
UNIT 1A WOMEN'S POLITICAL RIGHTS AND POLITICAL INSTITUTIONS

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1.1A INTRODUCTION

In the preceding Block, you have read about the issues of women in the 19th century reform movement and 20th century. How the process of partition affected lives of women in both nations. After independence how the constitutional debates brought the balance between the fundamental and directive principals, also the equality for the citizens. In this Unit, we will study the institutions which comprise the sets of formal and informal rules that shape people's perception, their needs and roles. Political institutions refer to the recognized structure of rules and principles. They deal with the political organizations such as the state, its laws and enforcement of law and so on. Thus, they also mediate the policies and provide representation for the people. This Unit reflects on women's agency within the political sphere in post-independence India.

1.2A OBJECTIVES

After completing this Unit, you will be able to:

- Discuss the concepts of political agency;
- Critically engage with state initiatives that enable women's political agency; and

- Analyze the constitutional provisions/ legislations, policies, and programs.

1.3A CONCEPTS OF POLITICAL AGENCY

Rights are the fundamental normative rules. They are meant for the people or owed to people. They are premised on the legal system, social convention, or ethical theory. Different groups and thinkers have variously defined the term for different purposes. One way to get an idea of the multiple understandings and senses of the term is to consider contrasting ways in which it has been used. Let us read some of the rights.

Natural Rights are rights which are 'natural' and do not derive from the laws of any specific society. They exist necessarily, and are inherent to every individual. They are sometimes called moral rights or inalienable rights. For example, all humans have a natural right to life. Legal rights, on the contrary, are based on a society's customs, laws, statutes or actions by legislatures. An example of a legal right is the right to vote of citizens. Legal rights are sometimes called civil rights or statutory rights and are culturally and politically relative since they depend on a specific societal and political context to have meaning (en.wikipedia.org/wiki/Rights). However, **Claim Rights** are entails that another person has a duty to the right-holder. Every claim-right entails that some other duty-bearer must do some duty for the claim to be satisfied. This duty can be to act or to refrain from acting. For example, many jurisdictions recognize broad claim rights to things like 'life, liberty, and property'; these rights impose an obligation upon others not to assault or restrain a person, or use their property, without the claim-holder's permission. Likewise, in jurisdictions where social welfare services are provided, citizens have legal claim rights which must be provided with those services.

A **liberty rights** in contrast, is simply a freedom or permission for the right-holder to do something, and there are *no obligations* on other parties to do or not do anything. For example, if a person has a legal liberty right to free speech, that merely means that it is not legally forbidden for them to speak freely: it does *not* mean that anyone has to help enable their speech, or to listen to their speech; or even, per se, refrain from stopping them from speaking, though *other* rights, such as the claim right to be free from assault, may severely limit what others can do to stop them. (en.wikipedia.org/wiki/Rights).

The **Individual rights** are rights held by individual people regardless of their group membership or lack thereof. They are possessed by individuals in the sense that they are permissions and entitlements to do things which other persons, or which governments or authorities, cannot infringe. The **Group rights** exist when a group is seen as more than a mere composite or assembly of separate individuals but an entity in its own right. It has a distinct will

and power of action and can be thought of as having *rights*. For example, a platoon of soldiers in combat can be thought of as a distinct group, since individual members are willing to risk their lives for the survival of the group, and therefore the group can be conceived as having a 'right' which is superior to that of any individual member. However, there is another sense of group rights in which people who are members of a group can be thought of as having specific individual rights because of their membership in a group. In this sense, the set of rights, which individuals-as-group-members have, is expanded because of their membership in a group. For example, workers who are members of a group such as a labour union can be thought of as having expanded individual rights because of their membership in the labour union, such as the rights to specific working conditions or wages (en.wikipedia.org/wiki/Rights).

Box No. 1

The notions of rights are universal. It is suggested that rights are 'neutral', applicable to all irrespective of their social positioning in society. But, in reality, universal rights tend to ignore the subjective and contradictory experiences of people rooted in a particular physical / geographical space, in a certain kind of community or social arrangement and social relations. The identities based on ascribed membership of a particular group often operate as political constructs and form basis for state-citizen relations.

The notion of **Universal Rights** has stemmed from liberal philosophy which limited the jurisdiction of the state in the life of individual citizens. The citizens who owned property and had access to resources and opportunities were considered the 'free' individuals. The rights of subordinated groups (such as the poor, women, ethnic and racial minorities, low caste groups and others) to social and economic resources were often not acknowledged. This is because prevailing unequal social relations not only determined their unequal access to power and resources but also marginalized them further by limiting their voice and influence. State-society relations promoted the understanding that what individuals do in the 'public' sphere is subject to regulation, while activities taking place in the 'private' sphere are thought to be exempt from governmental scrutiny. This contention affects both women and men. The gender difference lies in the fact that women are brought into the public domain as mothers, sisters, and daughters and their entitlements are subject to community and ethnic norms and arbitrated by family, kinship and custom. In the context of women, the issues of claim or fight for women's rights cannot be discussed separately from that of their community. Family, caste, kinship and religious community are key factors of public life, and to a great extent, structure women's access to state and market opportunities, resources, claims and recognition. In much

of South Asia, for example, personal laws based on religious belonging discriminate against women but feminist advocacy for reform has time and again run into the quick sand of debates about rights of a particular 'bounded' community vis a vis the state (Mukhopadhyay et al, 2003).

A gender analysis of rights has inter-related dimensions in two ways. The first dimension puts forth the realities of women at the centre of interpreting and applying human rights standards. Equality between men and women, boys and girls is not simply achieved by enabling equal access to opportunities and services (commonly referred to as 'formal equality'); it also requires the removal of institutional barriers and historical disadvantages to ensure that women/girls and men/boys can access, use and benefit from these services and opportunities referred to as 'substantive equality'. However, you will study this in detail in the Unit 4, of this Block. A second inter-related dimension requires us to focus on women's rights. These are the freedoms and entitlements of women and girls. Because of their lower position in gender relations, women's rights are likely to be ignored or suppressed by law, local custom, and behaviour in society. These liberties are grouped together and differentiated from broader notions of human rights because they often differ from those inherently recognized for men and boy. For example, rights to bodily integrity and autonomy, to equal wages, to hold public office, to own property and so on may be part and parcel of our notions of human rights but have to be especially asserted for women because historically, and until today in most societies, women are treated in law, policy and societal interactions as dependants of men and families and not as persons in themselves (Mukhopadhyay et al, 2003).

These two inter-related dimensions reflect two types of injustices. Inequality arising from unjust distribution is defined in socio-economic terms and arises from the political and economic structure of societies. Examples include exploitation, economic marginalization and deprivation. On the other hand, recognition failures are seen to arise from cultural inequality and are rooted in social patterns of representation, interpretation and communication. These result in cultural domination, non-recognition and disrespect. The two types of injustices lead to two different kinds of rights claims. The first, called *redistributive claims*, seek a more just distribution of resources and goods. These claims are familiar to development organizations which take a rights based approach to working with poor, marginalized and vulnerable people to improve access to health, nutrition, livelihoods and basic care. The second type of claim is for *recognition*. These claims call for recognition of the distinct perspectives of ethnic, racial, and sexual minorities as well as of gender difference. They assert the value of difference, and demand that assimilation to dominant cultural norms should not be the price for equal respect. Claims for recognition may not be as familiar to development organizations although when working with ethnic minorities,

indigenous people, low caste groups, refugees, and women they are confronted with the disrespect and even hatred experienced by these groups, which undermines their self-worth and forms the basis for exclusion. Redistribution targets political-economical restructuring and involves redistribution of income, reorganization of the division of labour or transformation of other basic economic structures. In contrast, the remedy sought for injustices of recognition is cultural and symbolic change which involves positively valorizing diversity or transforming entire societal patterns of representation, interpretation and communication in ways that change everybody's identity (Mukhopadhyay et al, 2003).

1.3.1A Citizenship

You have read about citizenship in MWG-002 , Block -3 , Unit-1. Here , you will read citizenship in statutory sense confers on citizens a juridical status and a political identity as the members of a nation-state. Civil, political and social rights and entitlements enable all citizens to be members of a nation state, to participate equally and meaningfully in matters that govern their lives. Renewed concerns on citizenship, however, question the centrality of citizens' rights in the legal, constitutional and political framework. Constitutional equality glosses over the prevailing inequalities amongst and within various citizenry based on their socio-economic and community positioning. Citizens on the fringes of society such as the poor, low caste and tribals including women are extremely heterogeneous and fluid with diverse range of needs. They have by and large not benefited from their nation's Constitution with regard to their citizenship rights and entitlements (Pant, 2006).

A new conceptualization of citizenship recast it as citizen participation, involving expressions of diverse identities. This entails developing a greater understanding of poor people's perception of their rights and responsibilities. Citizenship is increasingly being seen as a substantive notion capturing a range of issues that manifest the lived experiences of people. Multiculturalism, plurality, diversity and difference are significant terms of reference in citizenship. This means that citizenship rests at the intersection between the citizenship rights and citizens' multiple identities. The understanding of citizenship needs to be embedded on the ways legal-political-constitutional rights interweave with the multiple: socio-cultural-regional identities. How rights and identities crises-cross and which identity assumes importance under which specific contexts? How different identities can play a critical role to bring people together for collective action? How in a particular context, single identity becomes central and what implications the collective action initiated around that identity might have on the broader issues of citizenship? Active citizen participation in making and shaping social policy and social provisioning are a legitimate expression of active citizenship.

1.3.2A Citizenship from Gender Perspective

The idea of universal rights implies to all as the same. It has the same needs and interests, and starts from the same positions of power and resources. In reality, different groups have different needs. For example, while men and women have the right to work, women might need more support than men in order to exercise this right. Women workers, for instance, need maternity leave, extra safety when pregnant and time off for menstruation. Lack of understanding of this difference hides and thus exacerbates such inequalities and serves to make certain activities or traits entrenched for particular groups. In employment, for example, women are often clustered in care work or education and men are over-represented in areas like finance or transport work. Equality is meaningless to women who differ from the standard that defines citizenship (Mukhopadhyay et al. 2003).

The boundaries of nations, communities or social groups that determine membership also determine non-membership. Within nations, communities or groups some are included and others, who do not fit the conventional idea of who is a citizen, are excluded. Gendered exclusion hinges on a particular understanding of what is termed the 'public/private divide'. This divide sees women's gender roles and responsibilities as lying in the family, caring and child-rearing, and men's gender roles as being to do with decision-making, formal politics, economics and the workplace. This division of roles and labour is important for understanding citizenship, which traditionally saw men as the holders of citizenship rights on account of their position in the public arena. Men were seen as political agents and women as being under their protection. Women and their concerns were outside the realms of citizenship, and their roles, though contributing to society, were not valued as worthy of membership in terms of decision-making and public activity (Mukhopadhyay et al. 2003).

In order to claim rights an individual needs to have access to resources, power and knowledge. Unequal social relations result in some individuals and groups being more able to claim rights than others. The status of citizenship is not enough without the conditions to enable such citizenship to be experienced or practiced. Formal, i.e. legal, equality is not sufficient to ensure women can access rights. Moreover, not only does formal or legal equality not guarantee real equality, it also hides inequalities because being legally entitled to rights and resources may be seen as having exercised rights or received entitlements in reality.

1.3.3A Participation

Participation represents an expression of human agency. In an electoral system, people engage in political activities to influence decision-making

processes and policies to bring in the desired socio-political change. Political participation includes voting, standing for elections or supporting candidates. Political participation, therefore, may be defined as 'those activities of citizens that attempt to influence the structure of government, the selection of government authorities or the policies of the government' (Patnaik, 2005).

Since the last decade of the 1990s, the meaning, nature and scope of public participation have shifted considerably. Now the focus is on the agenda of good governance i.e. increased influence of poor and marginalized people such as women over wider decision-making processes; and simultaneously increased responsiveness of governments to their voices. Participation is both a right and a means for ensuring effective governance. People with active participation can actually deepen democracy and influence the agenda of good governance.

With the current preoccupation of most developing countries with policies of decentralization and democratization, and more so with the introduction of affirmative action in the last decade, the meaning, nature and scope of public participation has increased considerably. This third wave of participation is posed differently from its first and second waves, where participation was conceptualized as only casting votes in elections and involvement of citizens in policy implementation formed somewhere else. Participation in the 1990s, with the emphasis of reservation policies at the levels of local government, has become both a right in itself and a means for ensuring effective governance, since the twin aims of decentralization, i.e. deepening democracy and good governance can be achieved with active participation of the people (Cornwall and Gaventa, 2000).

As a political concept as well as a process, participation has now a dynamic implication with the recent policies of devolution, where the people are not only expected to voice their opinions in elections, but also enjoy the power to participate in the actual decision-making process. With greater recognition of civil society and increasing emphasis on good governance, the concept of participation, in democratic local governance, has shifted from 'beneficiary participation in state-delivered programmes to an understanding of participation as a means of holding the state accountable through new forms of governance' (Cornwall and Gaventa, 2000).

1.3.4A Representation

Political representation, in a representative democracy, refers to elected officials nominally speaking for their constituents in the government. Elected representatives participate in governing the affairs of their constituency, and engage themselves in making decisions on behalf of the constituents (Patnaik, 2005). The role of representation is multi-faceted. Often, it is

described as the range of expectations that people possess regarding government and hence is related to public officials and leaders.

As political leaders they are proactively participating in local level economic, social and political processes; in social planning and policy development and acting upon them. They are defining and articulating the needs and priorities of their constituency for better service delivery by acting, organizing and making demands upon local bodies to respond to the concerns and priorities for improved services. They are taking collective action around both wider community and gender needs; change and/or influence policies and practices of government and governance (Farrell and Pant, 2009). This form of political participation i.e. expressing opinions and ideally exerting influence on government action either directly by affecting the making or implementation of public policy or indirectly by influencing the selection of people who make those policies is closely linked with responsiveness and accountability of elected representatives to their voters.

The role of representation is closely associated with participation. In an electoral system, people cast votes to elect their representative. Representation, therefore, implies being elected to the political institutions. Broadly speaking, there are two ways in which the elected representatives participate in the elected bodies. Firstly, elected representatives work for the development of their constituency. They participate in the meetings and discussions to plan various activities for the overall development of their constituency. Secondly, they interact with their constituents to gauge their interests and needs and work towards meeting them. This view of participation is closely linked with the issues of responsiveness and accountability of elected representatives to their voters (Patnaik, 2005).

Women and their issues are by and large considered apolitical. Such bias causes and affects women's political under-representation. The concern over under representation of women in public life has led to the affirmative policies. The demand for reservation of women rests in the assumption that women as marginalized section share a common perception of injustice, deprivation and oppression vis-à-vis power structures. Affirmative action aims to build a mass leadership who will actively participate in strategic decision-making processes.

Social and political relations in a society constrain women's participation and access to formal political rights and representation in power structures. The common pattern of women's political exclusion stem from

- a) social and political discourses
- b) political structures and institutions
- c) the socio-cultural and functional constraints that put limits on women's individual and collective agency (Bari, 2005).

The social and political discourses on gender roles place women within the private arena of home as mothers and wives, while men are placed in the public sphere. The domestic domain is perceived as the legitimate space for women while public space is associated with men. Women have to negotiate their entry into and claim on public space according to the discursive and material opportunities available in a given culture and society.

Though secular democracy has created space for women's participation and representation in politics; the dichotomy of public-private spheres has excluded them from public political spheres and even when they enter politics; they are entering as mothers and wives. Male domination of politics, political parties and culture of formal political structures hinders women's political participation and representation. The women's perspective is often ignored and not reflected upon in the politics. The gender biases of male leadership in political parties often put limitations on women being elected at the position of power within political party structures.

The gender status quo is maintained through low resource allocation to women's human development by the state, society and the family. This is reflected in the social indicators, which reflect varying degrees of gender disparities in education, health, employment, ownership of productive resources and politics in all countries. Lack of access to rights and ownership of productive resources, limits the scope of their political work. Additionally gender is mediated through class, caste and ethnicity that structure access to resources and opportunities. Due to socio-cultural dependence, women often lack social capital of men. This leads to the absence of constituency base for them and means of political participation such as political skills, economic resources, education, training and access to information (Bari, 2005).

Check Your Progress:

What is the new conceptualization of citizenship?

Explain the term political representation.

1.4A STATE ENABLING WOMEN'S POLITICAL AGENCY

The State is a major player in political decision-making. It confers equal citizenship rights to its populace; provides legal-judicial systems to protect their rights and freedom; enacts legislations to equalize unequal social relationships; and creates enabling conditions through policies and programmes for the excluded groups to take part in political decision-making, and development processes. In this section, we shall describe provisions within Constitution, Laws, Policies, Plans and Programmes which enable rights claims.

1.4.1A The Constitutional Provisions

The Constitution of India encompasses within its fold the principles of equality and social justice, where all Indian citizens are treated equally before the law. A number of Articles of the Constitution specially reiterated the commitment of the constitution towards the socio economic development of women and upholding their political right and participation in decision-making.

The Constitutional Provisions of citizens

- *Art. 9(1c) of the Constitution guarantees to all citizens the right to form associations or unions.*
- *Article 14 guarantees Equality Before Law for Women*
- *Article 15 (1) prohibits discrimination against any citizen on grounds of sex, religion, race, caste, place of birth or any of them. Importantly for women, 15(3) provides for the State the right to make special provisions for women and children.*
- *Article 16 guarantees for all citizens' equality of opportunity in matters of public employment. In particular, 16(2) states that no citizen shall on the ground of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for or discriminated against in respect of public employment. Article 16(4) provides for the state to make provisions for reservation of appointments or posts in favour of any backward class of citizens which is not adequately represented in the services under the state. In addition the Constitution provides protection of certain rights regarding freedom viz.,*
- *Article 19 (a) provides freedom of Speech and Expression; Article 19 (b) to assemble peaceably and without arms; Article 19 (c) to form associations or unions; Article 19 (d) to move freely throughout the territory of India; Article 19 (e) to reside and settle in any part of the territory of India; and Article 19 (g) to practice any profession, or to carry on any occupation, trade or business.*
- *Articles 14,15, 16 and 19 of the Constitution of India and the Representation of Peoples Act provides for equal participation of women in political process.*
- *Article 21 is about protection of life and personal liberty. Right to life here is understood as life with dignity and not a mere animal like existence.*
- *Article 23 (1) is about right against Exploitation; trafficking of human beings and other forms of forced labour.*
- *Article 39(a) ensures economic equality in directing the policies of the state towards securing all citizens, men and women, the right to an adequate means of livelihood. 39(d) ensures equal opportunity in matters of public employment and equal pay for equal work for both men and women. Section 5 of the Equal Remuneration Act ensures equal pay for work of the same or similar nature except where employment of such work is prohibited or restricted by law.*

- *Article 243 D (3) mandates that not less than one-third (including the number of seats reserved for women belonging to the scheduled castes and the scheduled tribes) of the total number of seats to be filled by direct election in every panchayat to be reserved for women and such seats to be allotted by rotation to different constituencies in a panchayat*
- *Article 243 D (4) ensures that not less than one-third of the total number of offices of chairpersons in the panchayats at each level to be reserved for women.*
- *Article 243 T (3) guarantees that not less than one-third (including the number of seats reserved for women belonging to the scheduled castes and the scheduled tribes) of the total number of seats to be filled by direct election in every municipality to be reserved for women and such seats to be allotted by rotation to different constituencies in a municipality.*
- *Article 243 T (4) ensures that reservation of offices of chairpersons in municipalities for the scheduled castes, the scheduled tribes and women in such manner as the legislature of a State may by law provide.*
- *Article 326 of the Constitution guarantees equal political status to every citizen of India. Every citizen over 18 years of age has a right to vote.*
- *Article 325 of the Constitution guarantees political equality to women and prohibits exclusion from the electoral rolls on the basis of sex, caste, religion etc.*

Source: D.D.Basu *Introduction to the Constitution of India*,2011 and Flavia Agnes *Law and Gender Inequality: The Politics of Women's Rights in India*,2001 and Bari, *Women's Political Participation: Issues and Challenges*. Bangkok. United Nations. Division for the Advancement of Women (DAW),2005.

The Constitution casts upon the State through the Directive Principles of State Policy to provide for an appropriate policy, enabling conditions, congenial environment to its citizens in general and women in particular for fulfillment of the Fundamental Rights.

Box No. 3

The Directive Principles of State Policy

- *Article 39(a) articulates the duty to provide adequate means of livelihood for men and women equally.*
- *Article 39(d) demands a policy providing equal pay for equal work for both men and women.*

- *Article 39(e) mandates that the policy of the state should be geared to protect the health of men, women and child workers*
- *Article 41 requires that the state shall make effective provisions for securing the right to work.*
- *Article 41 directs the State to make effective provision for securing education within the limits of its economic development and provide free and compulsory education for children up to 14 years of age.*
- *Article 42 directs the State to ensure just and humane conditions of work and maternity relief.*
- *Article 43 directs the state to secure living wages and conditions of work ensuring decent standards of life and enjoyment of leisure. The Constitution has provided social security by directing the State to take measures for securing public assistance in cases of unemployment, old age, sickness and disablement.*
- *Article 46 guides the state to promote with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation.*
- *Article 47 directs the state to raise the level of nutrition and the standard of living of its people and the improvement of public health.*
- *Article 51A(e) casts a duty on the State to renounce practices that are derogatory to the dignity and status of women and promote harmony and the spirit of common brotherhood amongst all the people of India*

Source: D.D.Basu *Introduction to the Constitution of India*,2011 and Bari, *Women's Political Participation: Issues and Challenges*. Bangkok. United Nations. Division for the Advancement of Women (DAW),2005.

1.4.2A Legislations, Policies, and Programmes

Drawing strength from the constitutional commitments, the Government of India has been continuously concretely translating all the rights, commitments and safe guards incorporated in the Indian Constitution for women from *de jure* to *de facto* status. Within the framework of a democratic polity, laws, development policies, Plans and programmes have aimed at women's advancement in different spheres.

Although all laws are not gender specific, the provisions of law affecting women significantly are reviewed periodically and amendments carried out to keep pace with the emerging requirements. The State enacted several women-specific and women-related legislations to protect women against

social discrimination, violence and atrocities and also to prevent social evils like child marriages, dowry, rape, practice of Sati etc. The recently notified Prevention of Domestic Violence Act is a landmark law in acting as a deterrent as well as providing legal recourse to the women who are victims of any form of domestic violence. Apart from these, there are a number of laws which may not be gender specific but still have ramifications on women. The 73rd and 74th Constitutional Amendment Acts (CAA) of 1992 in India, by mandating 33 percent representations of women in Panchayats and Municipalities, ensured their entry in the domain of politics at the local level.

The government and political parties earlier viewed most women's issues from the point of view of social welfare rather than from that of establishment of social equality. However, the declaration of the year 1975 by United Nations as International Women's Year (I.W.Y.) and then the next ten years—1976 to 1985—as the International Women's Decade (I.W.D.) shifted the emphasis from women's welfare to women's development. There has been a further shift in perspective to include equity and empowerment. From 1970s onwards there have been several advances at the policy level in drawing attention to women's agency. In 1972, a committee to study the status of women in India was appointed. The publication of its report *Towards Equality* in 1974 put status of women forcefully on the national agenda. In fact, *Towards Equality* changed the perspective of women from targets to agents of change in development.

Many policy instruments and programme initiatives came into force between the period of 1980-1996. For instance, in the sixth plan there was a separate chapter on women and development. A separate Department of Women and Child Development was created in the Ministry of Human Resource Development in 1985, intended to be the exclusive national machinery for women within the government for gender mainstreaming and aiding ongoing advocacy through policy and demonstrative programme initiatives. In 2006, the department was upgraded to a Ministry. The *National Policy on Education*, 1986 put emphasis on education for women's equality and genuine empowerment of women by changing the social construction of gender. The *National Perspective Plan* (NPP) for Women was drawn up which provided a plan for action for the period 1988-2000, which contained 360 recommendations (including for credit and land schemes and reservations in local governance institutions). The NPP reiterated the need to reserve 30 per cent seats for women in all decision-making bodies. The *Shram Shakti Report of National Commission on Self-Employed Women and Women in the Informal Sector* (1988) pushed for universal child-care facilities and setting up of exclusive credit facilities for women through a national credit fund for women. The *National Commission for Women Act* (1990) was passed in Parliament to act as a statutory ombudsperson for women reviewing

laws and policies and intervening selectively in individual cases of violation and denial of women's rights. India also ratified various international conventions and human rights instruments committing to secure equal rights of women. Key among them is the ratification of the *Convention on Elimination of All Forms of Discrimination against Women (CEDAW)* in 1993. The same year saw the 73rd and 74th constitutional amendments for reservations of one-third of seats in local governance and in the posts of their chairpersons. In 1996, *the National Policy for the Empowerment of Women* was drafted, to set policy directives for securing gender justice and gender equality, and for the mainstreaming of gender considerations. It was passed in 2001.

Box No. 4

The Objectives of the National Policy for Empowerment of Women

- *Creating an environment through positive economic and social policies for full development of women to enable them to realize their full potential*
- *The de jure and de facto enjoyment of all human rights and fundamental freedom by women on equal basis with men in all spheres—political, economic, social, cultural and civil*
- *Equal access to participation and decision making of women in social, political and economic life of the nation*
- *Equal access of women to health care, quality education at all levels, career and vocational guidance, employment, equal remuneration, occupational health and safety, social security and public office, etc.*
- *Strengthening legal systems aimed at elimination of all forms of discrimination against women*
- *Changing societal attitudes and community practices by active participation and involvement of both men and women*
- *Mainstreaming a gender perspective in the development process*
- *Elimination of discrimination and all forms of violence against women and the girl child;*
- *Building and strengthening partnerships with civil society, particularly women's organizations*

Source: Ministry of Women and Child Development. 2006 <http://wcd.nic.in/wgfinalreport.pdf>

The planning process has evolved over the years from a purely 'welfare' oriented approach where women were regarded as objects of charity to the development programmes and currently to their 'empowerment'. It was

only from the Sixth Five Year Plan onwards that women secured a special niche and space in the national plans and planning process primarily with thrusts on health, education and employment of women. A paradigm shift occurred in the Eighth Plan where 'empowerment' of women was recognized and accepted as a distinct strategy.

A further impetus for sectoral contribution to women's programmes was received with the introduction of the concept of Women's Component Plan in the Ninth Plan whereby identified Ministries were required to indicate the flow of funds to the women's programmes and schemes. However, the Ninth Plan refrained from making any commitment for achieving any specific goal or target (Ministry of Women and Child Development, 2006).

The Tenth Five-Year Plan (2002-07) called for the three-pronged strategy of social empowerment, economic empowerment and providing gender justice to create an enabling environment of positive economic and social policies for women and eliminating all forms of discrimination against them and thus advance gender equality goals.

Box No. 5

Social Empowerment: Create an enabling environment through adopting various policies and programs for the development of women, besides providing them easy and equal access to all the basic minimum services so as to enable them to realize their full potential.

Economic Empowerment: Ensure provision of training, employment and income generation activities with both forward and backward linkages with the ultimate objective of making all women economically independent and self-reliant.

Gender Justice: Eliminate all forms of gender discrimination and thus enable women to enjoy not only de jure but also de facto rights and fundamental freedom on par with men in all spheres, viz, political, economic, social, civil, cultural etc.

Source: Ministry of Women and Child Development, 2006

In the Eleventh Plan, for the first time, women are recognized not just as equal citizens but also as agents of economic and social growth. The approach to gender equity is based on the recognition that interventions in favour of women must be multi-pronged and they must:

- 1) provide women with basic entitlements,
- 2) address the reality of globalization and its impact on women by prioritizing economic empowerment,
- 3) ensure an environment free from all forms of violence against women (VAW)— physical economic, social, psychological etc.,

- 4) ensure the participation and adequate representation of women at the highest policy levels, particularly in Parliament and State assemblies, and
- 5) strengthen existing institutional mechanisms and create new ones for gender mainstreaming and effective policy implementation (Planning Commission, 2010).

Several State initiatives have complemented and contributed towards women's empowerment and political participation at the grassroots. We shall focus on three programmes viz., DWCRA (Development for Women and Children in Rural Areas), **Mahila Samakhya (MS)** and **Women's Development Programme (WDP)**. Electoral quotas for women through the 73rd and 74th constitutional amendments for reservations of one-third of seats in local governance and in the posts of their chairpersons facilitated their agency at the local levels of governance. We have discussed this in detail in Unit 4, Block IV this course.

Development for Women and Children in Rural Areas (DWCRA), a poverty alleviation programme for women, was introduced in 1982-83 in a sub-scheme of Integrated Rural Development Programme (IRDP) at district level. The primary objective of the scheme is to focus attention on the women members of rural families below the poverty line to provide them the opportunities of self-employment on a sustained basis. The programme was initially introduced in 50 selected districts. Later, it was extended to more districts in a phased manner all over the country.

A distinguishing feature of DWCRA is that it is a group strategy as against family a unit of assistance under IRDP. The women members of DWCRA from groups of 10-15 each for taking up economic activities suited to their skill, aptitude and local conditions. The group strategy is adopted to motivate the rural women to come together and break social bonds, which have denied them income-generating and self-fulfilling opportunities. Women operated as collectives and not as individuals for income generating programme activities. The group approach has been extended to all districts with an intention to have greater coverage of women.

For instance, the Women Development Programme in Rajasthan aimed to organize women so that they could get their fair share of the fruits of development from government programmes and work towards improving their status in the society. With support from UNICEF, this programme was initiated in 1984. Women's Development Programme of the government led, on one hand, to women's empowerment at the village level and their getting better integrated in governmental programmes, but on the other, it also led to the key functionaries becoming more aware of their rights and initiation of a struggle to have their own demands met.

The programme enabled the evolution of women's collectives under the leadership of the *sathin*, the grass root worker at the village level, working tirelessly on a meagre monthly honorarium of Rs 350. The strength of the *sathins* and these collectives was derived from the support structures provided by the partnership between the government and the voluntary agency arm of the programme Information and Development and Resource Agency (IDARA), with its primary role of training and providing creative and critical inputs.

In its early years, the WDP mobilized women around several issues in feudal Rajasthan, from *sati* to rape and child marriage. Several successful struggles at the panchayat level against corruption in development programmes took place. A significant achievement was the entry of women in village forums along with men. In addition, women's forums were initiated at the village level for presenting women's perspectives in taking up issues of justice and development, governance and social issues, including participation in the Panchayati Raj institutions.

Mahila Samakhya is a programme for the Education and Empowerment of women in rural areas, particularly of women from socially and economically marginalized groups. This programme is under the Ministry of Human Resource Development (Department of Elementary Education and Literacy) Govt. of India. As a Programme which is process oriented in nature, Mahila Samakhya generates demand for education among women and girls for assessing and determining their own priorities. The concept of Mahila Samakhya originated from New Education Policy of (1986) which laid out the blueprint with assertive notion to address the limitations existing within society, depriving women and girls to access education. Sangha, a woman collective, works as the nodal point of Mahila Samakhya. Collective action of Sangha women were able to create awareness, ensure the participation of women in democratic processes and developed strategies for training women elected representatives. Critical in both their approaches is the attention paid to the relationship between elected women representatives and women's collectives and their accountability to the community particularly women. A significant number of grassroots women in the villages were able to become members at the Block and District level institutions of governance (Shanta Mohan et al, 2000).

The common features in all the above three state sponsored programmes were the efforts of grassroots women collectives in creating community space for the development of solidarity and joint problem-solving. The physical and reflective space created a favourable environment for grassroots women's participation in governance and enabled women to meet and strategize collectively. It allowed them to mirror their skills and competencies, to learn as a group, and to formalize and sustain their involvement in local development beyond short-term volunteerism.

Check Your Progress:

Differentiate between Fundamental rights enshrined in the Constitution of India and Directive Principles of State Policy.

What is the significance of Towards Equality the first policy document on women's status in India?

1.5A LET US SUM UP

In this Unit, you have studied about the different kind of 'rights'. How they are helpful for people and how they are interpreted in different fashions by different groups and thinkers for different purposes. You also learnt the concept of citizenship, its juridical status and about political identity as the members of a nation-state. In what ways can the citizenship can be

interpreted from a gender perspective was also discussed. In the electoral system, people engage in political activities to influence decision-making processes and policies to bring in the desired socio-political change which is part of participation and representation. Thus, we also analyse the role of State in political decision-making. It confers equal citizenship rights to its public, provides legal-judicial systems to protect their rights and freedom, enacts legislations to equalize unequal social relationships and create enabling conditions through policies and programmes for the excluded groups to take part in political decision-making, and development processes.

1.6A UNIT END QUESTIONS

- 1) Discuss the concept of political agency by demonstrating the various 'rights' related to women.
- 2) Critically evaluate the various Constitutional provisions which are enabling women within the State.
- 3) Explain the 'National Policy for Empowerment of Women' and 'Planning Process' and its relationship with women.
- 4) Describe the role of 'Development for Women and Children' in rural areas. Do you think *Mahila Samakhya* programme empowered the rural women?

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