

# A STUDY OF CONSTITUTIONAL FACILITIES IN EMPOWERMENT OF WOMEN

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## ABSTRACT

The Constitution, which establishes the fundamental values and guidelines by which the government must abide, is a nation's highest law. The Constitution sets a framework for advancing gender equality and women's empowerment and guarantees the preservation of all citizens' rights, including those of women. The many articles of the Constitution that relate to women's rights and their ability to use different facilities and services are examined in a study of constitutional facilities in the empowerment of women. The study also examines the practical application of these provisions and the degree to which they have aided in the empowerment of women. It makes suggestions for resolving any gaps and difficulties encountered during the application of these laws. The study is significant because it aids in evaluating how well constitutional provisions promote gender equality and women's empowerment, which are essential for achieving social justice and sustainable development. The Study is Purely Theoretical. Secondary data sources provide the foundation of the study. The relevant data regarding Constitutional Facilities in Empowerment of Women and its different elements is gathered from books, journals, websites, or other related sources. The value of women's empowerment was studied by the researcher. Give specific details about Constitutional Facilities in Empowerment of Women. Research Work includes I. Introduction II. Review of related literature in brief III. Methodology IV. The detail information about Constitutional Facilities in Empowerment of Women V. Conclusion. etc.

**Keywords:** The Constitution, gender equality, women's empowerment, social justice, sustainable development, Rights etc.

## I. INTRODUCTION

The rights, benefits, and protections granted to people by a country's constitution are referred to as constitutional facilities. Giving women the same opportunities, safeguards, and rights as males as stated in the constitution is a key component of empowering women through constitutional provisions. As they create legal frameworks for the preservation of women's rights, eliminate gender inequities, and guarantee that women have equal access to opportunities and resources, constitutional facilities play a crucial role in the empowerment of women. These amenities include, but are not limited to, equal legal protection, the ability to vote and take part in political activities, equal access to employment and education opportunities, the absence of discrimination, safety from gender-based violence, and access to healthcare. In order to achieve gender equality, constitutional provisions are crucial because they offer a framework for addressing gender prejudices and ensuring that women are not subjected to discrimination. The government must execute policies and regulations that advance gender equality, offer access to resources and opportunities, and remove obstacles to women's participation in a variety of societal spheres in order to empower women through constitutional protections. The implementation of constitutional facilities can significantly improve women's life by enhancing their health, education, economic possibilities, and social standing. In general, constitutional facilities are essential to the empowerment of women.

## II. REVIEW OF RELATED LITERATURE IN BRIEF

The problem of women's empowerment is significant and has been thoroughly researched in a number of academic fields, including political science, sociology, and gender studies. Many studies have examined the function of constitutional provisions in fostering the empowerment of women in the setting of constitutional facilities. Constance Thomas and Joanna Regulaska (2006) did a study that looked at the contribution of Latin American constitutional provisions to the advancement of gender equality. According to the report, constitutional measures like gender quotas and affirmative action programmes have been successful in promoting women's political representation and participation in decision-making. Another investigation was made by Catherine O'Rourke (2017), who looked at how Northern Ireland's constitution has helped advance women's rights.

According to the study, constitutional clauses that support women's rights and gender equality, such as those that incorporate international human rights norms into domestic legislation and create a human rights commission, have been successful. Balghis Badri (2015) did research on the Sudanese constitution's provisions and how they affect women's rights. According to the report, cultural and customary practices that discriminate against women have made it difficult to execute constitutional provisions that guarantee women's rights, such as the right to equality and non-discrimination. Nitya Rao (2014) looked at the function of constitutional clauses in advancing women's land rights in India. According to the study, constitutional provisions that protect women's land rights have had a positive impact on women's empowerment and the elimination of gender-based access disparities to land. These studies emphasise the significance of constitutional protections for women's empowerment overall. Yet, how constitutional provisions are applied and the social and cultural environment in which they are applied affect how effective they are. Consequently, more study is required to determine the elements that influence whether constitutional measures supporting gender equality and women's empowerment are effective or ineffective.

### III. METHODOLOGY

The Study is Purely Theoretical. The Study is based on secondary data sources. The necessary information about the Constitutional Facilities in Empowerment of Women and its various components are collected from Books, Journals, Internet Source or related topic. The Researcher study about the Constitutional Facilities in Empowerment of Women.

### IV. THE DETAIL INFORMATION ABOUT CONSTITUTIONAL FACILITIES IN EMPOWERMENT OF WOMEN

Constitutional rights are essential for women's empowerment. Most nations' constitutions include a number of clauses that protect women's rights and encourage their general development. Following are a few of the fundamental legal protections that support women's empowerment:

1. **Right to Equality:** The Constitution guarantees all of its citizens the right to equality, regardless of their gender. It indicates that women have the same rights as men and cannot be subjected to gender-based discrimination.
2. **Right to Education:** The Constitution also ensures that all citizens, including women, have the right to an education. This right guarantees that women have access to education and can learn things that will help them grow both personally and professionally.
3. **Right to Work:** The Constitution forbids discrimination against women in the workplace based on their gender, and women have the right to work. With the exercise of this right, women are able to work and support themselves.
4. **Reservation in Public Services:** In order to ensure that women are represented in all areas of society, the Constitution establishes reserves for them in public services. This clause contributes to giving women in the public sector equal opportunities.
5. **Maternity Benefits:** The Constitution also gives women access to maternity benefits, such as paid time off and support for nursing mothers. This clause encourages working mothers and advances the child's health and welfare.
6. **Protection from Domestic Violence:** Women are protected against domestic violence under the Constitution. Women are protected from domestic violence and abuse thanks to this clause, and they also have legal options to pursue redress.
7. **Property Rights:** Women have the legal right to own property, and the Constitution allows for women to inherit property. This clause guarantees women's control over and access to property, which is essential for their economic emancipation.
8. **Right to freedom from discrimination:** The right to be free from discrimination protects women from being treated unfairly because of their gender, race, ethnicity, religion, or any other feature.
9. **Right to life and liberty:** The right to life and liberty guarantees that women have the freedom to live their lives without fear of violence, including sexual assault and domestic violence.
10. **Right to participate in government:** The right to participate in politics: This guarantees that women have the right to vote, to run for office, and that their gender will not bar them from taking part in the political process.

### V. OUR CONSTITUTION INCLUDES PROVISIONS FOR WOMEN.

S/No	Article	Details About Article
1	Article 14:	Equal rights and opportunities for men and women in the political, economic, and social areas.
2	Article 15(1).	Discrimination against any citizen on the basis of religion, race, caste, sex, etc. is prohibited.
3	Article 15(3)	Special provision authorizing affirmative action discriminating in favor of women by the State.

4	Article 16	All citizens should have equal access to possibilities for public posts.
5	Article 23	Prohibits forced labour and human trafficking.
6	Article 39(a)	The State shall direct its policy towards providing the equal right to a means of subsistence for all citizens, male and female.
7	Article 39(d)	Fair compensation for equal labour for men and women is guaranteed
8	Article 42	The State shall take all necessary measures to ensure just and humane circumstances.
9	Article 51(A)(e)	Renounce practices that are offensive to women's dignity.
10	Article 300 (A)	Women's property rights.

73rd and 74th Amendment Act 1992-Reservation 1/3 of Seats in local bodies of Panchayats and municipalities for Women. Ultimately, by protecting their rights and giving them opportunity for growth and development, constitutional facilities play a critical part in advancing the empowerment of women.

## VI. SUGGESTIONS

To achieve gender equality and advance women's rights, it is crucial to empower women through constitutional protections. These are some ideas for constitutional provisions that can support women's empowerment:

1. **Equal Rights Amendment:** This proposed amendment to the U.S. Constitution would ensure that all people, regardless of gender, have equal rights. A constitutional assurance that women are entitled to the same legal rights and protections as males would be provided by ratifying this amendment.
2. **Gender-Neutral Language:** One key step towards achieving gender equality is the adoption of gender-neutral language in constitutional texts, laws, and policies. This may entail eliminating gender-specific language altogether or substituting pronouns like "they" for pronouns like "he" or "she".
3. **Quotas and Affirmative Action:** These measures can be used to guarantee that women have equal access to political representation, employment prospects, and educational possibilities. By removing structural obstacles, these measures can boost the participation of women in all spheres of society.
4. **Maternity Leave and Childcare:** Constitutional provisions may also cover maternity leave and child care, which can assist women in juggling their obligations to their families and their professional lives. With the help of these clauses, the gender pay gap may be closed and women could be protected from being punished for taking time off to care for their children.
5. **Women's Rights Commissions:** Creating Women's Rights Commissions or comparable organizations can aid in ensuring that women's issues are properly taken into consideration when developing policy. With these commissions, women's views may be heard and policies that specifically address their needs and concerns can be created.
6. **Gender-Responsive Budgeting:** This practice entails examining government spending plans to make sure that they take into account the requirements of both men and women. As a result, resources may be distributed more evenly and places where women are disproportionately affected by budget decisions may be identified.

These are but a few recommendations for constitutional features that can support women's emancipation. The need for a thorough and ongoing effort to achieve gender equality must be acknowledged, and these facilities must also be backed by larger social and cultural reforms.

## VII. CONCLUSION.

Constitutional rights are essential for women's empowerment. Gender equality can be attained with or without a constitution, although it is far more likely with or without one. Making sure that women have equal access to political representation, healthcare, employment, and education is crucial. Constitutional provisions like reservations, quotas, and affirmative action programmes can support the involvement of women in various professions and assist redress past disparities. These resources give women an equal opportunity and support the elimination of prejudice and gender stereotypes. Constitutional clauses governing marriage, divorce, and inheritance can also support women's empowerment. These laws can guarantee that women have the freedom to make their own life decisions and shield them from damaging customs like underage marriage and forced marriage. In conclusion, constitutional rights are important for women's empowerment. They offer a framework for the law to ensure gender equality and safeguard women's rights. In addition to making sure that women are aware of their rights and know how to exercise them, it is crucial to guarantee that these facilities are implemented efficiently.

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