

## Original Article

# An Analytical Study of the Marginalization of Women in the Political Sphere of Jammu and Kashmir

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## Abstract

For years in J&K, women have experienced widespread marginalization because of conflicts that have created challenges for living, education, healthcare, and jobs. Kashmiri women have faced more harm than others from extended political problems, facing the consequences of violence in many areas, including socio-economic, psychological, and direct physical. However, women's active involvement in politics has not increased, despite the sponsorship of the 33% reservation in halqa panchayats by acts such as the 73rd Amendment and the J&K Panchayati Raj (Second Amendment) Act, 2003. Due to persistent conflict, traditional domination by men, and low knowledge about politics, it is difficult for women to participate in decision-making. This study investigates how Kashmiri women's political roles have evolved, and why they are still underrepresented in politics. The legal system tries to promote women's participation, but grassroots activities are still prevented by cultural customs, insecurity, and a lack of political education. The report demonstrates that ways to improve women's political participation must be guided by special attention to conflicts. This study examines the relationship between gender, conflict, and governance to identify the main challenges and paths to strengthening women's political influence in J&K. This is meant to add to wider debates on making governance more gender-friendly in regions facing conflict by recommending improved measures to bring the law in line with actions.

**Keywords:** women, panchayat, reservation, representation, transformation, Jammu and Kashmir, amendments.

## Introduction

Globally, women remain underrepresented in parliaments, accounting for only about 16% of seats. In India, despite comprising 48.4% of the population (Census 2011) and contributing significantly to the economy, women continue to face socio-political marginalization due to entrenched patriarchal structures. This marginalization is compounded by intersecting factors such as caste, class, and rural-urban disparities. Rural women, in particular, remain less empowered than their urban counterparts and are often treated as passive recipients of development rather than as active agents (Sarkar & Kumar, 2004). Although Indian women gained equal political rights with the adoption of the Constitution in 1950, their representation in political institutions remained low. Scholars attribute this underrepresentation to gender-based exclusion and patriarchal dominance in electoral processes (Agarwal, 2006). However, some argue that the 1990s saw increased female political participation, especially at the grassroots level, which reflects broader inclusion. The 73rd Constitutional Amendment Act of 1992, effective from April 24, 1993, marked a significant step toward grassroots democracy by mandating 33% seat reservations for women in the three-tier Panchayati Raj system.

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While this reform empowered women numerically, their influence on decision making remained limited. Furthermore, the provisions of the 73rd Amendment do not apply to Jammu and Kashmir or certain north-eastern states. As a result, Jammu and Kashmir made their own laws, adding the Jammu and Kashmir Panchayati Raj Act (Second Amendment), 2003, which used nominations rather than direct reservations. Yet, in Jammu and Kashmir and throughout the rest of India, women remain in a low role in the social hierarchy. This study focuses on the degree and type of women's political participation in the state's current social and political context.

#### **Women's Participation in Jammu And Kashmir Politics:**

As in other Indian states, the position of women has traditionally been lower in Jammu and Kashmir. However, the early 20th century brought growing political awareness among Kashmiri women, influenced by modern education, cultural change, and economic decline (Ruhee R, 2015).

Despite active participation in public life, their political roles have often been overlooked or reduced to victimhood in literature. Women's political representation remains low, which is hindered by limited awareness and prolonged conflict. Nonetheless, their involvement in Panchayati Raj Institutions has grown, with a 60% female voter turnout in the 2014 state elections and increasing advocacy for better governance (Shafeeqa K). The region's electoral history began in 1934 with restricted voting rights for educated women. The reforms under Sheikh Abdullah led to universal adult suffrage in 1951. The J&K Constitution guarantees equal political rights, and section 47 allows the governor to nominate women if needed (Gull W & Effat Y, 2015). However, female legislative representation remained minimal, peaking at four MLAs in 1972. In the 2014 elections, 26 of the 829 candidates were women, with only two elected candidates. Only 3% of party tickets went to women, highlighting the urgent need for more inclusive political reform.

#### **Women's Participation in the Lok Sabha**

<b>Lok Sabha</b>	<b>Total No. of Seats (Elections Held)</b>	<b>No. of Women Members who Won</b>	<b>% Of the Total</b>
First (1952)	489	22	4.4
Second (1957)	494	27	5.4
Third (1962)	494	34	6.7
Fourth (1967)	523	31	5.9
Fifth (1971)	521	22	4.2
Sixth (1977)	544	19	3.4
Seventh (1980)	544	28	5.1
Eighth (1984)	544	44	8.1
Ninth (1989)	529	28	5.3
Tenth (1991)	509	38	7.0
Eleventh (1996)	541	40*	7.4
Twelfth (1998)	545	44*	8.0
Thirteenth (1999)	543	48*	8.8
Fourteenth (2004)	543	45	8.1
Fifteenth (2009)	543	59	10.9
Sixteenth (2014)	543	61	11.2

**Source:** Election Commission of India

### **The Jammu and Kashmir Panchayat Raj Act 1989:**

The Indian government passed the 73rd Constitutional Amendment Act in 1992, establishing the Panchayati Raj system on April 24, 1993, and granting Panchayats constitutional status (Kumar, 2007). While most states/UTs implemented this system, Jammu and Kashmir and several northeastern states were excluded due to special constitutional provisions—Article 370 in J&K and the Sixth Schedule in others (Kharlyngdoh, 2010). The Act mandated each state/UT to form a State Election Commission and hold Panchayat elections every five years, creating a three-tier structure: Gram Sabha, Panchayat Samiti, and Zilla Parishad, with seat reservations for SCs/STs. In J&K, grassroots governance has predated this amendment. Panchayats were first introduced under Maharaja Hari Singh's Regulation No. 1 of 1935, followed by the 1958 Village Panchayat Act and the more comprehensive J&K Panchayati Raj Act of 1989. This Act established Halqa Panchayats, the Block Development Council (BDCs), District Planning and Development Boards (DPDBs), and Panchayati Adalats. Key provisions included lowering the voting age to 18 years, mandating elections within six months of dissolution, direct election of Sarpanches, and allowing party-based elections. Panchayats received authority to carry out development plans for health, education, agriculture, and efforts against poverty. The 2011 elections included a new policy that reserved 33% of Panchayat seats for women and SC/STs (Govt. of J&K). Even so, the 1989 Act had no requirement for women on BDC committees, which led to the 2013 Amendment making sure that one of every three BDC chairpersons was a woman on a rotation basis. The last Sarpanches and Panches were elected in 2001–02, but the 2011 elections brought 4,130 Sarpanches (2,164 in Kashmir, 1,966 in Jammu) and 29,719 Panches (15,959 in Kashmir, 13,760 in Jammu) (Directorate of Rural Development, Jammu, 2011). As a result, rural J&K saw better democratic participation by women and increased decentralized decision-making.

### **Women Participation:**

The 2011 Panchayat elections in Jammu and Kashmir marked a significant shift in grassroots politics with the introduction of 33% reservations for women in panch seats. Many

female candidates were new to public and political life and were often encouraged by male relatives, particularly in regions where men were unable to contest. This has led to increased family involvement in the political processes. According to the *Indian Journal of Social Work* (vol. 73, No. 4), around 10,000 women were elected as panches, representing 33.3% of the 26,777 filled seats—a historic shift in a traditionally male-dominated domain (Chowdhary, 2011). However, the presence of sarpanches in women remains minimal. Of the 4,113 seats, only 28 (0.68%) were won by women. Half of the districts had no female sarpanches; in the Kashmir Valley, only Baramulla and Shopian elected any (three out of 453). Leh, Kargil, and Kishtwar saw no elected women. Although all nine districts in the Jammu region elected women sarpanches, the numbers remained low, with Udhampur and Rajouri electing five each, and Poonch and Kathua electing four each (Directorate of Rural Development, Jammu, 2011). However, many women in Jammu and Kashmir struggle to participate in political life. Some of the main restricting factors include inadequate backing from the party, violence based on gender, not having enough say in decisions, being poor, lacking a good education, not having good access to healthcare, and being jobless. The way culture is shaped, insufficient confidence, political isolation, and little presence in the media worsens their exclusion. Due to these obstacles, women's voices are missing from various forums, which reduces the chances of fulfilling democracy, growing the economy, and establishing gender equality.

One should remove patriarchal beliefs, support inclusive governments, and encourage society and organizations to help women participate in politics.

### **Conclusion:**

A woman can succeed if she experiences no violence, her human rights are valued, prejudice does not exist, and she freely decides what to do. In Jammu and Kashmir, stopping more than two decades of conflict and tackling gender-based violence is very important. Every conflict-affected nation must consult with and hear women during political and peace talks. The exclusion of these countries is a significant weakness in the region's political processes. Like other Indian states, women in J&K are rarely involved in politics and have little

authority. Women have not taken advantage of the opportunities provided by India's Constitution to enter the political arena. Even though politicians such as Mehbooba Mufti and Asiya Naqash are symbols of change, most local women are not familiar with their political rights and duties. Bias against women still prevents them from participating in politics. Improving women's participation in nation-building requires sharing information about it in schools, local communities, and families. There needs to be greater understanding among women, Scheduled Castes and Scheduled Tribes about local self-government and political systems. Female members of the local government may help more women participate and fight against common gender prejudices. Women have shown that they can manage themselves well and drive positive development. Still, women must handle both personal and social roles, go against old-gender rules, and ensure that their political identities are strong. Men, religious leaders, and politicians in J&K must rally together, ignore their own interests, and highlight the equal importance of women. We must work to remove the male dominance and patriarchal patterns. There cannot be sure progress in democracy or human civilization if society does not become fairer and more inclusive.

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#### Conflicts of interest

The authors declare that there are no conflicts of interest regarding the publication of this paper.

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