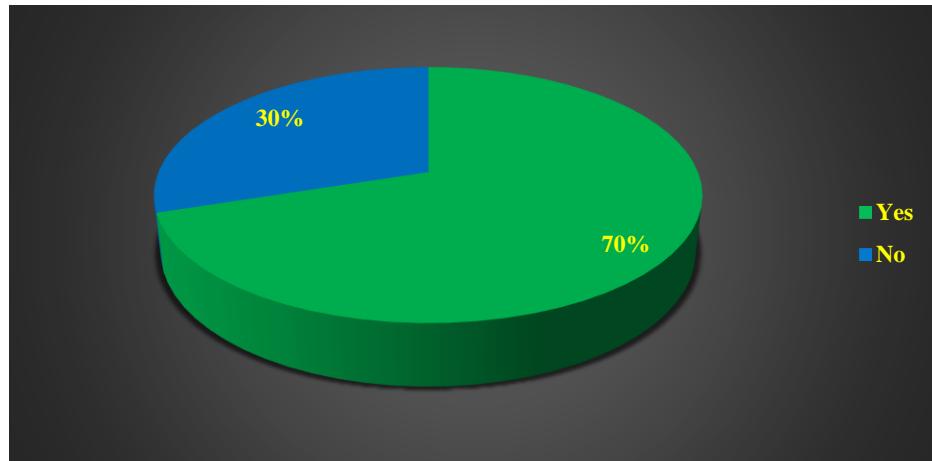
**Inference:** The results show that many people still think being a woman is a barrier to political involvement, revealing that gender bias remains an issue. However, a significant number of people disagree, showing that perceptions are gradually changing. This suggests that while progress has been made, more awareness and empowerment are needed to fully support women's political participation.



**figure 14 cultural and religious norms affect women's political participation**

**Interpretation:** 64% of respondents agree that cultural and religious norms affect women's political participation, while 36% believe these norms do not have an impact.

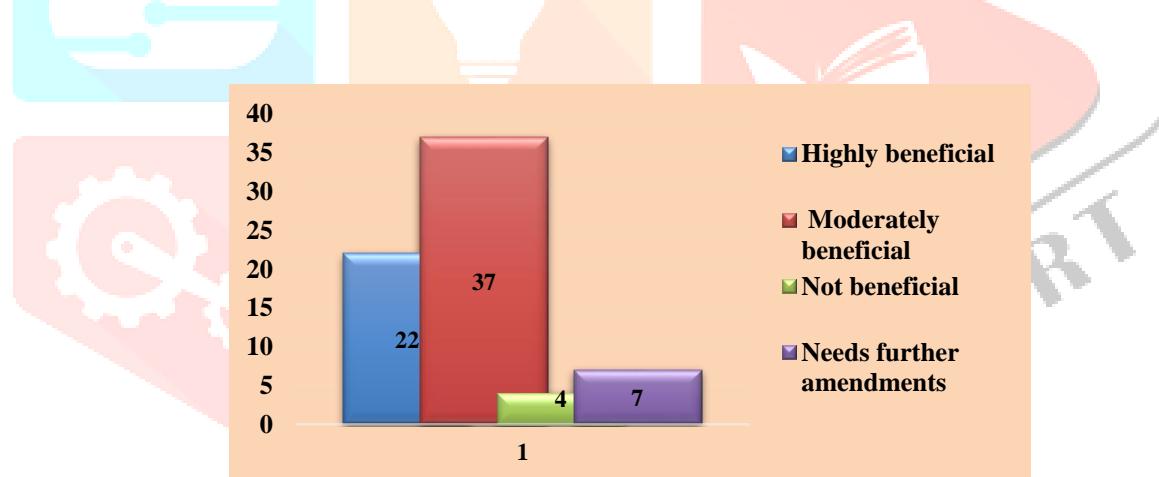
**Inference:** Most people recognize that cultural and religious expectations can create barriers for women entering politics. This shows that traditional beliefs still play a strong role in shaping opportunities for women. However, the 36% who disagreed suggest that not everyone sees these norms as limiting, indicating changing views in parts of society. To improve women's participation, efforts must address both structural barriers and cultural perceptions.



**figure 15 awareness of government initiatives or policies that promote women's participation in politics**

**Interpretation:** 70% of respondents are aware of government initiatives or policies that support women's participation in politics, while 30% are not aware of such efforts.

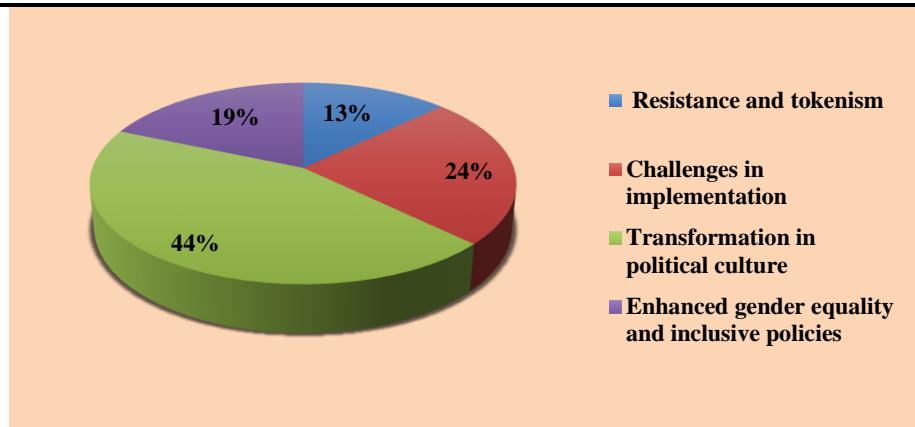
**Inference:** The majority of people are informed about government actions to encourage women's involvement in politics, which is a positive sign for outreach and education efforts. However, the 30% who remain unaware show that there's still a need for better communication and public engagement to ensure that everyone knows about these opportunities and support systems.



**figure 16 policy like 33% reservation truly beneficial**

**Interpretation:** The chart reveals that a significant portion of respondents (37 individuals) consider the 33% reservation policy for women in politics to be moderately beneficial, while 22 respondents believe it is highly beneficial. A smaller group 7 respondents feel that the policy needs further amendments, and only 4 people see it as not beneficial.

**Inference:** The data suggests that most people appreciate the value of the 33% reservation policy in empowering women politically. The high numbers in the "moderately" and "highly beneficial" categories indicate that the policy is seen as a positive step toward gender equity. However, the responses also highlight a critical view from some who believe the policy needs improvements or falls short. This points to a broader understanding: while the reservation policy is largely welcomed, continuous evaluation and refinement are essential to make it more impactful and inclusive.



**figure 17 if the government mandated 50% political representation for women across all levels of governance**

**Interpretation:** According to the chart, 44% of respondents believe that such a mandate would lead to a transformation in political culture. Meanwhile, 24% anticipate challenges in implementation, and 19% expect it would result in enhanced gender equality and inclusive policies. A smaller portion (13%) fear it might only cause resistance and tokenism.

**Inference:** The majority opinion reflects optimism that 50% representation could be a catalyst for systemic change, reshaping traditional political dynamics and norms. However, the noticeable concern about implementation and resistance signals that structural and cultural inertia could pose significant hurdles. This suggests that while the policy could be transformative, its success would depend on practical strategies, institutional support, and public buy-in to overcome barriers and ensure genuine empowerment.

#### 4.3 CHI-SQUARE TEST OF HYPOTHESIS: INFLUENCE OF GENDER ON POLITICAL PARTICIPATION PERCEPTION

##### The Hypothesis

- **Null Hypothesis ( $H_0$ ):** Gender (G) has no significant effect on political participation (PP).
- **Alternative Hypothesis ( $H_1$ ):** Gender (G) has a significant effect on political participation (PP).

##### Cross table:

Gender	Believes Being a Woman Restricts Participation (Yes)	Does Not Believe (No)	Row Total
Female	18	18	36
Male	20	14	34
<b>Total</b>	<b>38</b>	<b>32</b>	<b>70</b>

## To find expected frequency

$E_{ij} = (\text{Row Total}) \times (\text{Column Total}) / (\text{Grand Total})$

Gender	Yes (Expected)	No (Expected)
Female	$(36 \times 38) / 70 = 19.54$	$(36 \times 32) / 70 = 16.46$
Male	$(34 \times 38) / 70 = 18.46$	$(34 \times 32) / 70 = 15.54$

**Chi-Square Formula:**  $\chi^2 = \sum (O_{ij} - E_{ij})^2 / E_{ij}$

Where:

- $O_{ij}$  = Observed frequency
- $E_{ij}$  = Expected frequency

Calculation:

$$\chi^2 = (18 - 19.54)^2 / 19.54 + (18 - 16.46)^2 / 16.46 + (20 - 18.46)^2 / 18.46 + (14 - 15.54)^2 / 15.54$$

$$\chi^2 = 0.1213 + 0.1440 + 0.1285 + 0.1526$$

$$\chi^2 = 0.55$$

### Degrees of Freedom

$$df = (r-1)(c-1) = (2-1)(2-1) = 1$$

Therefore

- Chi-Square Value ( $\chi^2$ ): 0.55
- Degrees of Freedom: 1
- Critical value: 3.841

Since the critical value is greater than  $\chi^2$  value ( $3.841 > 0.55$ ), so the null hypothesis is accepted

Therefore, there is **no statistically significant relationship** between gender and the perception that being a woman restricts political participation. Thus, the null hypothesis is accepted.

## SUGGESTIONS AND CONCLUSION

### 5.1 SUGGESTIONS

**1. Ensure Substantive Representation, Not Just Numerical Inclusion:** While reservation policies such as the 106<sup>th</sup> Constitutional Amendment Act, 2023 mandate a one-third quota for women in legislatures, these often result in mere descriptive representation without actual influence or decision-making authority.<sup>33</sup> To combat tokenism, institutional frameworks must empower women with real authority—through representation in key legislative committees, party leadership roles, and policy-drafting forums.

**2. Leadership Training and Capacity Building for Women Politicians:** India should institutionalize leadership development programs for aspiring female candidates at local, state, and national levels. Rwanda's post-conflict governance model, which includes community training modules, civic education, and political mentorship for women, has resulted in over 60% female representation in Parliament—the highest globally.<sup>34</sup>

**3. Legal Mandates for Gender-Balanced Candidate Lists:** In many democracies, achieving gender equity in politics has moved beyond post-election quotas to address gender disparities at the **candidate nomination stage**. One such notable method is Sweden's “zipper system”, which provides a model worth adapting in the Indian context.

The **zipper system** is a legal or party-mandated rule that requires **alternating male and female candidates** on party lists in **proportional representation systems**.<sup>35</sup> For example, if a party list has ten candidates, it must follow a sequence such as: Woman–Man–Woman–Man, or vice versa. This ensures that **women are placed in electable positions**, not just listed symbolically at the bottom. Consequently, it promotes both numerical inclusion and electoral viability.

India, though operating under a first-past-the-post system, could legislatively mandate gender-balanced candidate rosters within political parties. This would require an amendment to the *Representation of the People Act, 1951*, obligating parties to field a certain percentage of female candidates across constituencies—not merely in “safe” or non-winnable seats. The policy would mark a shift from passive to active inclusion, strengthening democratic legitimacy and enabling women to enter politics on equal footing with men from the very beginning of the electoral process.

**4. Institutional Oversight for Gender-Sensitive Media Coverage:** With 61.4% of respondents in this study affirming media bias, regulatory mechanisms must be introduced to ensure balanced portrayals of women in politics. Regulatory bodies such as the Press Council of India should enforce guidelines promoting gender-sensitive journalism and penalize sexist or derogatory coverage.<sup>36</sup>

**5. Safety and Support Systems for Women in Politics:** Given that 62.9% of the respondents identified safety as a major barrier, there is an urgent need for institutional redress mechanisms and special protection cells. The Election Commission, in collaboration with local law enforcement, must ensure the physical and digital safety of women contesting or holding public office.

**6. State Funding and Incentives for Women Candidates:** Drawing inspiration from Costa Rica's public financing model, India could explore implementing state-funded subsidies, tax exemptions, or reimbursement schemes aimed exclusively at women contesting elections. Such targeted financial incentives would help alleviate

<sup>33</sup> Anuj Garg v. Hotel Ass'n of India, (2008) 3 SCC 1, 14 (India)

<sup>34</sup> Inter-Parliamentary Union, Women in National Parliaments: World Classification, IPU Parline (Apr. 2024), <https://data.ipu.org/women-ranking>.

<sup>35</sup> International IDEA, Gender Quotas Database – Sweden, <https://www.idea.int/data-tools/data/gender-quotas/country-view/286/35>.

<sup>36</sup> Flavia Agnes, *Law and Gender Inequality: The Politics of Women's Rights in India* 133–35 (Oxford Univ. Press 1999)

a key obstacle faced by many women in political participation—the lack of monetary resources. This concern was identified by 22.9% of the respondents in the present study as a significant barrier to their political engagement. By easing the financial burden, the government can promote greater inclusivity and gender parity in the electoral process. A notable example is Costa Rica, where the legal framework mandates public funding to support women's political representation, as documented by the Inter-American Commission of Women in its 2020 report on political parity and women's participation in electoral processes.<sup>37</sup>

**7. Awareness Campaigns and Gender Sensitization Education:** As 64.3% of respondents acknowledged cultural and religious norms as a hindrance, nationwide gender sensitization campaigns are essential. Additionally, education curricula at all levels should integrate civic learning that challenges patriarchal mindsets and normalizes female political leadership.

## 5.2 CONCLUSION

This study set out to examine how far laws in India have actually empowered women to participate meaningfully in politics. Through a combination of legal analysis and direct conversations with politicians, legal experts, and everyday voters, the research aimed to go beyond what the statutes say and explore how those laws are experienced in real life.

What became clear is that while India has made notable progress on women participation in politics through constitutional guarantees like Articles 14, 15, and 243D, and more recently, the passage of the Women's Reservation Bill (106th Constitutional Amendment Act, 2023) the reality on the ground is far more complex. Legal provisions have opened doors, but many women still struggle to walk through them fully and freely. Issues like party bias, deep-rooted patriarchy, lack of support systems, and even subtle societal attitudes that reflect benevolent or ambivalent sexism continue to affect their journey.

Interviews conducted across Tamil Nadu revealed a mixed picture. On the one hand, there's growing awareness and acceptance of women in leadership roles. On the other, many respondents including women themselves acknowledged that real decision-making power often rests with men, even when women hold elected positions. Some shared that women are sometimes pushed into politics to fulfill quotas, only to be sidelined in actual governance.

In essence, the findings point to a simple but powerful truth: the law can create space, but it is society that must help to fill it. Political empowerment isn't just about getting women into office it's about enabling them to lead, influence, and transform. For this to happen, laws must be actively implemented, cultural mindsets must evolve, and women must be given the tools and trust to shape the future of our democracy.

This research highlights both the progress made and the distance yet to be covered. It calls for a more committed, collective effort to ensure that the law's promise becomes a lived reality for every aspiring woman leader in India.

<sup>37</sup> Inter-American Comm'n of Women, Political Parity and Women's Participation in Electoral Processes: Costa Rica, OAS/CIM (2020), <https://www.oas.org/en/cim>

**APPENDIX - I: QUESTIONNAIRE****Section 1: General Information**

1. What is your gender?
  - A. Male
  - B. Female
2. What is your occupation?
  - A. Politician
  - B. Legal Professional
  - C. General Voter

**Section 2: Women in Politics**

3. Do men and women have equal opportunities in politics in our country?
  - A. Yes
  - B. No
4. What are the major barriers for women to enter politics? (Multiple choices allowed)
  - A. Patriarchy
  - B. Lack of financial support
  - C. Lack of encouragement
  - D. Safety concerns
  - E. Gender bias
5. Are women in politics subjected to more criticism and scrutiny compared to men?
  - A. Yes
  - B. No
6. Is gender discrimination in politics high?
  - A. Very high
  - B. Moderately high
  - C. Low
  - D. Moderately Low
  - E. No
7. Are you willing to encourage the women in your family to enter politics?
  - A. Yes, definitely
  - B. To some extent
  - C. No
8. Would women's participation in politics look different if policy focus shifted from numbers to meaningful participation?
  - A. Yes
  - B. No

### Section 3: Legal Framework

9. Are you aware of laws that enhance women's political representation (e.g., reservation policies, gender equality laws)?

A. Yes

B. No

10. Are laws effective in increasing women's political participation?

A. Highly effective

B. Effective

C. Neutral

D. Moderately effective

E. Not effective

### Section 4: Public Perception

11. Does society support female leaders?

A. Strongly agree

B. Agree

C. Neutral

D. Disagree

E. Strongly disagree

12. Does the media portray women in politics differently compared to men?

A. Yes

B. No

13. Does being a woman mean you can't participate in politics?

A. Yes

B. No

14. Do cultural and religious norms affect women's political participation?

A. Yes

B. No

## Section 5: Government Initiatives

15. Are you aware of government initiatives or policies that promote women's participation in politics?

- A. Yes
- B. No

16. Are gender equality policies like 33% reservation truly beneficial?

- A. Highly beneficial
- B. Moderately beneficial
- C. Not beneficial
- D. Needs further amendments

17. What might happen if the government mandated 50% political representation for women across all levels of governance?

- A. Resistance and tokenism
- B. Challenges in implementation
- C. Transformation in political culture
- D. Enhanced gender equality and inclusive policies

