

**Women's Representation,  
Effectiveness and  
Leadership  
in South Asia**

**By**

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**February 2005**

**For**

**FIFTH SOUTH ASIA REGIONAL MINISTERIAL CONFERENCE,  
CELEBRATING BEIJING PLUS TEN  
ISLAMABAD, PAKISTAN, 3-5 MAY 2005**

# Women's Representation, Effectiveness and Leadership in South Asia

*Khawar Mumtaz*

## 1. Introduction

South Asia stands out for its dynamic women leaders who reached highest political offices in a region where women as a whole are downtrodden, shackled by illiteracy and customary practices, and denied mobility, inheritance and voice in decision making. Sri Lanka was the first in the region to elect a female Prime Minister, Sirimavo Bandranaike as far back as 1960. Since then a string of distinguished women leaders have followed in India, Pakistan, Sri Lanka and Bangladesh.

That the elevation of women to the helm of national affairs has not translated into greater participation of women in politics or other avenues of decision making is also widely recognized. Over the years several initiatives have been taken to induct women into the political mainstream, however with mixed results. Currently women's reserved seats are provided for in the legislatures of Pakistan and Nepal, those in Bangladesh having lapsed in 2001, and at the local government level in India, Pakistan, BD and Nepal<sup>1</sup>. Sri Lanka has no special provision for women's representation in any tier. Generally speaking female participation in South Asian parliaments is steadily but slowly improving, as the five year comparison in Tables 1.1 and 1.2 below indicate:

**Table 1: Women in Parliament (% 1999)**

Country	Single/Lower House	Upper House/Senate	Total (Both Houses)
Pakistan	2.8	2.3	2.6
India	8.8	8.5	8.7
Bangladesh	12.4	n/a	12.4
Sri Lanka	4.9	n/a	4.9
Nepal	5.4	15	7.5
Bhutan	2.0	n/a	2.0
Maldives	6.3	n/a	6.3
S.A. Total (unweighted)	7.4	7.5	7.3

Source: Mahbub ul Haq Human Development Centre, *Human Development in South Asia 2000 - The Gender Question*. Oxford University Press, Karachi. 2000. p.137

<sup>1</sup> The Constitution in Nepal was suspended by King Gyanendra on 1 February 2005 for a period of 3 years. The parliaments had been dissolved in October 2002 following the massacre in the royal palace that led to the death of King Birendra. Nepal is discussed with reference to the suspended Constitution in this paper.

**Table 2: Representation of Women in Parliament (2004)**

Country	Total Seats in Lower Chamber	Seats held by Women	% of Seats held by Women
Pakistan	342	74	21.64
India	543	48	8.84
Bangladesh	300	6	2.0
Sri Lanka	225	10	4.44
Nepal	205	12	5.85
Bhutan	150	14	9.33
Maldives	150	3	6.0
S.A. Total	1982	167	8.43

Source: PILDAT, *Women Representation in Parliament's Pakistan (Background Paper)*. PILDAT, Lahore. 2004. p.12

A comparison of the two tables, however, reveals a decline in women's legislative representation in Bangladesh, and Sri Lanka in recent years, a matter that needs further examination. The overall regional figures show an increase but that has been due to the rise in the level of women's representation in the lower houses of Bhutan, Pakistan and marginally in Nepal. The substantial improvement in Pakistan's case is attributed to the quantum leap made in the 2002 general elections as a result of reservation of 17 percent seats in the national legislature (60 seats) for women. In addition 14 women were returned on directly contested seats, partly because of the condition of a graduate degree for all parliamentary contestants that excluded a number of male politicians.

Perhaps the greatest impact of women's induction into politics has been the creation of critical space for them at the local government level – in India through the 73<sup>rd</sup> amendment to the constitution (1993), the Devolution Plan Ordinance in Pakistan (2000), the Local Self-Governance Act (1999) in Nepal and the Act Number 20 of 1997 in BD. Notwithstanding the progress made by some individual states, in South Asia as a region, the average membership rate of women in parliaments is one of the lowest in the world - lower even than that of East Asia and Sub-Saharan Africa.

Given that South Asian states are signatories to CEDAW (Annex 1) and that gender equality and women's empowerment are key to overcoming poverty and hunger under both the Beijing Platform of Action (Annex 2) and the Millennium Development Goals (Annex 3), it is important that after 10 years of Beijing we take stock of progress made in this area. This paper therefore sets out to review women's political participation and its effectiveness in the region. It will attempt to examine:

- the context of women's political participation,
- the factors promoting women's participation and the facilitation of women's entry in the electoral process,
- the role of different institutions, non-government actors including men as enabling agents and the efficacy of tools and processes developed by them.

- the impact of women’s reserved seats on gender sensitive governance and their agency,
- the challenges to women’s participation, and
- the way forward.

## 2. The Context

The context that defines women’s political participation is the endemic nature of patriarchal structures and the resultant gender inequality and gender discrimination in the region. Gender relations are rooted in the ideology of relationship whereby women are seen as subordinate to men. Women are consistently denied inheritance rights, adequate food, freedom of expression and mobility, participation in community activities and say in personal choices and preferences (from education, to spouse, number of children, to profession, etc.) They are thus denied a meaningful role in decision-making, and are not in a position to access educational and health care facilities, or political and financial institutions nor own assets and resources. Women’s place in the family hierarchy and relationships within the home combine with the socially prescribed gendered division of roles to determine their levels of exclusion in both the private (household) and public spheres. Class, caste, religion, ethnicity and location are additional factors that mediate gendered social relations across South Asia in varying degrees.

This is manifest in the gender gap in education, economic activity and employment, the subordination of women, and in the “most distorted sex ratios in the world -... only 940 females for every 1000 males.”<sup>2</sup> As may be seen in the Table 2.1 below, female labour force participation in South Asia between 1995-2001 was 33.5 percent as compared to 42 percent in Sub-Saharan Africa and 44.5 percent in East Asia and Pacific. Similarly the gender gap in literacy over the same period in South Asia as a whole is 33 percent (Table 2.2). At the individual country level Sri Lanka is exceptional with female literacy at 94 percent of male literacy.

Social indicators for women in most of the countries of the region are poor with the exception perhaps of Sri Lanka and Maldives as is evident from Table 2.3 below. Over the years the trend is not necessarily towards improvement in all countries. For instance

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<sup>2</sup> Mahbub ul Haq Development Centre, *Human Development in South Asia 2000*. Karachi, Oxford University Press. 2000. p.2

**Table 3: Some indicators of female participation in economic activity and employment in South Asia and selected regions of the world, 1995-2001**

	Female economic activity rate	Female % of labour force	Female % of total employment
India	43.5	32.4	26.8
Pakistan	15.4	29.0	14.0
Bangladesh	57.2	42.5	37.5
Nepal	85.0	40.5	50.0
Sri Lanka	41.6	36.8	35.2
Bhutan	59.6	32.0	...
Maldives	28.6	22.0	33.5
South Asia	42.7	33.5	27.0
Sub Saharan Africa	62.3	42.0	...
East-Asia & Pacific	68.9	44.5	...

*Source: Human Development in South Asia 2003.*

Note: Data sources for South Asian countries and regions are different; Nepal LFPR has been derived from international source; For Bhutan and Maldives the figures in second column are of 1994.

**Table 4: Female-male gaps in education in South Asia, 2000-01**

	Female literacy as % of male literacy	Average of schooling years		Female to male enrolments in primary and secondary school %
		Male	Female	
India	67	6.3	3.7	78
Pakistan	50	5.1	2.5	61
Bangladesh	62	3.3	1.8	103
Nepal	41	3.4	1.5	82
Sri Lanka	94	7.2	6.6	102
South Asia	67	5.8	3.4	81
Sub-Saharan Africa	57	...	...	82
East Asia & Pacific	87	7.3	5.2	97

*Source: Human Development in South Asia 2003.*

India, Sri Lanka and Pakistan have shown a decline in HDI rankings between 1998 and 2000. In this period Pakistan's ranking dropped from 135 to 142 placing it in the category of least developed countries (see Table 2.3). The gender empowerment measure (GEM) reflecting the extent of women's involvement in economic and political activities is also generally poor with the exception of Pakistan (0.414 %) that improved its position with the reservation of women's seats at different representative tiers in 2002.

**Table5: Broad Development Indicators on the Status of South Asian Women**

Country	Human Development Index (HDI)* Value			HDI Rank			Gender Development Index (GDI)** Value			GDI Rank			Gender Empowerment Measure (GEM)*** Value			GEM Rank			Human Index (HPI)**** Poverty Value			HPI Rank		
	1998	2000	2002	1998	2000	2002	1998	2000	2002	1998	2000	2002	1998	2000	2002	1998	2000	2002	1998	2000	2002	1998	2000	2002
Bangladesh		0.478	0.509	146	145	138	0.441	0.468	0.499	121	121	110	0.305	0.223	0.218	67	66	76	43.6	42.4	42.2	70	72	72
Bhutan		0.494	0.536	142	140	134	-	-	0.572	-	-	..	-	-	...	-	-	..	-	-	..	..		..
India		0.577	0.595	128	124	127	0.545	0.560	0.713	108	105	103		-	0.313		-	..	34.6	33.1	31.4	58	55	48
Maldives		0.743	0.752	89	84	84	0.720	0.739	...	72	68	...		0.361	...		62	84	25.4	15.8	11.4	43	25	17
Nepal		0.490	0.504	144	142	140	0.449	0.470	0.484	119	119	116		-	...		-	..	51.3	43.4	41.2	80	76	69
Pakistan		0.499	0.497	135	138	142	0.489	0.468	0.471	115	120	120		-	0.416		-	64	40.1	41.0	41.9	68	68	71
Sri Lanka		0.741	0.740	84	89	96	0.727	0.737	0.738	68	70	73	0.309	0.274	0.276	66	64	74	20.3	17.6	18.2	35	31	36

Source: Human Development Report 2000, 2002 and 2004

p1. The Gender Development Index (GDI) adjusts to the HDI for gender equality in life expectancy, educational attainment and income. \* Human Development Index (HDI) has three components: life expectancy at birth; educational attainment, (comprising adult literacy with two thirds weight and a combined primary secondary and tertiary enrolment ratio, with one third weight); and income.

\*\* Gender Development Index (GDI) adjusts to the HDI for gender equality in life expectancy, educational attainment and income.

\*\*\* Gender Empowerment Measure

\*\*\*\* Human Poverty Index

Where indices are relatively better, as in the case of Maldives (see Table 2.3) and Sri Lanka, these have not translated into any substantive improvement in women's political representation; pushing through the glass ceiling continues to be difficult in the two countries. Similarly while there have been achievements e.g. in life expectancy in all the countries, reduced infant mortality and increasing rates of female participation in education, health and labour force, the gender gap continues to persist.

Women's subordination in the region is acknowledged to be structural. As the *Human Development in South Asia 2003* report succinctly puts it, it is owed to "the embedded system of patriarchy in South Asia"<sup>3</sup> with the result that "discrimination against women in South Asia is far worse than in most other developing countries." Women, especially those belonging to the powerless groups find themselves doubly disadvantaged and vulnerable. Hence the sad reality in South Asia that even where the *condition* of women may have improved their social *position* has remained largely unchanged.

The political context reflects the social framework. Since political action is viewed as public in nature it is defined in terms of masculinity as opposed to private space, which is considered feminine and secluded.<sup>4</sup> Political participation, from casting votes to contesting elections is thus fairly prohibitive (with some exceptions like that of Maldives where the voter turn out of women in the 1999 general elections was higher at 84% than that of men at 71%).<sup>5</sup> By and large political parties tend to keep women on the periphery delegated to women's wings where their major task is to mobilize female voters. They are not inclined to give tickets to women as candidates and those not part of the political elite do not have the necessary resources to contest elections. Women who have broken out of the mould belong largely to the elite where some of the barriers, of education and mobility for instance, have been removed and kinship considerations have taken precedence over the party. Given the dynastic nature of politics in the region, it is not surprising that all women heads of government and state and most women in political leadership are from political families (as indeed most male leaders).

### **3. Determinants of women's political participation**

Women's political participation in South Asia has been promoted and facilitated by a complex set of forces. The process to date has neither been smooth nor rapid, has been impacted by internal and external developments, has suffered setbacks, and the goal of women's substantial and equal participation is still not fully achieved. Women's entry into representative politics has been shaped by:

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<sup>3</sup> Mahbub ul Haq Human Development Centre, *Human Development in South Asia 2003*. Karachi, Oxford University Press. 2004. p.80.

<sup>4</sup> For further information see Yasmin Tambiah (ed.), *Women & Governance in South Asia: Re-imagining the State*. Colombo, ICES. 2002. p.7 -.

<sup>5</sup> Usha Sharma, *Women in South Asia; Employment Empowerment and Human Development*. Delhi, 2003. p.248

- the experience of colonialism,
- the independence struggles,
- the different courses and routes that political development has taken in each country and the nature of the state within them,
- women's own agency for pushing for social and political rights,
- the foundational principle of equality of all citizens adopted by each state in the region regardless of their form of governance, and
- the external pressure generated by the UN Conventions like the Universal Declaration of Human Rights and subsequently other instruments (CEDAW) and declarations (Cairo, Beijing) that the countries signed up on.

### ***3.1. Historical perspective***

The involvement of women, albeit of the elite castes and classes, in the social reform movement in India and Pakistan at the turn of the 20<sup>th</sup> century, especially for ending harmful customary practices (*sati*, age of marriage, widow remarriage, polygamy, etc.) and promoting education established the base for women's entry into the public and political mainstream. The subsequent nationalist struggle gave further impetus to women's participation in the public as well as in the political domain.<sup>6</sup> It needs to be noted that the women's struggle for social reforms and political participation which in some instances were initiated and in others supported by progressive males was opposed by the religious orthodoxy, both Muslim and Hindu.<sup>7</sup> This situation still persists especially in Pakistan and Bangladesh and the religious revivalism in India since the 1980s has had adverse repercussions on women.

Women were drawn into political activism as the nationalist struggle gained momentum and necessitated their mobilisation for the early exit of the colonial masters. This was also true of Nepal where the Indian struggle against the British inspired the anti-Rana movement in which women are said to have contributed through writing and teaching.<sup>8</sup> The first step towards women's participation in politics in India was with the demand for franchise that a delegation of Indian women made to Secretary of State Edwin Montagu in 1917.<sup>9</sup> The ensuing mobilization of women won propertied women the right to vote between 1920 and 1930 though they continued to be disqualified for membership in legislatures. However following lobbying by the Women's Indian Association the Governor General in Council allowed admitting women to legislatures in 1930.<sup>10</sup> This opened the way for women to be nominated to legislatures, the first woman being Muthulakshmi Reddi.

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<sup>6</sup> For a discussion on the subject of nationalism and its impact on women's mobilization in India see Kumari Jayawardene, *Feminism and Nationalism in the Third World*. The Hague, ISS. 1982. pp.77-102

<sup>7</sup> Ibid. See also, Khawar Mumtaz and Farida Shaheed, *Women of Pakistan; Two Steps Forward One Step Back?* London, Zed Books. 1987. Lahore, Vanguard Books. 1987

<sup>8</sup> Prativa Subedi, *Nepali Women Rising*. (2<sup>nd</sup> ed.) Kathmandu, Prativa Subedi. 1997. p.129

<sup>9</sup> Geraldine Forbes, "Women of Character, Grit and Courage: The Reservation Debate in Historical Perspective" in Lotika Sarkar, Kumud Sharma, Leela Kasturi (eds), *Between Tradition, Counter Tradition and Heresy*. Delhi, Rainbow Publishers. 2002. p. 224

<sup>10</sup> Ibid. p.226

Women's reserved seats, however, were a contested issue among women in the sub continent from pre-independence times. Begum Jahanara Shah Nawaz and Mrs. Radhabai Subbarayan, active members of women's organizations who were nominated to the Round Table Conference in 1930, recommended five percent seats to be reserved for women. The move was opposed by women's organizations in India who reiterated the demand for universal adult franchise emphasizing their rejection of "privileges" and "favour" for women.<sup>11</sup> The debate continued through the colonial period with greater consensus emerging on universal adult franchise but divisions on communal versus non communal reservations (with Muslim women arguing for and Hindu women against communal reservation) and the modality of election to the Federal Assembly -- to be direct or indirect.<sup>12</sup>

The 1935 Government of India Act provided for the formal induction of women in the political process through a broadened franchise and contesting elections on both reserved and general seats. The elections under the Act returned 41 women in reserved constituencies, 10 on general seats and 5 through nominations (56 in all out of 1500 seats) in various provincial legislatures.<sup>13</sup> Additionally 30 women were elected to the Central Assembly including Begum Jahanara Shah Nawaz.

The turmoil that accompanied independence, especially in the case of India and Pakistan (including what is now Bangladesh) also opened spaces for women and legitimized their participation at the public level. For ordinary Muslim women, participation in the Pakistan Movement was the singular large scale and unprecedented politicizing experience. As a logical continuation women's participation in representative bodies became a central demand of Pakistan Movement activists in the post independence period. The Bangladesh liberation struggle and the subsequent anti-autocracy movement of 1990, ending in General Ershad's ouster in 1990 and restoration of democracy, similarly led to the large scale political mobilization of women.

### ***3.2. The nature of the state***

The different courses and routes political development took in each of the countries have determined the nature of each of the South Asian states. In Pakistan civilian dispensation has been interspersed with extended military rule resulting in what Hamza Alavi calls the overdeveloped state with a centralised state structure and an increasingly militarized civil society. Islam has become the legitimizing ideology and feudal mind set and social relations continue to be entrenched. India and Sri Lanka have institutionalized democratic systems, however, with aberrations of emergency rule in both countries. Sri Lanka stands out as being the closest to a social welfare state in the region but its ethnic conflict has had differentiated impact on women's lives. Bangladesh has moved from parliamentary to military rule to the presidential system and sought integration into the regional and global economy. Notwithstanding the fact that Nepal was not colonized it has had an

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<sup>11</sup> Ibid. p. 228

<sup>12</sup> Ibid. p. 230-231

<sup>13</sup> Ibid. p. 232

equally troubled history of state formation with the monarchy now challenged by the Maoist insurgency, the constitution suspended and its economic dependence on India.

The state in each of the cases however is seen as the agent for socio-political transformation. Given that privileged classes and groups inherited political power any opportunities that women got were through the benevolence of the state. It is therefore not unusual for the same government to, proverbially speaking, give with one hand and take away from the other as far as women are concerned. A point best illustrated by the example of Pakistan's President, General Ayub Khan (1958-1969) who on the one hand promulgated the Family Laws Ordinance, 1961 that for the first time codified personal laws and provided women a measure of protection. On the other, hand *fatwas* (edicts) were issued by religious clerics against women seeking the office of head of state, because a woman (Mohtarma Fatima Jinnah) was a strong rival candidate in the presidential election (1966).<sup>14</sup>

Similarly, the contradiction between Nepal as a Hindu state that endorses the discriminatory ethos of Hinduism but at the same time has expanded services for women as it embarked on its modernization process in the mid-twentieth century.<sup>15</sup> Or, the phenomenon of reserving seats for women in parliament but electing them indirectly, which in effect isolates them from their constituencies and potential source of power as in Pakistan and Bangladesh. Essentially the states of the region are patriarchal, sometimes benevolent and sometimes restrictive and discriminatory being in a sense compelled by the needs of modernization and integration into the global system to bring women into the public sphere but continuing to subordinate them at the same time.<sup>16</sup>

That the impact of political processes is mediated by class and other socio-economic factors is evident from the catapulting into positions of power of women like Sirimavo Bandarnaike, Indira Gandhi, Benazir Bhutto, Sheikh Hasina, Khalida Zia and Chandrika Kumaratunga.

### **3.3. Women's agency**

Women's own agency for pushing for social and political rights has been an important factor in enhancing women's participation in politics. The experience in each of the countries demonstrates that women's activism gained them the space that they now have and in many instances have also to defend and protect.

The debates around women's seats carried into the post independence period in both India and Pakistan. In India women members of the 1949 Constituent Assembly opposed special concessions for women and hence reserved seats were not considered in the constitution. Similarly, the Committee on the Status of Women in India rejected the idea of women's reserved seats in 1975 (there was a dissenting note on the issue by two members, activist/academics Vina Mazumdar and Lotika Sarkar who saw reservations as

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<sup>14</sup> See for detailed discussion, Mumtaz and Shaheed. Opcit.

<sup>15</sup> Shtrii Shakti in Tambiah (ed), Opcit. p. 42-43

<sup>16</sup> Shirkat Gah in Tambiah (ed), Ibid. p.183

a necessary affirmative action for women). However, the Committee did make a strong recommendation for institutionalization of women's participation in local government through special quotas.

In Pakistan, women in the Constituent Assembly of Pakistan pushed for reservation of seats for women. Here the two women legislators connected with women outside the parliament to create pressure for women's seats through street demonstrations. The debate in Pakistan also focused on the election modality, should women be directly elected or indirectly? Should the direct election be in specially defined women's constituencies? Should women alone vote for candidates on reserved seats?<sup>17</sup> The first Constitution of Pakistan (1956) finally provided for 3 percent reserved seats for women in the national and provincial legislatures, to be directly elected by special women's constituencies.

### **3.4. Other factors**

Among other factors, an important one is the foundational principle of equality of all citizens adopted by each of the states in the region regardless of their form of governance -- parliamentary democracy, the presidential system or monarchy. The Indian Constitution enshrined the principle; Pakistan's various constitutions beginning with the first one of 1956; and in the case of Nepal the suspended Constitution of 1990. The Indian and Pakistan constitutions included provisions for affirmative action for the marginalized and underprivileged. That all the regional states also became party to UN Conventions like the Universal Declaration of Human Rights and subsequently other instruments (CEDAW) and declarations (Cairo, Beijing) have exerted pressure for greater inclusion of women in public decision making.

## **4. Women's representation: the current situation**

Women's representation in the South Asia region is at two levels, in national and provincial/state legislatures and in local governments. In the former they can play a role as law and policy makers and in the latter in development related implementation. The experience of respective states reveals that collectively the number of women in legislatures has been lower than 9 percent over the last five years. This despite Beijing Platform for Action's goal of adequate representation of women in all decision making bodies and the recommendation of creating a "critical mass" and "gender balance" in political decision making.

In the case of Pakistan the time bound affirmative action of reserved seats lapsed after the election of 1988 and women were reduced to four and six respectively in the elections of 1993 and 1997. In Nepal eight women were returned in the general elections of 1991 and seven in the 1994 mid-term elections in a house of 205 (less than 4%.) In Bangladesh

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<sup>17</sup> See for details on discussion in legislatures on the issue, Khawar Mumtaz, "Political Participation: Women in National Legislatures in Pakistan", in Farida Shaheed *et al*, *Shaping Women's Lives; Laws, Practices & Strategies in Pakistan*. Lahore, Shirkat Gah. 1998. pp. 319-370

there were six women in parliament in 2004 after the lapse of women's reserved seats in 2001. In India women's political representation at the legislative level has declined from 49 in 1999 to 44 in 2004 in the directly elected Lower House (*Lok Sabha*) whereas in the Upper House (*Rajya Sabha*) it increased from 20 in 1999 to 28 in 2004 -- the cumulative rate still hovering at less than 9 percent.

The above picture reflects the dismal situation where women given their disadvantaged position in society are unable to enter or compete in the political arena. The expectation that they would overcome their constraints in a specified period proved to be misplaced (as evident in the case of Pakistan and Bangladesh). It is obvious that women's political participation does not occur in a vacuum but is determined by their status and position in society and the way their roles are viewed.

On the other hand, rather dramatically, South Asia has experienced the opening of space for the entry of large numbers of women in public decision making through local government institutions in India, Pakistan, Bangladesh and Nepal. That this space is threatened and faced with hurdles and obstacles emanating from the deep rooted patriarchal structures can also not be denied. Nevertheless it is a window of opportunity to be grabbed for further mobilization of women.

Reviewed below is the country wise situation of women's representation.

#### **4.1. India**

India's bi-cameral legislature consists of a 545 strong lower house (*Lok Sabha*) and a 250 member upper house (*Rajya Sabha*). Women in the two houses largely belong to the relatively privileged middle class, are educated and in professions. Some women enter through the caste quotas. Despite the constant low number of women having returned as legislators (though they doubled in the first fifty years) some have reached positions of power in mainstream political parties and in governance like Sonia Gandhi, president of the ruling Congress party, Jayalalitha, Chief Minister (CM) of Tamil Nadu and Mayawati, the former CM of Uttar Pradesh who also happened to be a *dalit*. Religious extremist party, VHP too has a few militant and activist women among its leadership. Notwithstanding their standing these women have failed to push for gender balance in the decision making bodies within their parties.<sup>18</sup>

Women's representation in State Assemblies at an average of four percent is even more dismal. Analysis and studies of women's effectiveness in legislatures reveal that their presence has hardly made any difference despite the fact that women moved private members bills and resolutions relevant to women and managed support from other women members regardless of party lines. Most of these it turns out did not come up for discussions and lapsed.<sup>19</sup> The studies also point to the fact that not many women took up women's issues per se.

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<sup>18</sup> See for detailed discussion, *Advancement of Women in India 1995-1999; A Draft Report from the Women's Movement*. August 1999. (mimeo). Pp. 140-141

<sup>19</sup> Ekatra in, Tambiah (ed), *Opcit.* p. 295

Women have increasingly become active in informal politics. According to the NGO draft report on Beijing + 5, “women have become visible on a large scale, particularly in mass movements and rallies against crime, violence, environmental degradation ... for wage increase and political empowerment, and social development.”<sup>20</sup> They have thus succeeded in bringing women’s issues on to the agenda of social and political discourse and also made substantial gains (e.g. the rights of self employed women, the tabling of Women’s Reservation Bill in 1996, ruling against sexual harassment, etc.)

The historic opening for women in India came in 1993 with the enactment of the 73<sup>rd</sup> amendment (*Panchayati Raj*) and 74<sup>th</sup> amendment (the Municipalities Act for urban local government) to the Constitution of India. These amendments came against the backdrop of the campaigns of the women’s movement in India that gained momentum in the eighties -- defining its movement’s identity, finding a base in “issues being articulated by poor women at the grassroots” and their absorption into the “movement’s range of concerns.”<sup>21</sup> Earlier in 1975 the Committee on the Status of Women had recommended the establishment of statutory women’s *panchayats* at the local level but the recommendations had been shelved.

The amendments provided for not less than one third membership (33 percent) to women in the three tier system of local self government (*Panchayati Raj*) in rural areas. This consists of the village (*gram*), block (*taluka*), and district (*zilla*) levels. One-third of the prescribed women’s seats are for women of Scheduled Castes and Scheduled Tribes. At least one-third of the office bearers are also reserved for women. The term of the *panchayats*, their re-election and the conditions for their suspension were also laid out in the amendments. These were followed by states enacting conformity legislations by 1996, with some variations in details.<sup>22</sup> For instance, the Orissa government made it mandatory for the vice-chairperson to be a woman if the chairperson is a man. Rajasthan, Haryana and Orissa debarred candidates with two children to contest elections and some have special provisions for conflict resolution at all levels (See Annex 4 for further details).

The *Panchayati Raj* brought more than one million women as members and chairpersons of local bodies. However the performance and election of women in different states varies: Madhya Pradesh and Himachal Pradesh elected 38 percent women in the elections of 1996, Punjab 29.6 percent and Karnataka a little over 43 percent.<sup>23</sup> Bidyut Mohanty summed up the profile of the elected women on the basis of various case studies as, being

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<sup>20</sup> *Draft Report from the Women’s Movement*. Opcit. p. 131

<sup>21</sup> Vina Mazumdar & Indu Agnihotri, “The Women’s Movement in India, Emergence of a New Perspective,” Bharati Ray, Aparna Basu (ed), *From Independence Towards Freedom*. New Delhi: OUP. 1999. p. 229

<sup>22</sup> Reservation for women in local bodies had been made earlier in Karnataka when in 1983 it restructured its *panchayats* and reserved 25 % seats for women. First elections under this provision were held in 1988. Chetna Gala, “Empowering Women in Villages; All Women Village Councils in Maharashtra”, *Seminar Report on “Decentralisation and Devolution of Powers in Panchayati Raj System in India, 22-23 March 1996.”* New Delhi: Centre for Development Studies & Action and FES. 1996 (mimeo.)

<sup>23</sup> Bidyut Mohanty, “Panchyat Raj Institutions and Women,” Bharati Ray, Aparna Basu. Opcit. p. 23

younger, less exposed to public life and less educated than their male counterparts with high caste members predominant at the higher posts (*sarpanch*, office bearers at district level).<sup>24</sup>

While the Acts per se do not provide for all-women *panchayats*, their subsequent emergence has been an interesting development. It needs to be pointed out that as early as 1989 nine villages in the western state of Maharashtra had elected all-women *gram panchayats* reportedly an outcome of the campaign of an independent farmers' organization, Shetkari Sanghatana. West Bengal got its all women *gram panchayat* in May 1993 under the Left Front Government.<sup>25</sup> The unanimous decision for all-women *panchayats* was reportedly because men did not want controversy or expose women to contests.<sup>26</sup> Earlier, an all woman *panchayat* was elected in Andhra Pradesh in the seventies and another in the eighties.<sup>27</sup> One other reason for all women *panchayats* was that higher caste men did not want to work under a lower caste woman.

The participation of women under the PRI by all accounts has generally been positive. The main obstacles to women's fuller participation have been those of inexperience, inadequate information and knowledge about the system and their role in it, of class, caste and religion, and of lack of resources. That many came in as proxy candidates place their legitimacy into question. Resistance has come from women's families, political parties, male colleagues who see women quotas as a hurdle in their political aspirations, and male officials. The use of no-confidence motions against *sarpanches* (often to also dislodge male *sarpanches* belonging to backward castes and tribes) is also widespread. Some states have tried to curtail the practice through legislation. According to one analysis the rotation of women's reserved seats fails to advance women's right to political office as the next election shifts the quota to another area rendering theirs as general seats, it also opens women to manipulation and control by male politicians who use them as their proxies.<sup>28</sup>

Women's groups in India have come forward to provide the necessary support and capacity building of women representatives in local government. Several NGO programmes are underway to train women and many women representatives turn to the support bases of women's movement and NGOs. One successful example is that of COVA, a network of 750 organisations in Hyderabad, India. COVA works for communal harmony through community empowerment. It began its intervention with the objective of establishing the legitimacy of women political representatives to address the concern that women's reserved seats had been captured by male politicians who in fact performed the duties of elected women.

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<sup>24</sup> Ibid. p. 27

<sup>25</sup> Seminar Report. Opcit.

<sup>26</sup> Ekatra in Tambiah, Opcit. p.305

<sup>27</sup> Susheela Kaushik, *Panchayat Raj and Women: A Profile*. New Delhi, Centre for Development Studies and Action. 2000. p. 16

<sup>28</sup> Maitrayee Mukhopadhyay and Shamim Meer, *Creating Voice and Carving Space*, Amsterdam: KIT. 2004. p. 93

### Box 1: Overcoming barriers -- the COVA experience in India

Context	Women's representation in political bodies	Strategies and tools	Gains
<ul style="list-style-type: none"> <li>• Parliamentary multi-party democracy since 1947.</li> <li>• Quotas for marginalized groups since first elections.</li> <li>• 1993 constitutional amendment and introduction of 33 percent quota for women in local government elections.</li> </ul>	<p><b>Local political representation.</b></p> <ul style="list-style-type: none"> <li>• 8-10 percent in National parliament and state assemblies (no quota);</li> <li>• 33 percent in local government institutions after 1993 (quotas).</li> <li>• BUT 1 woman Prime Minister,</li> <li>• Several women Chief Ministers of state assemblies.</li> </ul>	<ul style="list-style-type: none"> <li>• Capacity development of women representatives.</li> <li>• Network for support.</li> <li>• Gender training for male members of council and male relatives of elected women.</li> <li>• Linking elected women to constituencies government officials, and political parties.</li> <li>• Follow up and monitoring of elected women.</li> <li>• Research to provide information to council. Formation of and support to women's groups in communities.</li> <li>• Media coverage.</li> </ul>	<p>Women elected on quotas assume their responsibilities:</p> <ul style="list-style-type: none"> <li>• Start attending council meetings;</li> <li>• Form cross party alliances in councils;</li> <li>• Intervene in debates;</li> <li>• Get development projects for their constituencies;</li> <li>• Meet with members of constituency;</li> <li>• Negotiate with government officials;</li> <li>• Some take up gender specific issues such as violence against women;</li> <li>• Discernible change in self-image and political aspirations.</li> </ul>

Source: Adapted from, Madhopadyay and Meer, Opcit. p. 42

#### 4.2. Pakistan

The history of women's representation in legislative bodies and in local government is a checkered one. As stated earlier women's representation in the legislature was inherited from the colonial times but not always continued. From 1962 to 1988 women sat in national and provincial legislatures, when they existed, on reserved seats. The 1973 Constitution provided for 10 reserved seats for women in the National Assembly (lower house) for a period of ten years or two general elections with no reservation for the upper house (Senate.) This number was doubled to 20 out of a house of 237 in 1985 by General Zia ul Haq. The National Assembly of 1988–1990 saw the largest number of women up to

that point in the country's legislative history i.e. 24, four having come through direct election. 1990 onward the provision for reserved seats having lapsed the number of women parliamentarians dropped dramatically. The years from 1990-1999 may be termed "barren" from the point of view of women's representation in the assemblies (See Table 6.) Needless to say, almost all directly elected women belonged to entrenched political and /or feudal families.

**Table 6 - Women in Pakistan's National Assembly**

Year (Tenure of Assembly)	NUMBER OF WOMEN LEGISLATORS		
	RESERVED SEATS	GENERAL SEATS	TOTAL
1955-58	0	0	0
1956	♣		
1962-1965	6 + 2*	0*	6
1965-69	6	0	6
1972	6	0	6
March - July 1977	10	01	10
1985-88	20	2	22
1988-90	20	4	24
1990-93	0	2	2
1993-96	0	4	4
1997 – 99	0	6	6
2002 – to date	60	14 †	74

♣ Article 44(2) (i) of 1956 constitution provided 10 reserved seats for women members for the period of 10 years. 5 from East Pakistan, 5 from West Pakistan. Women's territorial constituencies were delimited for this, giving a double vote to women in these constituencies - one for a general seat candidate and one for the women's seats. However, no elections were held under this Constitution.

\* 8 women sat in the assembly, one expired and was replaced by another in East Pakistan.

† Including 1 woman, elected on reserved seats for non-Muslims

Source: Adapted from: Farida Shaheed, Asma Zia and Sohail Waraich, *Women in Politics*. Opcit.

Important to note is that since the 1988 elections the number of women receiving tickets from political parties for national and provincial assemblies increased. The number after decreasing in 1990 (from 9 to 4) experienced a major rise (to 10 in 1993 and 24 in 1997).<sup>29</sup> Equally important to remember is that women contesting general elections have been more successful at the national level (in Balochistan not a single woman had ever been elected directly till 1997) than at the provincial level, and women with party tickets had greater success than those standing as independents.<sup>30</sup>

The experience of women in Pakistan's national legislatures shows that women, even when first time entrants in politics, not only participated fully in debates but their quality of interventions was in some instances higher than that of their male colleagues. They undoubtedly felt constrained and beholden because of the indirect manner of their election. But that did not prevent them from articulating opinions on issues of concern to them as women as well as other national matters. The impact of women legislators was reduced primarily due to their limited numbers and the intransigence of their male colleagues.<sup>31</sup>

The issue of critical mass was resolved to a point by the restoration of reserved seats by the Government of Pakistan in 2000. The quota was raised to 60 women (17.5 percent) out of an enhanced 342-member National Assembly and similar quota (17.5 percent) for the provincial assemblies. The seats are allocated to political parties according to the proportion of their general seats in the assemblies. The quota while lower than women advocacy groups' demand of 33 percent was still three times the number of the previous (lapsed) one. More problematic from the women's organisations' point of view was the indirect mode of election which translated in majority of reserved seats being given to close relatives (wives, daughters, sisters, etc.) of political leaders/powerful persons, many of whom were disqualified due to the educational requirement (BA degree) for legislative contestants.

The religious parties, though opposed to women's representation, did not forego their share of the quota and followed the practice of nominating women relatives of leaders. Significantly, the election of 2002 showed a greater level of success for women standing on general seats. In all 14 women came in directly, raising the number of women in the National Assembly to 74. (For a consolidated historical overview of the Constitutional Provisions and women's representation in national and provincial legislatures in Pakistan, see Annex 5).

For the first time seats were also reserved for women in the Senate in the same proportion as the assemblies. Thus 17 seats are allocated for women in the 100 member body (an additional woman was returned on the technocrat seat). Each provincial assembly nominates four women and the Federal Capital Territory one. While a detailed analysis of

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<sup>29</sup> Shahla Zia and Farzana Bari, *Women's Participation in Political and Public Life in Pakistan*. Islamabad: Aurat Foundation. 1999. p.39

<sup>30</sup> Ibid..

<sup>31</sup> Khawar Mumtaz, "Women in National Legislatures in Pakistan" in Farida Shaheed et al(eds), *Shaping women's Lives*.1998.pp319-369

the performance of the women in assemblies may be outside the scope of this paper it would be sufficient to say that some of the women have become active both in their constituencies and the parliament. A fair number have crossed political boundaries to come together on women's issues. A recent example was the amendment to the honor killing legislation tabled by a woman member belonging to the ruling party. She also had the support of women across party lines.

Impediments for women are not only in contesting. While independents find themselves at a disadvantage because of the volume of resources required and the absence of a network of political workers for canvassing and support, those given party tickets are handicapped by the award of tickets to weak and losing seats. Not surprising that except women leaders and one or two with financial resources are the ones that have been returned to assemblies on direct elections like Benazir Bhutto and her mother, Nusrat Bhutto; head of Awami National Party Nasim Wali Khan; Abida Hussain and Tehmina Daultana of leading feudal families of Punjab.

The experience of local governments in Pakistan reveals a fractured picture with the law undergoing change in the provinces from time to time following the dismantling of the local bodies system introduced in 1959 (which did not have reservation for women). Local governments, although a provincial subject, were directed to reserve seats for women in 1979, ironically by a military government, which was responsible for introducing legislation that is discriminatory to women.<sup>32</sup> Thus all provinces provided for two indirectly elected women's seats in union councils and ten percent of the seats of district councils, except in NWFP where there was no reservation at all for union councils. That this did not have great impact on women's political participation goes without saying. In 1992, the last time that the local bodies elections were held across the country (till the ones in 2000) female members constituted 10.4 percent of the total number of membership.<sup>33</sup>

The major turn around for local government came like that for legislatures in 2000. The Local Government Ordinance, 2000 provides for the reservation of 33 percent seats for women in all tiers of local government. At the lowest tier, i.e. the union council, the provision is for the direct election of women by all registered voters, while at the other two tiers (*tehsil* and *zilla*) the election is to be indirect. Out of a total of 40,049 seats collectively in union, *tehsil*, town (for urban areas) and district (*zilla*) councils a total of 36,049 were elected (90 percent) belying the fear expressed from many quarters that enough women would not be found to contest elections.

Always approached in the past for their vote women were now being pursued as possible candidates as local alliances began to be forged. They were also being encouraged by family and friends to contest. Many reportedly contested on their own initiative. Eleven women were returned as union council *nazims/naib nazims* (chair/vice-chair) and two

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<sup>32</sup> General Zia ul Haq, after gaining power through a military coup in 1977 introduced a series of so-called Islamic laws that have had far reaching consequences for women. These include the *Hudood Ordinances, 1979*, and the laws of *Qisas and Diyat*, Evidence, etc.

<sup>33</sup> Ibid. p. 47

women in Sindh were elected as district *nazims*. The latter category is where political parties participated fully and the *nazims* have party affiliations despite the elections being non-party based. Both women *nazims* belong to the opposition Pakistan Peoples Party.

Operationally also women have been confronted with barriers. Like in India these span lack of public experience, information and knowledge of the various governance structures, male attitudes, and family restrictions. In Pakistan these were compounded by the initial confusion over the relationship and coordination between the new governance structure and the administrative system. From the women's perspective the most disturbing was the attitude of male councilors including *nazims* towards them. Men, reportedly have been condescending and dismissive, women are not always consulted in decisions, relegated to the back seats, not given the opportunity to speak, not provided agenda of the meeting and copies of budgets, not appointed to union committees and denied funds. There was also the feeling that women should deal only with women's issues and there were instances of male family members attending meetings instead of the elected councilor.<sup>34</sup> Despite this, women councilors have remained enthusiastic and have protested against their marginalisation.

The women's movement and women's organisations see the opening of space in representative bodies as an outcome of their relentless campaigning. The creation of Women's Action Forum in 1981 marked the beginning of women's renewed effort to resist discriminatory laws and get women's issues on the national agenda. It had demanded increased seats for women (20 percent) with a double vote for women as part of its charter of demands (1983)<sup>35</sup> but the lapsing of reserved seats in 1988 gave urgency to the issue. Women's and human rights organizations initiated a debate to arrive at a consensual position regarding the number and modality. It was agreed that there should be 33 percent reserved seats for women at all level through direct constituency based elections by a joint electorate of men and women. This was reflected in WAF's position in its statement for the Beijing Conference.<sup>36</sup>

## **Box 2: A successful campaign**

A sustained decade long campaign formed the back drop to the reservation of women's seats in Pakistan. With Aurat Foundation a women's NGO, taking the lead and joined by leading women's and human rights groups it reached a wide ranging spectrum of political persons, community based organizations, trade unions, professional organizations and concerned citizens. Relevant information was communicated through specially developed material, seminars, conferences, media, and active lobbying and advocacy. Various strategies ("quiet" and "public") were devised and used to lobby with key members of

<sup>34</sup> ADB, Opcit. p.23

<sup>35</sup> 20 percent reserved seats for women to be elected by women voters, and mandatory for political parties to give 10 percent tickets to women in the first stage; abolition of women's seats but 20 percent tickets by political parties to women and increased by 10 percent at each elections till equality is reached; reservation of 10 percent of seats for women in the Senate; reservation of 1/3 seats in local bodies for women to be elected directly by female electorate. Farida Shaheed, Sohail Waraich and Asma Zia, *Women in Politics*. Lahore: Shirkat Gah, 1998. Appendix IV

<sup>36</sup> Ibid.

parliament and others in sensitive and/or public positions. Thousands including representatives of nineteen political parties, professional organizations and professionals, public representatives including two Speakers, endorsed the principle through a massive signature campaign. Between 1998 and 1999 all four provincial assemblies had passed unanimous resolutions for the restoration of reserved seats and enhanced quotas. Balochistan, legislated an increased quota for women (26 percent) for local government in 1999, and in the partially held local government elections in Punjab in 1998, 12.5 percent seats were reserved for women. The Senate appointed Commission of Inquiry reaffirmed the women's demand for directly elected reserved seats for women as urgent affirmative action by the government in its report of 1997.<sup>37</sup>

Women's and other NGOs were also instrumental in mobilising women, including in the conservative province of NWFP and Balochistan, for contesting local government elections. They facilitated the process of registration in electoral rolls, helped in filing papers, carried out voter education and initiated debate and discourse at the local level on a wide range of local and national issues across the country. The massive mobilization of women was in large measure due to their effort especially in the absence of political parties' involvement in elections at the grassroots level (the parties in fact had actively prevented women for both contesting and voting in the elections). It is therefore not surprising that a sizable number of women from community based organizations were successfully elected. After elections NGOs continued their involvement with elected women representatives through various capacity building programmes. A number of networks of women councilors have also emerged facilitated by these organisations.

As the first term of local government ends and the next elections approach the provision of women's seats has received a set back. The overall size of the union council has been reduced from 21 to 13 and with it the number of women's seats has been halved though the percentage remains the same (from 8 to 4 women in each union council).

### **4.3 Bangladesh**

Bangladesh's unicameral legislature consists of a parliament (*Jaityo Songhsod*) with 300 members. The constitution provided for 15 reserved seats for women (Clause 65), these were doubled to 30 in the second national assembly (1979-1982). The seats lapsed in 2001. A recent proposal, yet to be passed, is for restoration of reserved seats and increase in the quota to 45 seats. The women are indirectly elected by the members of the house. The quota, as in Pakistan, does not prevent women from contesting on general seats. Currently there are 6 directly elected women in parliament. Unusual in the case of Bangladesh is that both, the head of government and leader of opposition are women.

Women's reserved seats have been critiqued by women activists as a ploy to increase the number of the majority party in parliament. The numbers are also not seen as adequate to give women a strong voice and the indirect mode of election making them no more than

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<sup>37</sup> Shahla Zia, "Women's Movement: Strategies for Success" in Farida Shaheed, *et al*, *Shaping Women's Lives*. Opcit. pp. 392-395.

“30 ornaments”. The obstacles in participation in formal politics are the familiar ones of family, perception of women’s role as being in the domestic sphere, lack of resources because of inherent inequalities of law (inheritance, marriage, divorce and related laws),

and the fact that for mainstream parties the woman question does not have a priority.<sup>38</sup> The religious parties in fact oppose women’s participation.

Since independence in 1971, local government system has been central to policy makers concerns and five major reforms have been undertaken in the area. The Local Government (*Union Parishad*) Ordinance, 1983 was altered in 1997 to institute the current structure (Local Government Act Number 20). Under it there are four tiers of governance: the top tier is the district council (*zilla parishad*); followed by the *upazilla parishad* which is the lowest level of operation for the bureaucracy and line ministries; the third tier is the union council (*union parishad*); and the fourth, village level *gram sarker* that is not active everywhere. The directly elected union council has for the first time the provision of 33 percent quota for directly elected women.

Each union council is made up of nine wards that elect a general member from each ward. The union council is made up of thirteen members including the Chairman and three women. Each woman however represents three wards and is elected by the combined voters of these wards thus serving three times the number of constituents than her male counterparts. The Chairman is elected by the entire union council. Various functions of the union council are executed through 13 standing committees and women are to head one third of them with the mandate to head the committees on women’s children’s welfare, culture and sports, however in reality women are often excluded from committees. Women’s seats are reserved in the urban local government institutions (city corporations and municipalities) too. Approximately 12 000 women have been elected under the local government system.<sup>39</sup>

Getting the right to participate in governance through reserved seats is the proverbial first step for women in Bangladesh as for those in India and Pakistan. Once elected, women in *upazilla parishads* do not automatically find themselves as equal decision makers. There are a number of constraining factors as indicated by an ADB study of 451 women councilors,<sup>40</sup> including the fact that the majority at that level had come from the poorest socio-economic strata and hence illiterate or with limited education, lacked knowledge of the workings of the *parishad*, didn’t have the skills to perform their roles, e.g. of conflict resolution, were unaware of government resources and programmes, and had no experience of interacting with government offices or institutions. As a result they were dependent on male colleagues in decision-making. The male colleagues were not found to be inclusive or encouraging (“the men meet without us and have a quorum”). The women often did not get notices of meetings, they complained of being ignored (“even the watchman ignores us;” “we have no fixed place to sit”) and were “treated like dolls,” often expected to sign on resolutions without knowing the content. Moreover, women’s

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<sup>38</sup> Ain O Salish Kendra in Yasmin Tambiah (ed), *Opcit.* pp. 138-140

<sup>39</sup> ADB, *Gender and Governance Issues in Local Government.* *Opcit.* pp. 19-20

<sup>40</sup> *Ibid.*

domestic chores prevented their full participation especially in the absence of cooperation from men in the family or from members of the council.

In Bangladesh the impact of mass movements is seen as a critical factor in making women visible. In the contemporary context the liberation movement and the subsequent mass uprising that overthrew the sitting government in 1990 contributed to women's participation in politics as well as coalition building on issues of gender equity—so integral to meaningful participation in political activities. Regarding women's fuller participation in local bodies a number of donor supported programmes were initiated by NGOs for training courses for union council members and women councilors. Through one such programme supported by ADB, BRAC and Sushilan were responsible for capacity building in 16 *upazilas*, 141 union *parishads* and one municipality. The training spanned roles and responsibilities of the councils and their members, to skills for running meetings, leadership and negotiations, information on government programmes, budget making and planning, implementation and monitoring. The impact was palpable: participation in meetings doubled to 80 percent, 90 percent of the women were involved in committees as opposed to 10 percent before the training and as members of the conflict resolution committees (*shaleesh*) participated in the resolution of innumerable disputes.<sup>41</sup>

An important initiative under the above mentioned programme was the formation of forums at the ward level in the 141 union *parishads* that held regular monthly meetings chaired by an elected woman member. The meetings invited line agencies and the poor women of the ward with the objective of identifying needs of the poor and linking them with line agencies and government resources. Another successful programme was the one initiated by BMP (see Box).

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<sup>41</sup> Ibid. p. 41

### **Box 3: Overcoming barriers through training – Bangladesh**

Bangladesh Mahila Parishad (BMP), a mass-based organization with over 94,000 members was established in 1970. Committed to a society based on gender equality, democracy and peace it has played a key role in promoting women's formal political participation and has worked on training programmes for women political representatives. Identifying the latter's main problem as isolation and hostility and disregard from male colleagues, BMP decided to intervene in three constituencies to address these problems. The BMP strategy was of developing support groups for three women representatives – one from an urban council and two from union *parishad*. Each support group was made up of 15 women from the representative's constituency and included BMP members. The members were trained by BMP to enable them to provide support to the elected representatives. They organized constituency meetings, built alliances with influential political leaders and linked the representatives with government officials. They also built the capacity of elected women and organized joint training for women and men elected members of councils. The result was that elected women attended council meetings and questioned procedures thus developing transparency; became more active and succeeded in getting development projects for their areas; took up gender specific issues; and set up autonomous women's cells. BMP followed up and monitored the performance of elected women.

Source: Maitrayee Mukhopadhyay and Shamim Meer, *Creating Voice and Carving Space*. Pp. 94-98

#### **4.4. Nepal**

Women in Nepal received equal status with men on promulgation of the Interim Constitution of 1951. However with the authoritarian party less *panchayat* system ushered in following the royal coup in December 1960 and lasting till 1990 women's participation in formal politics was minimal. The restoration of democracy in 1990 changed the political structure of Nepal to that of a constitutional monarchy with a bicameral legislature, a cabinet responsible to the parliament, multi-party political system and an independent judiciary. It also guaranteed fundamental rights and equal application of the law to all citizens regardless of ethnicity, caste, sex or religion.

Under the law 5 percent seats were reserved for women in the 60 member National Assembly and making it mandatory for each political party to put up 5 percent women out of its total candidates for parliamentary elections.<sup>42</sup> Women returned however were less than the stipulated 5 percent in the first two elections held under this Constitution – the general election of 1991 and the mid-term election of 1994 (see Table 8). Subsequently, the picture improved to 7.9 percent women in parliament in the year 2002 (5.9 percent of the total in the lower house and 15 percent in the upper.)<sup>43</sup> The change

<sup>42</sup> Shtrii Shakti in Tambiah. Opcit. pp 88-89

<sup>43</sup> UNIFEM, *Progress of South Asian Women*. Opcit. pp33-34

may be attributed in part to the announcement in 1997 by leading political parties to reserve 11 percent seats for women at all levels of the party committees.

**Table 7: Women's Candidacy and Representation in the House of Representatives**

Parties	1991 General Elections				1994 mid-term election			
	Candidates		Elected		Candidates		Elected	
	Total	Women	Total	Women	Total	Women	Total	Women
NC	204	11 5.39%	110	5 4.54%	205	11 5.37%	83	4 4.81%
CPN-UML	177	9 5.08%	69	3 4.34%	196	11 5.81%	88	3 3.40%
RPP	318	17 5.34%	4	-	202	13 6.44%	20	-
Other parties (Independents)	646	42 6.50%	22	-	839	51 6.07%	14	-
Total	1,345	79 5.87%	205	8 3.90%	1,442	86 5.96%	205	7 3.41%

Source: Election Commission, Kathmandu, 1995. Quoted in Tambiah. Opcit. P. 79.

NC: Nepali Congress; CPN-UML: Communist Party Nepal- United Marxist Leninist; RPP:Rastriya Prajatantra Party

At the local government the passage of the Local Self- Governance Act provided for women's representation both by election and nomination. Under the Act a two tier system of local government was established, one at the district level and the other at the level of the villages and municipalities. A village had three local bodies: ward committees, a village development committee (VDC) and a village council (VC). Every village has nine five-member wards with one seat reserved for a woman. Thus at the village level there are 9 women representing 20 percent of all wards. All members are elected by adult franchise. One seat for women is reserved at VDC and VC form among the nominated members to these bodies.<sup>44</sup>

The last local bodies elections were held in 1997 when 36 000 women were elected amongst them 289 who were elected ward chairs. The deteriorating political situation precluded elections after 1997 and the King's coup earlier this year has suspended the formal political process altogether.

<sup>44</sup> ADB report. Opcit. p.21

The women's movement and women's activism has followed the vicissitudes of political development in Nepal. Restoration of democracy in 1990 marks an upsurge in women's activism and acknowledgement of women's issues as national ones. NGOs, in particular are seen as having contributed to the inclusion of women's perspectives in government policy and plans and mobilization of women. Nevertheless, the interaction between NGOs and political parties was negligible. The women's movement and women's pressure groups are regarded as being more effective towards women's empowerment. A case in point is that of legal action on women's right of inheritance that succeeded in mobilizing widespread support from women including women's wings of the leading political parties and ultimately forcing the government to present a Bill to amend the civil code (which remained pending however). In the case of abortion rights too the women's movement connected with members of parliament to have those recognized under the law.

#### *4.5. Sri Lanka*

Sri Lanka is the only South Asian country that does not have a quota for women in representative bodies (national or local), although it has had two strong women presidents. Despite functioning democratic institutions and processes and women's right to vote since 1931 has not resulted in greater representation of women in formal political institutions. Recent years have seen an increase in the number of women running for elections but that has not translated in their being elected.

In 2004, there are 10 women members of Parliament, 90 percent of whom are in place by virtue of a kinship tie to a father, brother, or husband--often an assassinated one. Sri Lanka perhaps has perhaps the most entrenched dynastic politics in the region. The realities of power distribution along ethnic lines are reflected in women's political participation. Most of those elected belong to the dominant Sinhala community (approximately 74 percent of the total population). Muslim (8 percent) and Tamil (18 percent) women are minimally represented in political bodies. Women in local government too were around 2.1 percent in 1997.

Like in other states of the region patriarchal structures and attitudes continue to dog women even when the physical quality of life of Sri Lankan women is better than that of their regional counterparts. The gendered division of labor has been exacerbated due to the conflict that add to the burden of women as they are rendered household heads due to the conflict in the country. Indeed one of the most critical obstacles to women's political participation has been the prolonged civil conflict in the country (since the 1980s) resulting in a culture of violence that excludes women. Those who have braved the dangers and won elections have put their life on line. Sarojni Yogeswaran who was elected to Jaffna Municipal Council and became mayor was assassinated by LTTE in 1997.<sup>45</sup>

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<sup>45</sup> ICES in Tambiah, Opcit. pp. 433-436

Women's lack of representation does not mean that women are not active in informal political action and are unable to influence policy makers. On the one hand are the highly politicized Tamil women involved in the ethnic strife and on the other is the Mothers Front of the North seeking information about their sons, fathers and husbands who had disappeared due to government/army action in 1984 and that of the South of those who disappeared in the wake of the JVP insurgency in 1990. The Front by 1992 had 25,000 women members. Similarly the Women's Coalition for peace formed in 1997 strives for ending the conflict in the country.

In recent years (2001-2002) there has been a concerted effort by the International Centre for Ethnic Studies (ICES), a leading civil society organisation to galvanise support for women's quota in representative bodies. Working in collaboration with women activists and researchers a national advocacy campaign was launched for women's increased participation in assemblies. The key demand that emerged through a series of consultations was for 30 percent quota for women at all levels. In the process government institutions and officials were also met, however the response from political parties was not encouraging.<sup>46</sup>

#### **4.6. Maldives**

Maldives is one of the regional countries that has negligible sex-based discrimination. Major indices do not reflect striking male-female disparities with female life expectancy, contrary to the situation in the rest of South Asia is marginally higher than that of males. In education too the figures are slightly better for girls except at the post-secondary level where it drops for girls. This is attributed to younger age of marriage for mothers, hence early motherhood and lack of opportunity for girls' schooling due to the geography of the country. The better indices and absence of overt sex-based discrimination however has not meant greater representation in political institutions although voter turnout in the 1999 elections was higher for women than men (84.3 percent vs. 71.2 percent).<sup>47</sup>

At the political level women of Maldives got the right to vote in 1932, a year later than Sri Lanka and under the Constitution they have the right to contest public office except that of president and vice-president of the country. In 2004 there were 3 women elected to the parliament (6 percent). Women can also be nominated by the President and after the 1999 elections two women were elected and three were nominated.<sup>48</sup> According to available information the first political party in Maldives was set up in 1950s and women made up only one-third of its membership.

## **6. Challenges to women's participation**

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<sup>46</sup> Mukhopadhyay and Meer, *Opcit.* p.82

<sup>47</sup> Sharma, *Women in South Asia.* *Opcit.* p.248

<sup>48</sup> *Ibid.* p. 249

The above review has revealed that despite differences in the mode and extent of women's political representation there are a number of common factors that underlie and determine women's participation:

- Without affirmative action women's representation in legislatures and local government remains negligible. In the case of Pakistan and Bangladesh when quotas lapsed, women's representation dropped drastically. In Sri Lanka and Maldives where reservation does not exist women's representation is minimal, confined to the "widows, wives and daughters," in the case of the former.
- Once inside representative bodies, women are confronted with the intransigence of male colleagues including the *nazim*, *sarpanch*, or chairman, who deny them the space to speak out, are reluctant to include them in decision making, do not share information nor take them seriously or acknowledge them as equal in the forum. This is compounded by inadequate knowledge of administrative systems and requisite skills for participation in the business of the institution.
- The regional experience shows that numbers matter. Token presence from the instances discussed above had no impact even where women were raising valid problems and presenting solid arguments (in Pakistan's National Assembly, for instance, or in India before the local bodies quotas). Critical mass is essential to enable fuller participation.
- Gender, caste, class and religion all operate in conjunction to bring women in or keep them out of representative institutions. Lack of resources and assets become a barrier as much as lower caste and class expose the poor to intimidation and harassment to prevent them from contesting (e.g. women in some areas of NWFP prevented from voting and standing).
- Women's social subordination is a reality in the region regardless of good health or education indicators as in Sri Lanka or of minimal discrimination as in Maldives. The deeply held biases question the legitimacy of women's entry into politics. Considered subordinate and dependent with responsibility for the domestic sphere alone they are not seen as capable for the public arena. Women are therefore mobilized for casting the vote but not given position in parties. The resistance to reserved parliamentary seats in India and at all levels in Sri Lanka; the indirect mode of election for women on reserved seats in Bangladesh and Pakistan reinforcing politics of patronage; lack of cooperation and support from male family members especially at the local government level in all countries; reflect this thinking.
- The laws that enable women's access to political institutions often suffer from internal weaknesses. For instance, the indirect election on reserved seats opens the door for proxy representation, and dynastic politics besides giving the dominant political party the opportunity to inflate its majority (e.g. Pakistan in the past, and Bangladesh). Women having to represent three times the size of constituency than

men in union *parishads*, or their absence not affecting the quorum of meetings leaves room for their deliberate exclusion and marginalisation in Bangladesh.

- Women when given the opportunity and skills have proven their ability to interact with communities, identify and implement programmes, resolve conflicts (*shaleesh* in Bangladesh), manage funds, and run all women councils (in India). Training and establishing of networks and forums of elected representatives and links with women's groups are successful mechanisms for building the elected women's confidence and meaningful participation.
- Women despite the obstacles to participation have by and large seen the experience as being positive, raising their status in society with the potential of opening new horizons.
- The women's movement and platforms in respective countries played a significant role in giving visibility to women's issues and have relentlessly lobbied and advocated women's representation. Women's groups and activists received impetus from UN instruments and initiatives like CEDAW, ICPD, Beijing Conference and now the MDGs, even if the latter have watered down the commitments of the 1990's UN Conferences. It is not surprising that most of the initiatives reviewed above were introduced in the decade of the nineties.

The challenges to women's political participation and representation thus are multidimensional and multi-layered woven into the very fabric of South Asian societies. Starting from the social, cultural and economic barriers (that keep women isolated, uninformed, subordinate, unskilled and psychologically as well as physically dependent), to violation of rights (that the constitutions give them), to physical insecurity or threats to it, that are manifested in constrains to women's political participation.

Thus women find themselves not included in the decision making processes of political parties. Women's wings of parties are used largely for mobilizing women for demonstrations and protests or as voters. Potential women voters are not on electoral lists because of the barriers mentioned above. Laws introduced are not necessarily implemented and discriminatory laws remain on the statute books. The will is missing both in political parties and government to mainstream women in the political process. The resources required for inducting women into formal structures (and not just elite women) are not forthcoming.

## **7. The way forward**

Recognising that affirmative actions where taken have opened unprecedented spaces for women, these are the essential first steps needing follow up for removal of distortions and ensuring fuller participation of women across class, caste, religion, and national/ethnic divides. For achieving the goal of Beijing Platform for Action's goal of

adequate representation of women in all decision making bodies for South Asia will require the following steps to go forward:<sup>49</sup>

1. Introduction of affirmative action in the countries where it does not exist to reserve seats for women to ensure a “critical mass” (33 percent) at different tiers of representative bodies to be elected directly from their constituencies, with provisions for the inclusion of marginalised women. And implementation of affirmative action in letter and spirit where they already exist. These must have the provision of operating till women’s equal participation in the political process is achieved.
2. Removal of distortions in the reserved seats system to create an even playing field by instituting direct constituency based elections. Mandating women’s presence in committees and bodies to prevent their exclusion from decision-making. Removing any other anomalies that place a burden on women compared with men.
3. Making equal participation of women in political process an official policy to be ensured through: introduction of a mandatory 20 percent women’s membership in political parties as a qualification for participation in elections; commitment by political parties (through manifestos) to inclusion of programmes for women in nation building activities; institution of a special fund for female candidates, irrespective of political affiliations, to contest elections at all levels..
4. Developing and running training programmes for women in local government to equip them for fulfilling their responsibilities effectively. Provide them with information on their duties and powers; give them skills of identifying, planning and implementing development programmes; of conflict resolution and of women’s agency.
5. Special allocation within budgets, at different tiers, to women members for implementing programmes and ensuring that they are not marginalized or bypassed. Making women’s membership of committees/sub-committees, arbitration councils, etc. mandatory both in local government and legislatures.
6. Training for male members of local government for sensitivity towards women members and the imperative of their inclusion in the business of the elected body. Introducing special measures for relieving elected women of the household burden for playing a fuller role.
7. Facilitation of NGOs to play a more coordinated role in linking elected women, catalysing platforms and networks of solidarity and support: by creating an

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<sup>49</sup> This section represents an amalgam of thinking and recommendations contained in various reports, documents and discussions by NGOs, academics and official committees most of which have been quoted and referred to in the main body of this report..

enabling environment, providing security against physical threats, violence and harassment and provision of resources.

8. Closure of gap between the women's movement and elected representatives to foster collaboration and cooperation of women at all levels through the initiation of dialogue by women's groups with elected women.
9. Sensitisation by women's and human rights groups of the media to the issues of elected women and the potential of their role in the political process; sensitization and mobilization of women voters to vote for female candidates.
10. Above all, the removal of all barriers to women's participation in political processes particularly of discriminatory legislations and structural barriers that entrench inequality between classes and gender.

## **CEDAW Ratification Reservation and Declaration**

	Signed <sup>50</sup>	Ratified <sup>51</sup>	Reservations/Declaration <sup>52</sup>
Afghanistan	1980	2003	
Bangladesh	-	1984	Article 2, 16-1 (C)
Bhutan	1980	1981	None
India	1980	1993	Article 29 (1) and Declaration on Article 5(a), 16(1), 16(2)
Maldives	-	1993	Article 7(a), 16
Nepal	1991	1991	None
Pakistan	1995	1996	Article 29(1)
Sri Lanka	1980	1981	None

Source: [www.un.org/womenwatch/daw/cedaw.html](http://www.un.org/womenwatch/daw/cedaw.html); United Nations Rights Website – Treaty; Bodies Database; UN Treaty Collection website as quoted in *Progress of South Asian Women 2003*. UNIFEM. P. 41

### **Articles relevant to women’s participation in public and political life**

#### **Article 4:**

1. Adoption by State Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be

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<sup>50</sup> Signing a convention / Covenant/Declaration commits the State in principle with the convention, but is not legally bound by

<sup>51</sup> A reservation is a statement that a State Party makes at the time of ratification, which either puts limit on a right or cuts out a right altogether. A declaration explains what is understood a word or sentence in the treaty to mean. The state’s intention in a declaration is to exclude or modify a treaty standard, while the state’s intent in a declaration is to explain what it understands that standard to be.

<sup>52</sup> United Nations Human rights Website – Treaty Bodies database – Concluding Observations of the Committee on the Elimination of Discrimination Against Women: Bangladesh

discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present convention, aimed at protecting maternity shall not be considered discriminatory.

### **Article 7:**

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

- a. To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- b. To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- c. To participate in non-governmental organizations and associations concerned with the public and political life of the country.

### **Article 8:**

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their governments at the international level and to participate in the work of international organizations.

### **Detailed Guidelines: General Recommendations 23 & 25**

The CEDAW Committee's General Recommendations elaborate on the provisions of the treaty for all states parties. General Recommendations 23, on articles 7 and 8, calls on states to provide details on restrictions on women's rights as well as statistical data disaggregated by gender, and notes:

“States parties should ensure that their constitutions and legislation comply with the principles of the convention, and in particular with article 7 & 8”.

“States parties are under an obligation to take all appropriate measures, including the enactment of appropriate legislation that complies with their Constitution, to ensure that organizations such as political parties and trade unions, which may not be subject directly to obligations under the Convention, do not discriminate against women and respect the principles contained in articles 7 and 8”.

“States parties should identify and implement temporary special measures to ensure the equal representation of women in all fields covered by article 7 and 8”.

“States parties should explain the reason for, and effect of, any reservations to articles 7 or 8 and indicate where the reservations reflect traditional, customary or stereotyped attitudes towards women’s roles in society, as well as the steps being taken by the States parties to change those attitudes. States parties should keep the necessity for such reservation under close review and in their reports include a timetable for their removal”.

General Recommendation 25, on article 4, asks states parties to explain their reasons for choosing a given temporary measure, or while they have failed to enact these measures. It also says:

“States parties should analyse the context of women’s situation in all spheres of life, as well as in the specific, targeted area, when applying temporary special measures to accelerate achievement of women’s de facto or substantive equality. They should evaluate the potential impact to temporary special measures with regard to a particular goal within their national context and adopt those temporary special measures which they consider to be the most appropriate in order to accelerate the achievement of de facto or substantive equality for women”.

“States parties should include, in their constitutions or in their national legislation, provisions that allow for the adoption of temporary special measures... The Committee draws the attention of States parties to the fact that temporary special measures may also be based on decrees, policy directives and/or administrative guidelines formulated and adopted by national, regional or local executive branches of government to cover the public employment and education sectors. Such temporary special measures may include the civil service, the political sphere and the private education and employment sectors. The Committee further draws the attention of States parties to the fact that such measures may also be negotiated between social partners of the public or private employment sector or be applied on a voluntary basis by public or private enterprises, organizations, institutions and political parties”.

**Beijing Platform for Action - Strategic Objectives  
of the 12 Areas of Concern**

**A Women and Poverty**

- A1** Review, adopt and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty
- A2** Revise laws and administrative practices to ensure women's equal rights and access to economic resources
- A3** Provide women with access to savings and credit mechanisms and institutions
- A4** Develop gender-based methodologies and conduct research to address the feminization of poverty

**B Education and Training of Women**

- B1** Ensure equal access to education
- B2** Eradicate illiteracy among women
- B3** Improve women's access to vocational training, science and technology, and continuing education
- B4** Develop non-discriminatory education and training
- B5** Allocate sufficient resources for and monitor the implementation of educational reforms
- B6** Promote life-long education and training for girls and women

**C Women and Health**

- C1** Increase women's access throughout the life cycle to appropriate, affordable and quality health care, information and related services
- C2** Strengthen preventive programmes that promote women's health
- C3** Undertake gender-sensitive initiatives that address sexually transmitted diseases, HIV/AIDS, and sexual and reproductive health issues
- C4** Promote research and disseminate information on women's health
- C5** Increase resources and monitor follow - up for women's health

## **D Violence Against Women**

- D1** Take integrated measures to prevent and eliminate violence against women
- D2** Study the causes and consequences of violence against women and the effectiveness of preventive measures
- D3** Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking

## **E Women and Armed Conflict**

- E1** Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation
- E2** Reduce excessive military expenditures and control the availability of armaments
- E3** Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations
- E4** Promote women's contribution to fostering a culture of peace
- E5** Provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women
- E6** Provide assistance to the women of the colonies and non-self-governing territories

## **F Women and the Economy**

- F1** Promote women's economic rights and independence, including access to employment, appropriate working conditions and control over economic resources
- F2** Facilitate women's equal access to resources, employment, markets and trade
- F3** Provide business services, training and access to markets, information and technology, particularly to low-income women
- F4** Strengthen women's economic capacity and commercial networks
- F5** Eliminate occupational segregation and all forms of employment discrimination
- F6** Promote harmonization of work and family responsibilities for women and men

## **G Women in Power and Decision Making**

- G1** Take measures to ensure women's equal access to and full participation in power structures and decision-making

- G2** Increase women’s capacity to participate in decision-making and leadership
- H Institutional Mechanisms for the Advancement of Women**
- H1** Create or strengthen national machineries and other governmental bodies
- H2** Integrate gender perspectives in legislation, public policies, programmes and projects
- H3** Generate and disseminate gender-disaggregated data and information for planning and evaluation
- I Human Rights of Women**
- I1** Promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women
- I2** Ensure equality and non-discrimination under the law and in practice
- I3** Achieve legal literacy
- J Women and the Media**
- J1** Increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication
- J2** Promote a balanced and non-stereotyped portrayal of women in the media
- K Women and the Environment**
- K1** Involve women actively in environmental decision- making at all levels
- K2** Integrate gender concerns and perspectives in policies and programmes for sustainable development
- K3** Strengthen or establish mechanisms at the national, regional and international levels to assess the impact of development and environmental policies on women
- L The Girl Child**
- L1** Eliminate all forms of discrimination against the girl child
- L2** Eliminate negative cultural attitudes and practices against girls
- L3** Promote and protect the rights of the girl child and increase awareness of her needs and potential

- L4** Eliminate discrimination against girls in education, skills development and training
- L5** Eliminate discrimination against girls in health and nutrition
- L6** Eliminate the economic exploitation of child labour and protect young girls at work
- L7** Eradicate violence against the girl child
- L8** Promote the girl child's awareness of and participation in social, economic and political life
- L9** Strengthen the role of the family in improving the status of the girl child

**Millennium Development Goals & Targets (2000)**

**Goal 1 Eradicate Extreme Poverty & Hunger**

- Target 1 Halve, between 1990 and 2015, the proportion of people whose income is less than one dollar a day
- Target 2 Halve, between 1990 and 2015, the proportion of people who suffer from hunger

**Goal 2 Achieve Universal Primary Education**

- Target 3 Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling

**Goal 3 Promote Gender Equality And Empower Women**

- Target 4 Eliminate gender disparity in primary and secondary education, preferably by 2005, and at all levels of education no later than 2015

**Goal 4 Reduce Child Mortality**

- Target 5 Reduce by two thirds, between 1990 and 2015, the under five mortality rate

**Goal 5 Improve Maternal Health**

- Target 6 Reduce by three quarters, between 1990 and 2015, the maternal mortality ratio

**Goal 6 Combat HIV/AIDS, Malaria And Other Diseases**

- Target 7 Have halted by 2015 and begun to reverse the spread of HIV/AIDS
- Target 8 Have halted by 2015 and begun to reverse the incidence of malaria and other major diseases

**Goal 7 Ensure Environmental Sustainability**

- Target 9 Integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources

Target 10 Halve by 2015 the proportion of people without sustainable access to safe drinking water

Target 11 By 2020 to have achieved a significant improvement in the lives of at least 100 million slum dwellers

### **Goal 8 Develop A Global Partnership For Development**

Target 12 Develop further an open, rule-based, predictable, non-discriminatory trading and financial system

Target 13 Address the special needs of the least developed countries

Target 14 Address the special needs of landlocked countries and small island developing States (through the Programme of Action for the Sustainable Development of Small Island Developing States and the outcome of the twenty-second special session of the General Assembly)

Target 15 Deal comprehensively with the debt problems of developing countries through national and international measures in order to make debt sustainable in the long term

Target 16 In cooperation with developing countries, develop and implement strategies for decent and productive work for youth

Target 17 In cooperation with pharmaceutical companies, provide access to affordable essential drugs in developing countries

Target 18 In cooperation with the private sector, make available the benefits of new technologies, especially information and communications

**Women and Panchayati Raj in India: 73<sup>rd</sup> Amendment Act**

The Panchayati Raj (Constitution's Seventy-Third Amendment) Act provides for certain far reaching steps. It provides for direct election to all the seats of the Panchayats, for the Gram Panchayats at the village, to the body at the intermediary (Bloc Samiti) and Zilla levels. It provides for a fixed tenure of 5 years, next elections to be held within a period of six months in the event of supersession of any Panchayats or at the expiry of its period. The Act also provides for a compulsory 3 tier-system in all the states, except where the population does not exceed 20 lakhs. In the latter case, the states can have the option not to have the bloc samiti.

The elections to the Chairpersons of the Block Samiti and Zilla Parishad will be indirect, while that of the Gram Panchayat chairperson was left to the states to decide. (This was a concession to criticism, and a modification from the original bill, which provided for direct election).

However, the Act is most significant for the reservation for women, SC and STs. If utilized fully, as many as over 7.95 lakh women, including those belonging to SCs and STs can become panches and sarpanches (members and chairpersons).

These provisions may be recaptured:

- Not less than one-third of the seats will be reserved for women (including that of SC and ST) and these may be allotted by rotation to different wards (constituencies) of a Panchayat.
- In proportion of the total population of SC and ST to the population of the area, seats will be reserved for SC and ST. There would be reservation for women in these seats allotted to Scheduled Castes and Scheduled Tribes. Not less than one third of the SC and ST seats may be reserved for women.
- Not less than one-third of the total number of seats for the offices of the chairpersons at each level would be reserved for women. This would be rotated among different Panchayats at each level.
- In addition, reservation for membership or chairperson to citizens of backward classes, could be provided by the states, if they chose to do.
- The Panchayats are authorized to levy, collect and appropriate such taxes, duties, tools and fees. They would also receive grants in aid from the Consolidated Fund of the State.
- The provision for the appointment of a Finance commission by the Governor to review the financial position.

In addition under the 74<sup>th</sup> Amendment for the Urban Local Government called the Municipalities Act, there is a provision for District Planning Committee. This is a combined Planning Committee for Panchayat and municipal areas. Every DPC will prepare a draft development plan for the district and forward it to the Government of the State. The state legislature has the power to make laws for the manner of composition and filling up of the seats in such committees, functions and the procedure of election of the chairperson etc. Not less than 4/5 of the total number of members of such committees are elected from amongst the elected members of Panchayats and municipalities in the district by the members themselves in proportion to the ratio between the population of the rural and the urban areas in the district. However, some of the states have not yet formulated their planning committees while Gujarat, M.P. have not even provided for them.

While all the State Panchayat Acts incorporated the five mandatory provisions, many added on other significant features, such as functions and powers of Gram Sabha, the method of elections of chairpersons to the bloc and district level bodies, reservation of additional posts and percentage for women, reservation for OBC, constitution of nyay panchayats, financial procedures, and formation of committees, procedures for no-confidence motion etc. this has lent a variety of practices among the states. These features have much relevance for the effective functioning of women in the panchayats as well as some of the challenges they fact in the course of their functioning.

(Extracted from Susheela Kaushik, *Panchayati Raj and Women: A Profile*. Pp. 2-4).

## Bibliography

1. Geraldine Forbes, "Women of Character, Grit and Courage: The Reservation Debate in Historical Perspective" in Lotika Sarkar, Kumud Sharma, Leela Kasturi (eds), *Between Tradition, Counter Tradition and Heresy*. Delhi, Rainbow Publishers. 2002.
2. Chetna Gala, "Empowering Women in Villages; All Women Village Councils in Maharashtra", *Seminar Report on "Decentralisation and Devolution of Powers in Panchayati Raj System in India, 22-23 March 1996."* New Delhi: Centre for Development Studies & Action and FES. 1996 (mimeo.)
3. Mahbub ul Haq Development Centre, *Human Development in South Asia 2000*. Karachi, Oxford University Press. 2000.
4. Mahbub ul Haq Human Development Centre, *Human Development in South Asia 2003*. Karachi, Oxford University Press. 2004.
5. Dr. Naseem Akhter Hussain and Mahatheer Faruki Khan, "Women and Governance in Bangladesh: The Challenges of Participation, Empowerment and Conscientization." Paper presented at *Regional Conference on Gender and Governance, 16-18 December 2004, Islamabad*
6. Kumari Jayawrdene, *Feminism and Nationalism in the Third World*. The Hague, ISS. 1982.
7. Susheela Kaushik, *Panchayat Raj and Women: A Profile*. New Delhi, Centre for Development Studies and Action. 2000.
8. Saba Gul Khattak, *Women and Local Government*. Islamabad: SDPI. 1996
9. Maitrayee Mukhopadhyay and Shamim Meer, *Creating Voice and Carving Space*, Amsterdam: KIT. 2004.
10. Vina Mazumdar & Indu Agnihotri, "The Women's Movement in India, Emergence of a New Perspective," Bharati Ray, Aparna Basu (eds.), *From Independence Towards Freedom*. New Delhi: OUP. 1999.
11. Bidyut Mohanty, "Panchayat Raj Institutions and Women," Bharati Ray, Aparna Basu (eds.), *From Independence Towards Freedom*. New Delhi: OUP. 1999
12. Khawar Mumtaz, "Political Participation: Women in National Legislatures in Pakistan", in Farida Shaheed *et al* (eds.), *Shaping Women's Lives; Laws, Practices & Strategies in Pakistan*. Lahore, Shirkat Gah. 1998.

13. Khawar Mumtaz and Farida Shaheed, *Women of Pakistan; Two Steps Forward One Step Back?* London, Zed Books. 1987. Lahore, Vanguard Books. 1987
14. Bharati Ray, Aparna Basu (eds.), *From Independence Towards Freedom*. New Delhi: OUP. 1999
15. Lotika Sarkar, Kumud Sharma, Leela Kasturi (eds), *Between Tradition, Counter Tradition and Heresy*. Delhi, Rainbow Publishers. 2002.
16. Farida Shaheed, Sohail Waraich and Asma Zia, *Women in Politics*. Lahore: Shirkat Gah, 1998.
17. Farida Shaheed *et al* (eds.), *Shaping Women's Lives; Laws, Practices & Strategies in Pakistan*. Lahore, Shirkat Gah. 1998.
18. Professor Ishrat Shamim, "Women and Local Governance: Has it Empowered Women". Paper presented at *Regional Conference on Gender and Governance, 16-18 December 2004, Islamabad*
19. Usha Sharma, *Women in South Asia; Employment Empowerment and Human Development*. Delhi, 2003.
20. Pratiba Subedi, *Nepali Women Rising*. (2<sup>nd</sup> ed.) Kathmandu, Pratiba Subedi. 1997.
21. Yasmin Tambiah (ed.), *Women & Governance in South Asia: Re-imagining the State*. Colombo, ICES. 2002.
22. Shahla Zia, "Women's Movement: Strategies for Success" in Farida Shaheed, *et al*, *Shaping Women's Lives*. 1998
23. Shahla Zia and Farzana Bari, *Women's Participation in Political and Public Life in Pakistan*. Islamabad: Aurat Foundation. 1999.
24. *Gender and Governance Issues in Local Government*. Manila. ADB.2004
25. *Gross Violation of Women's Electoral Rights in Swabi, Mardan and Dir, NWFP*. Peshawar: Aurat Foundation. 2001
26. *South Asia B+10 NGO Consultation, June 19-20, 2004*. Kathmandu: Beyond Beijing Committee & South Asia Watch. 2004. (mimeo.).
27. *Seminar Report on "Decentralisation and Devolution of Powers in Panchayati Raj System in India, 22-23 March 1996."* New Delhi: Centre for Development Studies & Action and FES. 1996 (mimeo.)
28. *Women's Agenda in the UN: To Beijing and Beyond*. Lahore. Shirkat Gah. 2004

29. *Advancement of Women in India 1995-1999; A Draft Report from the Women's Movement.* August 1999. (mimeo).
30. *Report of the High-Level Intergovernmental Meeting to Review Regional Implementation of the Beijing Platform for Action and Its Regional and Global Outcomes Bangkok, 7-10 September 2004.* Bangkok: UNESCAP.2004 (mimeo)
31. *Progress of South Asian Women 2003.* New Delhi: UNIFEM. 2003
32. *Beijing Betrayed,* New York: WEDO. 2005
33. *Dawn.* 22.1.2004