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Q3(b)

Do you think that the constitutional provisions for women have led to their uplift? Give reasons for your answer

UPSC Civil Services Mains 2024 · Sociology GS 2 · 20 marks · Perspectives on the study of Indian society

Perspectives on the study of Indian society: Indology (G.S. Ghurye); Structural functionalism (M.N. Srinivas); Marxist sociology (A.R. Desai).

Core demand of the question

- List the main constitutional provisions for women
- **Show legal and political gains:** personhood, reservation, labour and dignity clauses
- **Give reasons why uplift is partial:** patriarchy, personal law, labour force, violence, and implementation
- Answer as a reasoned yes-but, not a slogan

Revision summary

Articles 14, 15 and 16 and panchayat reservations made women constitutional citizens and local office-holders.

Hindu Code, labour and harassment law extended that personhood.

Literacy, some delay of marriage, and public visibility are real gains.

Labour force, son preference, violence and personal-law plurality limit uplift.

The result is partial, caste-class uneven citizenship rather than completed equality.

Introduction

The Constitution made women **citizens**, not only dependants of a community. Articles **14, 15, 16**, Directive Principles on equal pay and maternity, Article **51A**, and later the **73rd and 74th Amendments** with reserved panchayat and municipality seats, are the core provisions. They have led to real uplift in law and in some public roles. They have not dissolved **Brahmanical and other patriarchies** in the household, the field and the street. The honest answer is a qualified yes.

Body

What the provisions did

Article 15 bars sex discrimination and allows special measures. **Article 16** opens public employment. These clauses underwrote the Hindu Code project that **Ambedkar steered: marriage, divorce, succession and adoption as statute rather than only custom. Maternity benefit, equal remuneration law, and later POSH** sit on that floor. Panchayati Raj reservations created a large class of **women representatives**, including sarpanchs who, even when mediated by male kin, entered the local state. The Supreme Court in cases from Shah Bano through Vishaka to later privacy and adultery judgments used constitutional equality to push personal and criminal law.

- **Education and health missions used the citizenship frame:** girls' schooling, ICDS, and reproductive programmes treat women as public subjects. Relative to 1950, literacy, age at marriage in many states, and visibility in universities and services are genuine uplift.

Why the record is not emancipation

Uplift is not the same as equality of condition. Female labour-force participation is weak and informal. Unpaid care is uncouned. Sex ratio and gender-biased abortion (despite PCPNDT) show households still preferring sons. Violence-domestic, caste, communal, workplace-continues; law exists, conviction and social support lag. Personal laws still fragment Muslim, Christian and customary rights. Panchayat reservation meets **proxy rule** and violence against women who sit in the chair. NEP 2020 can widen schooling without automatically raising workplace power.

Uma Chakravarti and feminist political economy argue that constitutional liberalism meets a social structure that stores honour in women's bodies. **Béteille** would add that a right on paper is not a resource in the village class map. So provisions led to uplift **where the state and organised movements could convert text into seats, schools and case law**. They did not uplift evenly across caste, class, region and religion.

Workplace and property are the stubborn middle. Without land titles and without regular jobs, a reserved panchayat seat does not feed a household. NEP 2020 and scholarships can raise enrolment; they do not automatically raise bargaining inside marriage. POSH does not reach the brick kiln or the farm. So constitutional uplift is strongest in **legal personhood and local office**, middling in **education**, and weakest in **informal labour and the private family**.

- **Reasons, in short:** the Constitution changed the legal person; patriarchy, land and labour markets still organise everyday inequality; implementation is local and male-dominated; community personal law was only partly constitutionalised.

Flow diagram

Arts 14 15 16 73rd 74th -> Hindu Code POSH DV
 Arts 14 15 16 73rd 74th -> Panchayat seats
 Patriarchy land violence -> Uneven uplift
 Hindu Code POSH DV -> Partial uplift
 Panchayat seats -> Partial uplift
 Uneven uplift -> Partial uplift

Conclusion

Constitutional provisions have led to women's uplift in citizenship, education, local office and a body of protective law. They have not completed uplift because marriage, work and violence remain structured by caste-patriarchy and uneven enforcement. The provisions are a necessary floor, not a finished building.

Facts & figures

73rd Amendment 1992

Reserved seats for women in panchayats; a mass entry into local government.

Vishaka 1997

Supreme Court guidelines on workplace sexual harassment, later the POSH Act.

PCPNDT Act

Bans sex-selection diagnostics; son preference still shows in sex ratio figures.

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