# Participation of Women in Governance and Decision making process

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## **Description of Module**

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Subject Name	Law	
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# Participation of Women in Governance

**Objective:** As such, the concept of Mirror representation aims to achieve gender equality in public office. In other words, representation of women is linked to their proportion in the population.

#### **Learning Outcomes:**

Increasing women's representation in the government can empower women. Increasing women's representation in government is necessary to achieve gender equality.

#### **Introduction:**

## **Participation of Women in Governance:**

True democracy is a system which in Abraham Lincolns words, is a government of the people, by the people and for the people. While most of the democracies have given a system which has government elected by all the sections of societies, In this context, the problem of low participation of women is of special concern for democracies and without changing that true democracy can never be achieved. Women's participation in decision-making is essential for women's interests to be incorporated into governance. It has been widely experienced that governance structures which do not provide forn adequate participation of women, often suffer from state interventions which are neither inclusive nor democratic. Including women, especially in local governments is an essential step towards creating gender equal opportunities and gender sensitive policies. Since women have different needs and perspectives on social and political issues, it is important to involve women in governments to incorporate all of the societal viewpoints in policy and decision-making processes. Women are actively involved in household and community work and hence well aware of real issues

faced by common people. This gives them insight and perspective which can be instrumental in sustainable overall development.

# WOMEN POLITICAL PARTICIPATION IN INDIAN POLITICS: HISTORICAL CONTEXT

The status of women in India has seen many ups and downs since ancient times - from at par status in ancient history to be in veils (Parda System) during the Medieval period. In the post independent India, the status of women regained its strength and has been on a rise ever since. Women in post independent India have been participating in almost all types of economic activities, day-to day household chores, voting for a better governance and also in active politics. India has elected a woman prime minister, Indira Gandhi, and a woman president, Pratibha Patil.

At the ground level, India has a significant proportion of women in local level politics which has been achieved by reserving seat for women.

## Women Reservation Bill

Post Gandhi, India experienced centralization of planning which resulted in higher inequality in political decision making at the various levels. While Government was deeply concerned of issues of gender equality, women were not always a part of such decision making. Although, India has seen women participating in politics as the longest serving Prime minister, as chief ministers of various states, members in national parliament and state legislative assemblies in large numbers, yet the occurrence of such events has not been commensurate to their population.

Back in history, one of the prominent member of freedom struggle, Sarojini Naidu rejected reservation for women, citing that women are not week, timid, meek. She claimed that the demand for granting preferential treatment to women is an admission on her part of her inferiority and there has been no need for such a thing in India as the women have always been by the side of men. The issue of women's reservation again came to limelight in 1973 with voices recommending reservation for women in at least one third of the seats and eventually statutory women's panchayats at the village level were recommended to take care of the neglect of women in rural development programs through 73rd & 74th constitutional amendments in 1993. Women's Reservation Bill or the Constitution (108th Amendment) Bill, is a pending bill in India which proposes to reserve 33 per cent of all seats in the Lower house of Parliament of India, and in all state legislative assemblies for women. The seats to be reserved in rotation will be determined by draw of lots in such a way that a seat shall be reserved only once in three consecutive general elections. Women's Reservation Bill, was passed in Rajya Sabha on March 9, 2010 But Lok Sabha could not clear the bill due to resistance of some regional parties on certain provisions of the bill.

Women in government: in the modern era are under-represented in most countries worldwide, in contrast to men. However, women are increasingly being politically elected to be heads of state and government. More than 20 countries currently have a woman holding office as the head of a national government, and the global participation rate of women in national-level parliaments is nearly 20%. A number of countries are exploring measures that may increase women's participation in government at all levels, from the local to the national.

## **Importance:**

Increasing women's representation in the government can **empower women**. Increasing women's representation in government is necessary to achieve **gender equality**.

Women face numerous obstacles in achieving representation in governance. Their participation has been limited by the assumption that women's proper sphere is the "private" sphere. Whereas politics is "public" domain. The "private" is associated with the family and the home. Even once elected, women tend to hold lesser valued cabinet ministries or similar positions. These are described as "soft industries" Typically, the more powerful the institution, the less likely it is that women's interests will be represented.

### Social and cultural barriers to mirror representation

**Sex Stereotyping**. Sex stereotyping assumes that male and female characters are link with leadership. Due to the **aggressive and competitive** nature of politics, the belief is that participation in elected office requires male personality. Hence, perception that female naturally produces weak leadership.

#### Sexual violence

There are significant barrier to women's capability of participating in politics to be the threat of violence. Sexual violence in India is exacerbated by issues of education and marriage. Women are sexually abused. Child marriage, domestic violence and low literacy rates

**Political Socialization**. The concept of political socialization rests on the concept that, during childhood, women are introduced to socially constructed norms of politics. Generally, girls tend to see "**politics as a male domain**." Socialization agents can include family, school, higher education, mass media, and religion.

**Lack of preparation for political activity**. This builds upon the concept of political socialization by determining the degree to which women become socialized to pursue careers that may be compatible with formal politics.(illiteracy)

**Balancing work and family**. The work life balance is invariably more difficult for women as they are generally expected by society to act as the primary caregivers for children, as well as for maintenance of the home. Due to the demands of work-life balance, it is assumed that women would choose to delay political aspirations until their children are older.

### Policies to increase women's Participations:

The United Nations has identified some avenues by which female participation in politics and government may be strengthened.

## **Education**

Women with formal education (at any level) are likelier to delay marriage and subsequent childbirth, be better informed about infant and child nutrition. Equalization of educational opportunities for boys and girls may take the form of several initiatives:

- a. **Abolishment of educational fees** which would require parents to consider financial issues when deciding which of their children to educate. Poor children in rural areas are particularly affected by inequality resulting from educational fees
- b. **Encouragement of parents** and communities to institute gender-equal educational agendas.
- c. Creation of "girl-friendly" schools to minimize unfairness and create a safe school environment for girls and young women. Currently, a barrier to female school attendance is the risk of <u>sexual violence</u>.

### Quotas

Quotas are mechanisms by which governments seek to increase the number of women represented in the governing body.

## Legislation

There have been numerous occasions where equal legislation has, in itself and through the effects that women have, benefited the overall progression of women equality on a global scale. Reducing domestic and gender-based violence, reducing in-home discrimination through equalizing property and inheritance rights. National legislation can supersede traditionally male-dominated inheritance models.

## Grassroots women's empowerment movements in India

An effort to increase women's participation in politics in India, a 1993 constitutional amendment mandated that a randomly selected third of leadership positions at every level of local government be reserved for women. These political reservation quotas randomly choose one third of cities to implement a women-only election. In these cities, parties are forced to either give a ticket to a women candidate or choose to not run in those locations. The local panchayat system in India provides an example of women's representation at the local governmental level. The 73rd and 74th Constitutional Amendments in 1992 mandated panchayat elections throughout the country. The reforms reserved 33% of the seats for women and for castes and tribes proportional to their population. Over 700,000 women were elected after the reforms were implemented in April 1993.

# Participation of Women in Decision making process:

The term 'political participation' has a very wide meaning. It is not only related to 'Right to Vote', but simultaneously relates to participation in: decision making process, political activism, political consciousness, etc. Women in <u>India</u> participate in voting, run for public offices and political parties at lower levels more than men. Political activism and voting are the strongest areas of women's political participation. To combat gender inequality in politics, the <u>Indian Government</u> has institute de <u>reservations</u> for seats in local governments.

#### 2014 elections

Women turnout during India's 2014 parliamentary general elections was 65.63%, compared to 67.09% turnout for men. In 16 out of 29 states of India, more women voted than men. A total of 260.6 million women exercised their right to vote in April–May 2014 elections for India's parliament.

# **Constitutional Rights of Women**

The <u>Constitution of India</u> establishes a <u>parliamentary system</u> of government, and guarantees its citizens the right to be elected, freedom of speech, freedom to assemble and form associations, and vote. The Constitution of India attempts to remove gender inequalities by banning discrimination based on sex and class, prohibiting human trafficking and forced labor, and reserving elected positions for women.

## **Voting**

The movement for women's <u>suffrage</u> began in the early 1900s in response to a national movement for suffrage, even though vast majority of neither men nor women had a right to vote during the British colonial rule before 1947. After Indian independence from Britain, the Indian Constitution in 1950 officially

granted women and men suffrage. Prior to universal suffrage, provincial legislatures had granted women the right to vote.

## **National Commission for women:**

The setting of a National Commission for women to fulfill the surveillance functions to facilitate redressal of grievances and to accelerate the socio economic development of women. The successive committees including the National Perspective plan for women 1988 recommended the constitution of an apex body for women. In may 1990 the bill was introduced in the Lok Sabha and the Bill was passed and received ascent from president in 1990. The National Commission for women Act 1990. The NCW was set up as statutory body to review the constitutional and legal safeguards for women, recommended remedial legislative measures, facilitate redressal of grievances and advise the government on all policy matters affecting women.

## Constitute ion; and Procedure of Commission:

According to sec 3 of the act the central Government shall constitute a body to be known as the National Commission for Women to exercise the powers conferred on and to perform the functions assigned to it.

- (a) A chairperson committed to the cause of women to be nominated by the central Government.
- (b) Five members to be nominated by the Central Government from amongst persons of ability, integrity and standing who have had experience in law or legislation, trade unionism, management of an industry or organizations, administration, economic development, health, education or social welfare. At least one member belonging to the Scheduled Castes and ST.
- (c) A Member-Secretary to be nominated by the central Government: Shall be member of civil service.

Mrs Jayanti Patnaik was the first president of the Women Commission constituted on 31<sup>st</sup> Jan.1992.

**Term of office and conditions of service of Chairperson:** Section 4 of the Act hold office not exceeding 3 years.

**Removal from the office:** Insolvent, convicted, unsound mind, incapable of acting, absent three consecutive meetings.

Salaries: Salaries and allowance to be paid out of grants

### **Functions of the commission:**

- (i) To investigate and examine all the matters relating to the safeguard for women under the Constitution and other laws.
- (ii) The Commission shall present reports to the Central Government upon the working of safeguards annually.
- (iii) The effective implementation of those safeguards for improving the conditions of women by union or any state.

- (iv) The commission shall review the existing provisions from time to time.
- (v) Take up the cases of violation of the provisions of the constitution and other laws relating to women.
- (vi) Look into complaints and take suo moto notice of matter relating deprivation of women's rights, non implementation of laws, non compliance of policy decisions.
- (vii) Calls for special studies or investigations into specific problems.
- (viii) Promote educational research relating to women
- (ix) Advise planning process of socio-economic development of women.
- (x) Inspect Jails, observation Home, and Women's Institutions etc. Power of the commission:
- I. Issuing Summon
- II. Requiring production of documents
- III. Receiving evidence on affidavits
- IV. Appoint committee

Provisions relating to Finance, Account and Audit:

I Grants by the central Government.

Ii Accounts and audit

Iii annual report: financial year

Iv Annual report and audit report to be laid before parliament