



Essays on

Gender  
and  
Governance



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**H D R C**  
Human Development Resource Centre

Human Development Resource Centre  
**United Nations Development Programme**



**Essays on**

**Gender  
and  
Governance**

**Martha Nussbaum  
Amrita Basu  
Yasmin Tambiah  
Niraja Gopal Jayal**

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## *Foreword*

The present volume is an outcome of a partnership between the the UNDP India Country Office and the Bureau of Development Policy (BDP) of UNDP, New York. As part of an ongoing effort to add to the body of concepts and best practices of governance, BDP has been commissioning a series of global papers and country case studies on different aspects of governance. As a partner in this endeavour, the India Country Office took the lead in putting together a comprehensive global review of issues around the theme of gender and governance.

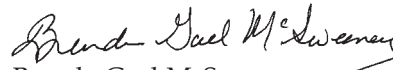
This is a theme that holds a unique relevance for India, where gender and decentralisation have been identified by the Government of India as the two focus areas for the UN Development Assistance Framework, which provides the basic underpinning for the work of the UN System in India. Again, the publication of these papers by the UNDP India Human Development Resource Centre (HDRC) reflects the recognition of the mutual interdependence of processes of gendered governance and human development.

The three discussion papers in this volume are the outcome of a one-year long collaborative exploration of the multiple factors that influence the process of engendering governance in complex societies, in particular the changing roles of various actors including women's movements, the state and civil society. Dr. Amrita Basu, Dr. Yasmin Tambiah and Dr. Niraja Gopal Jayal are all notable scholars and strong proponents of a gendered vision of governance. Professor Martha Nussbaum, who has written the introduction to this volume, is an active participant in the process of bringing a gender and human development perspective into global debates on governance. Working from different locations but engaging in an animated process of dialogue and discussion, the writers have each contributed thought-provoking papers that break new conceptual ground and add new dimensions to ongoing debates

on key issues of governance. The essays have been meticulously edited and prepared for publication by Elena Borsatti.

We have benefited greatly from the review and comments provided by Lina Hamadeh-Banerjee, Policy Advisor, BDP and support and encouragement from G.Shabbir Cheema, Director of the erstwhile Management Development and Governance Division (MDGD) of BDP. Kalyani Menon-Sen, Gender Advisor, UNDP India was responsible for creatively energising the process, and colleagues in the UNDP India Country Office participated in the consultations and commented on the drafts. Seeta Prabhu and her team at the HDRC guided the final stages of the process that has culminated in the publication of this volume.

UNDP India is committed to supporting the Government of India in revisioning governance from a gendered perspective and in facilitating and promoting women's participation in governance. This publication is a reflection of that commitment.

  
Brenda Gael McSweeney  
UN Resident Coordinator and  
UNDP Resident Representative

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## ***GENDER AND GOVERNANCE: AN INTRODUCTION***

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**Martha Nussbaum**

The relationship between gender and governance has too often been neglected in both theoretical and empirical work. Until very recently, most influential political thought has been built around a conceptual distinction between the “public” realm of politics, military affairs, and administration, and the “private” realm of family and domestic life. Women’s role, in a wide range of traditions and in theoretical work influenced by them, has typically been associated with the “private” realm, and men’s role with the “public” realm. The public/private distinction has been thoroughly criticized as being in many ways misleading and untenable. Nonetheless, it continues to influence both theoretical and empirical work, with the result that women’s efforts to gain a voice in governance have often been ignored.

These papers aim to set the record straight. They advance a theoretical structure, both positive and normative, within which the question of gendered governance may usefully be pursued. They also analyze some current developments that indicate many ways in which women are actively participating in governance, in both government and the institutions of civil society, and the obstacles that remain.

### **I. Core Terms and Concepts**

All the core terms used in these papers require comment, because each has been subject to multiple definitions. A focus on women’s

lives has contributed to new, and in some cases broader, understandings of these central notions.

## **Gender**

The papers focus on the lives of women, but their topic is “gender and governance,” not “women and governance.” This usage reflects the recognition, by scholars and activists alike, that societies construct elaborate ideas, both descriptive and normative, of what women and men are and what their proper place and function in society is. There may or may not be significant innate differences between males and females (beyond the biological differences of chromosomal and genital sex that are used to define an individual as either male or female).

Most research on this topic has been marred by the failure to separate biology from cultural influences, which have been shown to begin very early in a child’s life. Babies, for example, are held and played with differently according to the holders’ beliefs about the sex of the child. It is very clear that there are dramatic cultural and societal differences, and that the life of a female individual is from birth shaped by social expectations and norms regarding femaleness. Expectations concerning what is right and proper for women to be, shape a system of constraints and prohibitions, often invisible on account of their habitual nature, but profoundly important in shaping women’s own self-conception, aspirations, and functionings. This systematic shaping of women’s lives cannot be well understood without understanding the corresponding shaping of male lives, the expectations about what men can do and be, the prerogatives and opportunities extended to males.

For this reason, the academic study of women, which used to take place in programs and departments of “Women’s Studies,” now increasingly takes place in programs and departments of “Gender Studies,” dedicated to understanding the entire system through which societies construct gendered norms for their members. These papers reflect that development. As Basu says, a study of gendered governance is a study of men and masculinity as much as it is a study of women and femininity. Although the papers focus on women’s lives, they do so with the understanding that these lives operate within a system of gendered understandings

and gendered power that must be understood as a whole if the lives of women, and their access to governance, are to be enhanced.

## Development

These papers look at gender and governance in the context of the efforts of UNDP to promote development, and women's role in it. The concept of development used to be understood very narrowly - a nation was taken to be "developing" when it showed evidence of economic growth. But it was soon recognized that "development" is also, and primarily, a general normative concept, meaning that things are getting better. It was also recognized that economic growth is only one aspect of the improvement of people's lives, and is not always well correlated with improvements in other areas, such as health care and education.<sup>2</sup>

International agencies have therefore increasingly adopted the human development perspective associated with the work of Mahbub-ul-Haq and Amartya Sen, now familiar across the world through the global Human Development Reports brought out by UNDP, and the many national and regional Human Development Reports modelled on these. This perspective and its history are discussed in Jayal's paper.

The human development perspective identifies a number of distinct areas as central to development, including life expectancy, maternal health and safety, health care in general, educational opportunities, access to sanitation and safe drinking water and access to the political process. From the beginning, the approach identified gender inequality as a major concern, producing a Gender Development Index that adjusted each nation's ranking upward or downward based on its record of gender equality in the core areas of life expectancy, educational attainment, and income. The Gender Empowerment Measure gives a different perspective on women's progress by focusing on women's access to economic, professional and political opportunities.<sup>3</sup>

<sup>2</sup>See Jean Drèze and Amartya Sen, *India: Economic Development and Social Opportunity* (Delhi: Oxford, 1995), and Drèze and Sen, eds., *Indian Development: Selected Regional Perspectives* (Delhi: Oxford, 1997).

<sup>3</sup>See the detailed technical discussion of these measures in *Human Development Report 1995* (New York: Oxford University Press, 1995), 125-33.

## **Governance**

The recognition that the lives of women are deeply and systematically conditioned by a host of social norms and expectations implies that a productive study of gender and governance must understand governance in a broader way than was customary in some earlier studies. As Jayal's paper documents, international agencies used to operate within a very narrow and economically focused definition of governance. Good governance was equated with "sound development management," and was defined as "the manner in which power is exercised in the management of a country's economic and social resources for development" (World Bank, quoted in Jayal, p. 2). The key aspects of governance so understood were public sector management, accountability, a legal framework, and information. Politics as such made no appearance in the account. Thus the many ways in which democratic citizens determine the shape of their societies were not taken into account.

Newer accounts of governance have followed a broader understanding of the goals of development. Governance is now understood to include the wide range of ways in which the political, social, and administrative structure of a society affects the access of its members to basic opportunities and capabilities. For example, the UNDP account of governance adopted in 2000 defines governance as "the exercise of political, economic and administrative authority to manage a country's affairs. It comprises the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences." This definition suggests that a study of governance must include not only economic management but also political participation very generally – and participation in both formal institutions of the state (including legislative, legal, and administrative institutions) and the informal groups, movements, and institutions of civil society.

A study of gender in governance must look at all these areas and their interactions. Thus, an account of women's governance in economic institutions that did not take account of their role in democratic politics at the national, regional, and local levels would be both incomplete and obtuse. To take another example, one that

is prominent in these papers, women's groups and social movements have been very important in gaining access for women to formal political institutions. A study of women's role in political life that omitted these groups and movements would be obtuse. These papers unequivocally adopt the new understanding of governance, as focused on issues of politics, accountability, the relationship between politics and civil society, and decentralization.

At the same time, Jayal's paper emphasizes that more is involved in gendering the definition of governance than simply broadening its focus. All three authors point out that the institutions of civil society are not necessarily woman-friendly. They include groups supporting women's empowerment, and reactionary groups of many kinds, both religious and secular. Nor is the state necessarily less woman-friendly than civil society: all the papers assign a crucial role to the state in empowering women. Finally, the new, broader understanding of governance does not yet recognize the need to scrutinize the ways in which traditional understandings of women's "private" role in the family hinders their activities and aspirations. Thus, engendering the understanding of governance requires scrutinizing all of these institutions, the family included, and their interactions with a wide range of concerns pertinent to women's lives in view.

### **Public and Private**

The participation of women in governance has long been hindered by the assumption that their proper sphere is the "private" sphere, and this same assumption has been an obstacle to good theoretical and practical work on the question of gender and governance. A critique of this distinction is a thread running through all of the papers, and Tambiah's paper addresses some aspects of this critique in detail. It will therefore be helpful to give here a brief overview of the reasons why scholars focusing on women's concerns have found the public/private distinction to be inadequate.

From the very origins of Western political theory, theorists have carved society into two domains: a "public" domain, the domain of political authority and contestation, and a "private" realm, associated with family and the home. These spheres are conceived as operating in very different ways. In the public sphere, each

person's actions must be constrained by the recognition that he is one among many citizens. Any attempt to gain unlimited or supreme power is typically taken to be both dangerous and inappropriate; political authority is commonly understood to rest on the accountability of officials to all citizens and on some type of division of power and authority. Thus, as Aristotle articulates the idea, in the realm of the polis, men are "free and equal, ruling and being ruled by turns."<sup>4</sup>

The "private" realm of the household is understood in a very different way. Here the traditional idea is that the male head of the household both may and should exercise a type of kingly authority. Because he is surrounded not by equals, but by inferiors, his job is to control them. Aristotle makes a subtle distinction between the rule of a man over a wife, and his rule over slaves: the kingly husband is supposed to take his wife's views into account in some way. And yet both forms of royal rule are even more strongly distinguished from the rule practiced among citizens, which is not kingly rule at all. Similarly, John Locke's "state of nature", yet another formative source of modern Western conceptions of the private realm, is a realm in which one is not bound and may do as one likes. It is "a state of perfect freedom to order their actions, and dispose of their possessions and persons as they see fit, within the bounds of the Law of Nature."<sup>5</sup> Of course this means that those with power get to exercise it unconstrained, nor are they accountable to anyone for their acts. The private domain is thus defined as a domain in which the powerful hold sway unlimited by considerations of equality and reciprocity.

Modern liberal theory has typically associated the public/private divide with a further distinction: the distinction between a sphere regulated by law and a sphere in which law should not interfere. The public realm is a realm in which law and coercion

<sup>4</sup>Aristotle, *Politics* I.1. See further discussion in Nussbaum, "Sex Equality, Liberty, and Privacy: A Comparative Approach to the Feminist Critique," in R. Sudarshan, E. Sridharan, and Z. Hasan, eds., *Promoting Equality through Law: Fifty Years of the Republic* (Delhi: Oxford, forthcoming).

<sup>5</sup>John Locke, *The Second Treatise on Government* (New York: Macmillan, Library of Liberal Arts, 1988), 4. See the good discussion in Judith DeCew, *In Pursuit of Privacy*, chapter 1. And also Carol Pateman, *The Disorder of Women: Democracy, Feminism, and Political Theory* (Stanford: Stanford University Press, 1989).

operate: if A violates the rights of B, the law will intervene to protect B from A. That is part of what it is to live in a realm characterized by accountability and a division of power. In the “private” realm, by contrast, the law may not intervene to constrain the activity of its monarchical head.

These ideas have deep roots in the Western tradition of political philosophy, but one may find them in other traditions as well. Traditional Hindu law gives the household considerable autonomy. At the same time, one of the central prerogatives, and indeed duties, of the householder is strict control over the women of the house. Chapter 9 of the Laws of Manu states that women are by nature untruthful, lustful, and in need of constant supervision, and so the husband must arrange that this be done. In this way, the idea of the household as a protected sphere of male authority is established.

Such ideas have frequently been invoked in order to resist women’s demands for change in the age of marriage and the prerogatives of the husband within marriage. For instance, in India, an especially pernicious development of the idea of male rule over the household came into existence during the time of British domination, with British connivance, resulting in the justification even extremely cruel conduct as simply within the husband’s prerogative. Historian Tanika Sarkar has investigated the rhetoric surrounding the tragic death of Phulmonee, a girl of 10 or 11 who was raped by her husband, Hari Mati, a man of 35, and died of the resulting injuries.<sup>6</sup> Sarkar convincingly shows that in reaction to British domination of external political life, nationalists turned inward, boosting the idea of male autonomy in the home as the one cherished zone of self-rule, “the last pure space left to a conquered people”. This autonomy was understood as being built around the submission, and indeed the much-praised and allegedly voluntary suffering, of women. Nationalists of this stripe resisted internal demands for reform of child marriage, painting them as subversions of their cherished (but really constructed) traditions.<sup>7</sup>

<sup>6</sup>Tanika Sarkar, “Rhetoric Against Age of Consent: Resisting Colonial Reason and Death of a Child-Wife,” *Economic and Political Weekly*, September 4, 1993, 1869-78.

<sup>7</sup>Sarkar shows in detail that consent-based alternatives, even in ancient India, were summarily dismissed as aberrations. She notes that authority for child marriage comes only from Raghunandan, a late and local authority; and yet it is converted into a sine qua non of the Hindu family and Hindu religion.

## Gender and Governance: An Introduction

The British were complicit in this development: they understood that leaving the subject a sphere of self-rule was to their advantage, and thus they actively assisted in the codification of personal law and the privatization of marriage and family. Appeals to the privacy of the home were then invoked to resist efforts to raise the age of consent to marriage. The concept of the family as a private domain was also used to oppose any attempt to prosecute men like Hari Mati - who was not guilty of rape under law, given that his wife was above the statutory limit of ten.<sup>8</sup>

This story provides a good starting point for thinking about what is wrong with the public-private distinction, both descriptively and normatively. Descriptively, the distinction founders because the family is not in fact a sphere untouched by laws and policies. It is in many ways an artifact of such laws.<sup>9</sup> Laws defining what marriage is, what its prerequisites are (a certain age? consent?), what powers and immunities it confers, how it affects property and political rights, and how one may leave it, all enter into the construction of what a marriage is. Laws regulating legitimacy and illegitimacy, inheritance, and immigration also shape what families are: indeed, they usually employ a controversial and political definition of family, in order to mark certain groupings of people as privileged, others (same-sex couples, for example, or groups of unmarried relatives living together) as

<sup>8</sup>The British Judge who heard the case, when Mati was prosecuted for homicide, simply fell back on the law: "Neither judges nor Juries have any right to do for themselves what the law has not done." He then went on to say that probably the husband didn't realize that sleeping with a ten-year-old by force would cause damage. All the British authorities involved went out of their way to make no criticism of the allegedly traditional Hindu custom; indeed they opined that marital age was a question "with which no Government could meddle and no Government ought to meddle."

<sup>9</sup>This point was made already by John Stuart Mill in *The Subjection of Women* (1869). For contemporary discussion, see Martha Minow, "All in the Family and in All Families: Membership, Loving, and Owing," in D. Estlund and M. Nussbaum, eds., *Sex, Preference, and Family: Essays on Law and Nature* (New York: Oxford University Press, 1997), 249-76; M. Nussbaum, *Women and Human Development: The Capabilities Approach* (New York: Cambridge University Press and Delhi: Kali for Women, 2000), chapter 4; Nussbaum, "The Future of Feminist Liberalism," *Proceedings and Addresses of the American Philosophical Association* 74 (2000), 49-79; Frances Olsen, "The Family and the Market: A Study of Ideology and Legal Reform," *Harvard Law Review* 96 (1983), 1497-1577; Olsen, "The Myth of State Intervention in the Family," *University of Michigan Journal of Law Reform* 18 (1985), 835-64.



not privileged.<sup>10</sup> The state also performs the rites (marriage, divorce) that enable people to enter into and depart from that privileged sphere. Thus, it makes little sense to treat the family as a unit that exists by nature. In modern societies, it is an eminently political creation, and in that sense thoroughly a part of the public realm.

Moreover, the policies that the public realm adopts with regard to family, marriage, divorce, child custody and related matters, strongly influence many other aspects of life in society. Women who are victims of domestic violence or marital rape are less likely to contribute to the economy as workers (a claim established in the United States by the hearings supporting the Violence Against Women Act). They are also less likely to participate in politics or public administration. As Jürgen Habermas has argued, even if we consider only the needs of the public sphere, we have strong reason to protect the human rights of women and girls within the family, for bodily integrity and good physical and mental health are crucial prerequisites of women's political participation.<sup>11</sup> So too is education - and the nature of the family is a crucial determinant of whether girls get the type of education that will facilitate later participation in politics. Thus one cannot study governance as if it were a matter pertaining only to the realm of laws, institutions, or even the informal groups of civil society. Family policy and the nature of the family are an important part of what renders women able, or unable, to function productively in the public realm.

Normatively, the distinction between public and private should be questioned because, as this argument has illustrated, it has typically been used to insulate bad behavior from scrutiny.<sup>12</sup>

<sup>10</sup> Martha Minow, "All in the Family," shows that the U. S. used such definitions systematically to favor certain immigrant groups over others.

<sup>11</sup> Jürgen Habermas, "On the Internal Relation between the Rule of Law and Democracy," *European Journal of Philosophy* 3 (1995), 12-20.

<sup>12</sup> See also Catharine MacKinnon's classic critique in "Privacy v. Equality: Beyond *Roe v. Wade*," in MacKinnon, *Feminism Unmodified* (Cambridge, MA: Harvard University Press, 1997), 93-102; MacKinnon, *Toward a Feminist Theory of the State* (Cambridge, MA: Harvard University Press, 1999), 190-94; see also MacKinnon, "Reflections on Sex Equality Under Law," *Yale Law Journal* 100 (1991), 1281-1324. For a detailed study of the way the distinction worked in U. S. history to insulate domestic violence from scrutiny, see Reva B. Siegel, "'The Rule of Love': Wife Beating as Prerogative and Privacy," *The Yale Law Journal* 105 (1996), 2117-2207.

Indeed, given its conceptual poverty, one could well say that the only role the distinction has unequivocally served is to protect men's acts from scrutiny. Rape outside the home is a crime in every nation.<sup>13</sup> Rape within marriage, in many nations and states within nations, is either no crime at all or a much lesser crime. In marriage, consent to intercourse is presumed – even though marital consent itself may not have been adequately secured, even though a low marital age removes any meaningful consent and even though superior physical force frequently overrides refusal even among adults who have agreed to marry. Even when there is neither domestic violence nor child abuse, the treatment of girls within the family often hinders their development in life, both in basic matters of nutrition and health care and in more ineffable matters of self-respect and psychological flourishing.

A further normative difficulty inherent in the public-private distinction is that it reproduces female powerlessness in the realm of governance and political life. Men brought up on the idea that women belong in the home and are fitted to be homemakers and reproducers find it difficult to accept the presence of women in political life. They tend to look at them condescendingly, thinking of them as interlopers into a sphere for which their abilities and training do not fit them. Thus, they are likely to suggest that women lack the mental and educational qualifications for political participation, even when women's lacks in these areas are demonstrably no greater than those of men. Attached to the idea that the public sphere belongs to them, men also may react with jealous hostility to the presence of women, which seems as if it must reduce the number of jobs and opportunities available to men.

<sup>13</sup> *Of course this is not to say that this crime is adequately prosecuted, that police exhibit sensitivity to the predicament of women who are raped, or that laws adequately reflect an understanding that a woman's provocative dress or behavior does not excuse rape. For some of the defects of current thinking about rape in a variety of countries, see Nussbaum, *Sex and Social Justice* (New York: Oxford University Press, 1999); S. Schulhofer, *Unwanted Sex: The Culture of Intimidation and the Failure of Law* (Cambridge, MA: Harvard University Press, 1998).*

Sometimes this resistance can take the form of extremely unpleasant harassment and intimidation.<sup>14</sup>

These same habits of mind also affect women's sense of what they can accomplish. Women who believe that the domestic sphere is all that they are fit for may not seek the education that would assist their progress in the public realm, even when it is available to them. On entering the public realm they may lack self-confidence and assertiveness, believing that they are in fact interlopers without the proper capacities for a public role.<sup>15</sup> These aspects of women's self-perception have sometimes been ascribed to women's "nature".<sup>16</sup> But there is reason to see them as socially constructed, and reproduced through the reproduction of a gendered socialization,<sup>17</sup> a prominent part of which is the distinction between the public and the private realms.

Finally, the distinction between public and private has done intellectual damage, preventing the serious empirical study of women's participation in governance and the serious theoretical consideration of the roles they are playing and may yet come to play. This theoretical gap might seem trivial next to the practical damage of which we have spoken. But bad theory contributes to

<sup>14</sup>Some landmark cases of sexual harassment that have won redress in the U. S. Courts involve women who have entered previously all-male workplaces. Men express their resentment and their fear of diminished opportunity through, frequently, conduct that is both crude and intimidating. See, for example, *Carr v. General Motors*, 32 F. 3d 1007 (7th Cir. 1994): the first woman to work in the tinsmith division in a General Motors plant in Indiana was subjected to a five-year campaign of harassment and intimidation that included the defacement of her workman's toolbox and overalls, obscene and threatening messages, men urinating on her from a catwalk and exposing themselves to her, etc.

<sup>15</sup>On such "adaptive preferences," see Amartya Sen, "Gender Inequality and Theories of Justice," in *Women, Culture, and Development*, ed. M. Nussbaum and J. Glover (Oxford: Clarendon Press, 1995); "Rights and Capabilities" in Sen, *Resources, Values, and Development* (Oxford: Blackwell, 1984); "Gender and Comparative Conflicts," in *Persistent Inequalities*, ed. Irene Tinker (New York: Oxford University Press, 1991); and Nussbaum, *Women and Human Development*, chapter 2.

<sup>16</sup>Thus, for example, a landmark American case, in 1871, upheld the constitutionality of a law that made it illegal for a woman to practice law, by stating that the "natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life." (*Bradwell v. Illinois*, 83 U. S. (16 Wall.) 130 (1873).

<sup>17</sup>Once again, this is a point already widely recognized by the time of J. S. Mill's *The Subjection of Women*, which was typical of progressive thinking of its period. "What is now called the nature of women," Mill writes, "is an eminently artificial thing – the result of forced repression in some directions, unnatural stimulation in others."

bad practice by shielding abuses from scrutiny and discouraging even the naming of obstacles and inequalities. Good theory, in turn, can illuminate the directions practice has been taking and thus reinforce the struggle of those who have been attempting to promote beneficial change, and can map out directions for policy that are productive and precisely targeted rather than obtuse and neglectful.

This analysis should not be taken to suggest that the traditional family is always bad for women. Obviously enough, women have often derived strength from their family role, and, as Basu points out, they frequently find their family a supportive bulwark against a hostile or repressive state. Nonetheless, recognition that the family has been a site of many injustices against women and that public policy is continually at work shaping both the family and other groupings (movements, collectives) through which women pursue their objectives, should prompt both more adequate theorizing and more appropriate forms of public action.

### **Levels and Modes of Gendered Governance**

The core of the papers lies in their extensive analysis of different ways in which women have been transforming the process of governance through their participation in both government (legislative politics, courts, administrative agencies, the military) and in institutions of civil society (movements, groups, NGOs). A factor in all these papers is the increasing pressure of the global market, an institution that is not “private” in the traditional sense of the public/private distinction, but that also stands outside government while both shaping and being shaped by government.

All three authors emphasize that women continue to encounter tremendous resistance in their efforts to gain more influence within the state. At the local level, as Tambiah points out, things sometimes go better than at the national level. All three papers take a keen interest in the affirmative action strategy that has reserved one-third of the seats in *panchayats*, or local councils, in India for women. But at the national level there is still enormous resistance to the full inclusion of women. When they are included, they are frequently assigned “soft” portfolios that reflect traditional understandings of what is suitable for women: health, education,

and so on. Often these are also less prestigious and powerful appointments. Some nations have opened many important functions in the military to women, but the nations of South Asia still have not moved very far in that direction.

One possible response to this situation is to say that the women's movement properly ought to stand outside of the state, and its radical potential will be coopted if women try to take on establishment roles in government. The authors argue that while this is a genuine worry, the solution cannot be to decrease efforts to achieve more adequate representation of women in the state. Instead, as Jayal emphasizes, it is important to focus on engendering **policy**, not just the people who formulate policy. Woman-hostile policies should be criticized whether they are made by women or by men, and the presence of a number of women should not be accepted as a substitute for genuinely woman-friendly policies.

Finally, despite all the flaws, the authors agree that the state must continue to play a powerful role in providing equal opportunity for women, particularly at a time when the power of states appears to be weakening and the power of corporations and the global market to be increasing. The authors argue that it is important not to lose sight of the vital functions the state performs in protecting the fundamental rights of all its citizens.

All three authors consider the role of **affirmative action** in achieving a greater voice for women in government. They see numerous problems with both absolute quotas (reserved seats) and quotas in party lists. In particular, such reservations are often treated as upper limits, and become an excuse to stop efforts to achieve more complete integration of women as candidates into the electoral process. Candidates in reserved seats may also prove ineffective, as Basu documents - especially if they have had little prior political experience. But all the authors support with caution some use of quotas and reservations at the present time, when the representation of women is so woefully inadequate in the nations under discussion. The experiment of local *panchayat* reservations in India has had a number of good results, showing that women can learn political skills on the job and become effective supporters of women's interests.

All three authors also support the crucial importance of **education** for women in making political opportunities meaningful

for them, and in giving them a voice once they attain a political position. Education plays many valuable roles in women's lives, from opening up employment opportunities to giving women more control over their reproductive choices. In the context of gender and governance, however, the point most to be emphasized is that illiterate women are less likely to seek a role in government, and less likely to have influence if they do attain one. One of the most hopeful signs in the Indian *panchayat* experience is that there seems to be increased support for the education of girls, which is likely to improve their chances of getting an opportunity to represent family and village interests in the *panchayat*.

Women's interests have been advanced in many nations of the world through the legal system, through changes in laws relating to rape, sexual harassment, and domestic violence; through more effective enforcement of existing laws; and through new attention to questions of equality and non-discrimination. Tambiah draws attention to the fact that the South Asian experience has not always been positive in this regard. Women do not have confidence in legal systems that throw up obstacles to progressive reforms, that typically involve long delays between charge and trial, and that do not incorporate woman-friendly approaches in legal education or in the process of law-making. This is one major area in which further progress needs to be made. Women need to be much more fully incorporated into the legal system as lawyers, judges and scholars, and the substantive content of laws need to be rethought with concerns of sex equality in view.

But government is only one part of governance, and Basu's paper draws attention to the many ways in which the institutions of **civil society** are crucial for the future of women's interests. As Jayal and Tambiah point out, we should not assume that civil society is necessarily more woman-friendly than the state. Many of its institutions are conservative and even reactionary. Nonetheless, Basu argues convincingly that movements and women's organizations of many types play a valuable role both in teaching women political skills and in pressing their demands. She emphasizes that the relationship between movements and the state can often be complementary for women, in that women who have prior experience in movements are often more effective actors when they do get into an official state position.

### **Towards a Normative Framework**

These papers, like agencies and policy-makers all over the world, use normative concepts such as “development,” “human development,” “progress,” and “improvement.” The use of such normative notions is inevitable and deeply right in academic work aimed at pointing out productive directions for social intervention. But at this point a dilemma arises for theorists who wish to specify this normative dimension further in the context of our topic. On the one hand, to spell out a definite normative framework runs the risk of imposing something on the variety and multiplicity of women’s striving. Women in the developing world lead enormously varied lives, and, more important, hold varied views about what progress is and what is worth striving for. Both feminist theory and feminist practice are highly plural, and it would be deeply mistaken, especially in a project committed to democracy and decentralization, to impose “from the top down” a normative understanding of development that rejects or marginalizes many of the understandings women actually hold.

On the other hand, to say nothing definite about the normative framework of this project is clearly inadequate. One cannot just use nice-sounding words like “development” without any precise understanding of how they are being understood, simply as placeholders for whatever ideas might come into the reader’s mind. For these terms are controversial, and some understandings of them are, as already indicated, deeply subversive of women’s equality. Thus the traditional understanding of development as economic growth obscured issues of sex equality, as well as issues of health and education. Again, any understanding of development and governance that takes the role of women to be that of reproducers, caregivers, and home-makers is, we have already said, inimical to women’s well-being in a very general sense. An understanding of governance that is committed to values of democracy and accountability implies a definite stand on controversial normative matters. For instance, it reflects the view that all understandings of progress (for example, those that would equate progress with the placing of power in the hands of a single dominant group and the subordination of other groups) are not worthy of equal respect.



It should be noted that even the statement that we ought to respect a wide range of ways in which women strive to improve their living conditions, is itself a controversial normative idea. We know all too well that many nations and groups do not support such ideas of pluralism and equal respect. Nor would normative understandings of development based entirely on economic growth sufficiently protect these valuable norms. Thus, not to face the normative question at all means withdrawing allegiance to the very values that the imagined critic of a definite normative framework rightly views as central, and to which UNDP and many other international agencies are rightly committed. This alternative does not seem particularly attractive, especially when one is trying to provide a framework for thinking about women's progress.

When we consider the influence that forces of economic globalization are having on the course of development discourse and planning, we have all the more reason to conclude that the normative question must be faced, difficult though it is. Large multinational corporations operate, as corporations do, on the basis of the profit motive. If they are to be led even to consider seriously other values in the developing nations in which they operate, those values must be spelled out explicitly and hammered home again and again. As the human development perspective insists, it is most important that governments, non-governmental actors, and (where possible) corporations be encouraged to understand that promoting development means promoting not just growth, but also education, health care, democracy, and the other values recognized by that perspective. However, that simply does not go without saying in a world increasingly dominated by the profit motive. Therefore, even if there might be societies in which a broad commitment to human development could be taken for granted and a normative framework would not need to be explicitly spelled out, no modern society is really like that at the present time. All societies today are under pressure from globalization, which tends to bring with it a narrow understanding of the norms to be promoted.

The best solution to this difficulty seems to be a normative framework that is definite enough to express a commitment to some central values connected to sex equality, but flexible enough to admit multiple understandings that different groups of women



may have of the goals toward which they are striving. In fact, the human development perspective supplies us with such a normative framework. The very idea of the goal of development as the promotion of human capabilities carries with it an idea of human freedom and self-determination. To strive toward capabilities is precisely to strive toward empowering people to choose a variety of functionings that they consider valuable, not to coerce them into a desired total mode of functioning.<sup>18</sup> A person who has a capability to be well-nourished but who prefers to fast for religious or other reasons can always choose fasting. But there is a very great difference between fasting and starving, a difference connected with the idea of human freedom. Thus, in looking at how women's capabilities compare to those of men along a series of parameters, the Human Development Reports attempt to compare spheres of freedom and opportunity.<sup>19</sup>

The idea of a capability is a complex one. To say that a woman is capable of participating in political life, for example, suggests an internal preparedness: the woman is educated enough, confident enough and healthy enough to enter into the political sphere. This internal capability is fostered through education, health care and supportive social relationships. But the idea of capability requires, as well, material and institutional empowerment: the laws and customs of the nation or region are such that the woman really can go out and participate, her efforts to participate will not be thwarted by unequal legal, or financial, or physical obstacles. Thus ascertaining whether women are really capable of participation in governance requires looking at more than the qualities of the women themselves (already an exercise that directs us to the social and political conditions that influence education and development). It requires looking at how laws, movements, groups, and social institutions influence the opportunities of women to take part in a wide range of governance-related activities.

What areas of human capability should, then, be the focus of a project focused on gender and governance? As the Gender

<sup>18</sup> See Amartya Sen, *Development as Freedom* (New York: Knopf, 2000); Nussbaum, *Women and Human Development*, ch. 1.

<sup>19</sup> In practice, of course, it has been difficult to compare capabilities without looking to actual functioning, especially since the reports operate with data provided by governments; but the conceptual distinction remains important, and in some areas it is easy to see it.

Empowerment Measure of the Human Development Reports suggests, importance should be attached to the holding of political office at the local and national levels, and to the holding of administrative, managerial, professional, and technical positions that are part of governance in a broader sense. But we have said that the capabilities perspective directs us to look at conditions that influence women's internal development and also at conditions of the material and social environment that influence their ability to turn their ideas into action. Thus, a number of other areas of human capability must be studied along with the focus on these central governance-related capabilities. Women's access to education, nutrition and health care (including maternal health and safety and including the elimination of sex bias in nutrition and health care) are central capabilities. Equally critical are their ability to seek employment outside the household; their ability to hold property in their own name and to secure credit and, finally, their freedom from violations of their bodily integrity by rape and assault, both inside and outside of the household. Of very great importance, as well, as the papers suggest, are women's opportunities to form affiliations with other women in groups and movements.

All these capabilities are, of course, important as ends in their own right. It is good for women to be healthy and free from violence even if these capabilities did not have any relation to their ability to participate in political life. Education is a good thing in itself and a source of many other human goods; its relationship to political action is only one aspect of its importance. These papers will consider such capabilities primarily in their relationship to governance and the capabilities centrally associated with governance. But the focus on their instrumental and supportive role should in no way be understood to deny their intrinsic human importance.

A capabilities approach is closely linked to a rights-based approach, and can be understood as one way of further specifying a rights-based approach. Thus Jayal's insistence that what we need is a rights-based framework is in no way in tension with the focus on capabilities in the Human Development Reports and this Introduction. Some rights-based approaches focus only on limiting state action, and not on providing affirmative support for a broad

range of human functionings. Jayal's is not limited in this way, and does insist on the need for affirmative support. She agrees that we need to talk about capabilities when we say more precisely what rights are rights to: not just to resources, but to opportunities for important types of functioning. She argues correctly that an emphasis on rights is an important addition to a focus on capabilities, where gender equality is concerned, because rights approaches insist that each person has an urgent claim based upon justice in the area under discussion. Women's claims are often ignored, and sometimes ignored even by those who seek to promote human capabilities. Thus it seems important to combine the general capabilities analysis with the idea of rights, in order to give sufficient normative urgency to the struggle to secure them to women.

## *GENDER AND GOVERNANCE: CONCEPTS AND CONTEXTS*

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Amrita Basu

### **I. Introduction**

The study of politics has been characterised by a divide between the many who study the state and the few who study social movements.<sup>1</sup> By contrast, the field of women's studies has been divided between the many who study popular culture, civil society and cultural politics, and the few who study the state. If scholars who study women's movements risk ignoring the ways the state shapes, promotes and circumscribes civil society activism, scholars who confine their attention to participation within the state risk construing politics so narrowly as to exclude important forms of civil society activism. The chasm between scholarship on the state and on social movements has prevented scholars from adequately exploring the vital effects of movements on institutions and of institutions on movements. In the process the contributions of activists to institutional change and the embeddedness of the state in civil society activism have been ignored.

With the growth of post modernism, feminist critiques of power and studies of women's resistance, many scholars have rejected monolithic conceptions of the state (Randall, 1998:186). They have explored the ways women "play the state" from within, as "femocrats", by acting subversively within dominant institutions and through their own individual creativity and resourcefulness.<sup>2</sup>

<sup>1</sup> *There are of course some exceptions to this rule. Two important examples are Charles Tilly (1998) and Marco Giugni, Douglas McAdams and Charles Tilly eds. (1999).*

<sup>2</sup> *For three very different examples of this general approach, see Hester Eisenstein (1996), Mary Fainsod Katzenstein (1998) and Kristin Bumiller (2000).*

A range of questions flow from this research. What are the conditions under which movements enter institutions without forsaking their oppositional character? How can we determine when movements have been co-opted? Are institutional gains necessarily movement losses? And what are the implications for democracy of movement activism both within and outside the state?

This paper explores the fuller, richer conception of governance that emerges when the implications of women's activism for women's participation in state institutions are considered.

## II. Women's Activism

Within liberal democracies, women are most likely to use their power in transformative ways and avoid co-optation when they bring to the state a prior and ongoing connection to social movements that promote women's empowerment.<sup>3</sup> One reason is that activism within social movements enables the forging of collective identities, consciousness raising and combativeness towards authorities that may continue to influence women's identities and interests within institutions.<sup>4</sup> Conversely, a lack of connection to social movements greatly attenuates the transformative power women can exercise through institutions. The constraints that institutions impose upon women's exercise of power may fuel the activism of those who have already been politicised while further silencing those who have not.

Second, women's connection to movements provides a vital counter-weight to the pull of institutions towards moderation and

<sup>3</sup>This generalization does not extend to the Scandinavian countries, where the state has initiated and sustained far-reaching measures to achieve gender equality without pressure from movements.

<sup>4</sup>In this paper, social movements refer to collective struggles which attempt to bring about social transformation. This broad definition is adopted so that it can accommodate the enormous diversity among social movements in India. The activities of some, but not all, Non Governmental Organizations (NGOs) are included in this definition of social movements. The term "women's movements" is used to refer to the range of movements which seek women's empowerment, including grass roots movements that are working for the poor or lower castes as well as for women, and urban feminist movements which focus primarily on issues of gender inequality.

centrism. A long standing tradition in the social sciences, with origins in Robert Michels, contends that parties of the Left and Right are de-radicalized by the exigencies of electoral politics in liberal democratic settings.<sup>5</sup> However, political parties that have strong ties to movements may resist these centrifugal pressures. In India, for example, the Hindu nationalist Bharatiya Janata Party (BJP) has resisted the centrifugal pull of electoral politics as a result of its connection to the more militant social movement like Vishva Hindu Parishad and Rashtriya Swayam Sevak Sangh.

However, feminist activism is only likely to have salutary consequences for women's institutional participation if several other conditions exist. First, since individuals are more susceptible to co-optation than groups, women are most apt to fruitfully work within the system, if they constitute a critical mass within the institutions they enter. Second, women who enter institutions must retain a connection to movements, or movements must place continuous pressure on institutions in order to keep them accountable to grass root constituencies. Third, the state, within which women become active, must be broadly sympathetic to the equity, social justice and democratic demands of movements.

The transformation of state systems from authoritarian to democratic, communist to capitalist and social democratic to neo-liberal, have had important implications for the success of women's movements in working within the state. Social democratic states have been most receptive to feminist agendas. It follows that the shift from social democracy to neo liberalism has often had detrimental consequences for feminist goals. As Sheila Rowbotham notes, "The attempt to democratise relations between the state and society which was a theme of the 1970s has been submerged by the attempt to hang on to what exists. If feminists in the early 1970s were inclined to complain of too much state intervention, by the mid 1990s they were likely to be protesting that there was too little". (Rowbotham, 1996:5).

Fourth, even when these conditions exist, women's movements are still more likely to influence institutions at the local and provincial level than at the national level, where they will be more vulnerable to shifting political/partisan alignments.

<sup>5</sup>See Robert Michels (1995).

Finally, while all movements may provide women access to institutional power, they are not all equally likely to contribute to women's empowerment. Clearly, the character of movements shapes and delimits the nature of women's institutional participation. Nationalist movements encourage women's activism in nationalist causes, which may claim priority over feminist ones. Class and caste based movements may gain the support of the most marginalized women, but subordinate gender to other social identities. Thus, while movements of all kinds are likely to encourage women's activism, tensions around the relationship between gender and nationalist, class, caste, and ideological identifications that exist within movements are likely to persist within institutions.

Women who are active in ethnic and religious movements often uphold and defend the family because it provides a bulwark against a repressive state (Jeffery and Basu, 1998). Women, who the Indian state claimed were abducted from India to Pakistan during Partition, sought to free themselves from the state to return to families of their own making (Menon, 1998). The Mothers' Front in Sri Lanka sought to recreate shattered families amidst the civil war and consistently appealed to maternal imagery to achieve peace (De Alwis, 1998). Women of the Hindutva movement in India, during its most militant phases in the late 80s and early 90s, sought to restore Hindu men to positions of dominance in the family and society.<sup>6</sup>

Women's activism in ethnic and religious nationalism is frequently inspired by notions of sexual asymmetry rather than sexual equality. Indeed women sometimes employ the very standards of proper conduct to which they are expected to conform to judge other groups and institutions. Thus, for example, where feminists have questioned the social conventions that demand self-sacrifice from women, Hindu women activists demanded self sacrifice of Hindu men. Where feminists have criticized notions of honour and shame for the double standards they subject women to, the Mothers' Front employed notions of honour and shame to question state authority.

<sup>6</sup>See Amrita Basu (1998) and Tanika Sarkar (1998).

Women's activism within religious movements often displays an affirmation of their traditional gendered identities.<sup>7</sup> For example, the Muslim Sisters in Egypt justify their activism by reference to Islamic principles. Aisha Abd al-Rahman, a well known Koranic scholar, argues that "the right path is the one that combines modesty, responsibility and integration into public life with the Koranic and naturally enjoined distinctions between the sexes" (Hoffman-Ladd, 1987:37). Muslim women were active in the "turban movement" in Turkey, which opposed the legal prohibition of the Islamic head scarf for women students. This movement played a vital role in radicalising the Islamic cause (Toprak, 1994:301). A striking feature of women's participation in the activities of the BJP women's organization is women's re-enactment of conventional sex roles in the public arena.

If women's activism within movements has a significant impact on institutions, what implications does it have for movements? The de-radicalization of social movements and the co-optation of activists is one important possibility. An important debate among social movement scholars is whether working within the state undermines or enhances women's power. The dominant tendency of social movement scholars in the past was captured by Frances Piven's and Richard Cloward's argument that states undermine protest when they concede to its demands, thereby reducing the longevity and radicalism of social movements. (Piven and Cloward, 1979).

However, other scholars have argued that far from being domesticated, social movements have developed the capacity to circumvent state regulation. David Meyer and Sidney Tarrow speak of a "social movement society" in which more diverse constituencies employ protest tactics to make a wider range of claims than before at the same time that social movements are becoming professionalized and institutionalised (Meyer and Tarrow, 1998:4). Writing of women's participation within dominant institutions, Mary Katzenstein argues that women's activism has

<sup>7</sup>There are many parallels between Hindu women's activism in "communal" mobilization and the activities of women in the Nazi movement in Germany. See Valentine M. Moghadam (1994), Claudia Koonz (1987), and Renate Bridenthal, Atina Grossman and Marion Kaplan (1984). There are also some striking parallels with women's participation in the Ku Klux Klan (see Blee, 1991) and right wing women in the U.S. (see Klatch, 1987).



not disappeared but moved into institutional spaces. (Katzenstein, 1998).

The concept of gendered institutions calls for attention to a constellation of institutional traits rather than simply the people who occupy them.<sup>8</sup> An analysis of gender includes an account of men and masculinity as well as women and femininity. Normative beliefs are often gendered as are institutions. Thus it is impossible to understand women's access or lack of access to power without exploring the gendering of ideologies, states and power itself.

In general, the more powerful the institution, the less likely that women and women's interests will be well represented. Women have been disadvantaged in state institutions which have traditionally been associated with men and masculinity. It follows that the fewer women within dominant institutions, the more apt they are to behave like men when they get there. Nicos Poulantzas' argument that the more the working classes come to inhabit particular state agencies, the more power gravitates away from these agencies and the weaker they become, applies well to the gendering of institutions (Poulantzas, 1978). Each location of power (local, national and global) is differently gendered and thus calls for different strategies of change.

A subsidiary question that this section explores concerns the impact of women's participation in both movements and institutions on democratic processes. Although some scholars dismiss the importance of social movements when strong enough institutional channels exist, I contend that women's activism in social movements (including but not limited to feminist movements) is a vital ingredient of the strength and vitality of democracy. Women's movement activism seeks greater women's participation in governing institutions and women's increased access to those resources which are necessary to bringing about gender equality. Both objectives are vital to democratic processes.

However activists need not join institutions in order to

*<sup>8</sup>How an institution acquires a gendered character is a complicated question. Institutions are shaped by the character of the groups that inhabit them. The longer either men or women inhabit an institution, the smaller the proportion of people of the opposite sex, the more that institution is likely to reflect the values of the dominant group. The gendered character of institutions is also determined by their distributional policies which may have unequal consequences for women and men.*

influence them or society at large. Nor need they achieve their goals to be successful. Even unsuccessful movements influence discourses in ways that profoundly influence civil society and perhaps the state (Katzenstein,1987:16). As Carole Pateman has argued, participation in social movements also enhances participants' capacities as citizens (Pateman, 1970). Whatever the particular effects of movement on institutional participation, women's governance is a product of the conjoined and interacting influences of movements and institutions.

### III. The Power of Movements

In many colonial contexts, nationalist movements entailed extensive women's mobilization followed by substantial institutional gains. In India, for example, the aftermath of Independence witnessed the drafting of a Constitution which ostensibly protected women from discrimination and directed the state to work towards gender equality. Women gained the right to vote without much of a struggle and became active in large numbers in public and professional life. Most strikingly, the number of South Asian women in women leadership positions —Indira Gandhi, Benazir Bhutto, Srimavo Bandranaike, Khaleeda Zia and Hasina Wajed — is to a significant extent the result of women's nationalism.<sup>9</sup>

Women's participation in nationalist struggles continues to involve them in policy making in recently formed states. Following their active involvement in the Namibian independence struggle, the Namibian state drafted a constitution that forbids sex discrimination, authorizes affirmative action for women and denies recognition to customary law when it violates the Constitution. The South African Constitution similarly provides equal rights for women and prohibits discrimination on grounds of sexual orientation. Palestinian women have drafted a bill of rights and sought legislation protecting women from family violence. Similarly, women have achieved access to institutional power in

<sup>9</sup>However, this is not to deny that all of these women have been constrained by the conditions associated with their assumption of power, including their dynastic connection to male leaders, and the rules that govern the conduct of politics.

many of the countries in which they were active in democracy movements against authoritarian states.

Women's large scale involvement in democracy movements has yielded similar gains. Conversely, where women have been politically inactive during transitions, their situation has not improved with the creation of democratic systems. The contrasts between Latin America and Eastern Europe are instructive. Whereas women were active in a range of social movements against authoritarianism in Latin America and achieved some significant gains in its aftermath, women's movements were relatively inactive in the transition from communism to democracy in Eastern Europe and actually suffered reversals in post communist states.

### **Latin America**

There are a number of explanations for the emergence of strong social movements in which women played leading roles against authoritarianism in Latin America in the 1980s. Poor urban women became active in protesting the extreme hardship they faced as a result of the debt crisis exacerbated by adjustment policies. Defence and preservation of embattled families constituted a key feature of their participation. More broadly, women actively resisted state infringement on their capacity to play responsible roles as mothers and wives. The struggles of the mothers of the disappeared best exemplify these concerns. Georgia Waylen comments: Clearly the attempts by military governments to abolish "politics" and repress such conventional political activities of the public sphere as political parties and trade unions moved the locus of much political activity from an institutional setting to community based action. This actually gave those women's activities occurring outside the traditional arena of politics a greater prominence and significance.(Waylen, 1994:47).

Thus while authoritarianism closed down certain forms of democratic participation, it elicited other ways of "doing politics" among groups which had previously been inactive. In a number of countries the Catholic Church and Ecclesiastical Base Communities (CEBs) supported women's struggles.

The most significant period of women's mobilization occurred

during the last stages of authoritarian rule and the early phases of democratic transition. Since women's groups played a vital role in encouraging the military to negotiate with civilian elites, political parties and newly elected governments felt indebted to women. In Argentina, Raul Alfonsin's 1983 election platform appealed to the Madres and criticized machismo. All political parties, particularly the Opposition in Brazil, adopted policies expected to appeal to women voters during the long period of transition. In Chile and Argentina, there were wide ranging discussions about altering discriminatory civil codes, such as the one which limits a woman's control over her children.

The Brazilian women's movement transformed the struggle against dictatorship in the 1970s and 1980s by extending its focus from civil rights to include economic, reproductive and sexual rights. Feminists pushed the democracy movement beyond its concern with state violence to curbing domestic violence. They made opposition to discrimination of all kinds a key feature of the democratic struggle. One of the leaders of the Brazilian women's movement noted, .....

"Besides direct access to institutional power, one of the most powerful strategies used by women to influence the political sphere has been, and still is, changing the political agenda...in Brazil from the 70s till the 80s that was the main strategy of the women's movement...[to] give visibility to issues that had been considered non-existent, unimportant or even ridiculous by the establishment and forcing (them) into political platforms and executive organs ... in the 80s we have gone through a time of forging public policies." (Pitangray, 1995).

The women's movement in Brazil developed a dual strategy in the early 1980s. Some worked within the system, particularly with the Party of the Brazilian Democratic Movement (PMDB party) and a government sponsored council in Sao Paolo. Others remained active in the community from where they pressured the state to be responsive to a grass roots constituency. As a result of this two pronged strategy, feminists had a subversive impact on some state policies. For example, in 1983, under pressure from the International Monetary Fund, the federal government formulated a comprehensive population control program. The Council on Women helped the women's movement gain access to the policy

implementation process and worked with the Ministry of Health to promote a safe, accessible, non coercive family planning policy. Sonia Alvarez argues that “[..] in supervising the implementation of family planning policy at the state level, the original council accomplished what the autonomous women’s movement could never have accomplished on its own due to its position outside the State power structure. (Alvarez, 1994: 40)

The Council, in collaboration with the women’s movement, persuaded the state to create a police precinct staffed entirely by specially trained female officers to prevent rape, sexual abuse and domestic violence. This ground breaking initiative was unique in Brazil and indeed anywhere else in the world at the time. Moreover with the installation of eleven opposition led state governments in March 1983, women secured positions within local level government structures throughout the country. When the civilian government headed by Jose Sarney took office in 1985, a National Council on women’s rights was created within the Ministry of Justice and women with long standing ties to Brazilian feminist groups and other movement organizations secured a majority of seats in it.

From the mid to the late 80s, the National Council for the Rights of Women (CNDM) and some state and municipal councils worked closely with the women’s movement, providing direct and indirect subsidies to independent women’s groups, coordinating national campaigns on women’s issues and providing independent women’s groups with access to state policy makers. Through intensive lobbying, petitions and demonstrations at the Congress, some key feminist concerns made their way into the new Constitution. It provides for formal equality between the sexes and extends new social rights and benefits to women, including increased maternity and paternity leaves, workers’ rights to women workers and domestic workers, and extensive childcare facilities. The collaboration between feminists active within and outside the state was vital to these achievements.

However, by the late 1980s, many women’s institutions fell prey to partisan manipulation and most lost their political clout. The PMDB administration that came to power in 1986 greatly reduced the Council’s resources and staff and ability to formulate policy. Women’s institutional ties to the executive branch proved especially

vulnerable to shifting partisan/political alignments and their influence and efficacy in the state apparatus declined.

In Chile, as in Brazil, women's vital roles in the last phases of the dictatorship made them a key force in its aftermath. Party women and feminists formed the National Coalition of Women for Democracy in Chile in 1988 to mobilize women to oppose the Pinochet dictatorship and influence election outcome the following year. As a result of its efforts, all national political parties took a stand on women's rights. Once Alwyn was elected to power, he presented parliament with legislation that would create the Servicio Nacional de la Mujer (SERNAM), a national government body of feminists from the Christian Democratic and Socialist parties that would oversee government policies concerning women.

By 1992, SERNAM had established offices in all twelve regions of Chile, published numerous documents and pamphlets, established formal links with other government agencies, facilitated proposals for legal reform, established a program for female heads of households, incorporated women into small business, established a network of women's information centres and created a national commission on domestic violence. The cost of its effectiveness in undertaking these initiatives was that it replaced the women's movement as the key interlocutor with the state on women's issues.

### **Central and Eastern Europe**

Women's movements were largely absent during transition period in Central and Eastern Europe. Nor were they very active in democracy and human rights movements. Women played a relatively small role in the opposition movements that emerged in the late '80s, like Charter 77 in Czechoslovakia and Solidarity in Poland. Although they constituted about half of Solidarity's rank-and-file members, they made up only 7 per cent of the delegates attending the first Solidarity conference in 1981. None of these women organized as feminists around gender issues. The few exceptional feminist organizations in the former Soviet Union were forced to disband.

One of the most important explanations for the absence of

women's movements in democracy struggles can be found in the legacies of communism. Both, for ideological and practical reasons, communists made women's labour force participation almost obligatory. In 1980, women in Central and Eastern Europe constituted about 50 per cent of the workforce, mainly in low-paid, low-status, gender-segregated occupations. Many women came to see the family as a haven from the demands of the marketplace and the state and, in the absence of a full fledged civil society, as a place of autonomy and creativity (Waylen, 1994). While the suppression of civil society constrained the emergence of women's movements, the fact that the rights women enjoyed were handed down to them rather than won through struggle meant that women tended to take them for granted.

Overall, the position of women in politics, society and the economy has declined since the collapse of communism. The elimination of quota systems has led to a huge decline in the number of women elected to representative bodies. In the first set of elections the decline was of about 13 per cent, moving from an average of 33 to about 10 per cent for the region as a whole. Subsequently, there have been even greater declines. In the mid 1990s, women constituted only 3.5 per cent of elected representatives in Romania, 8.6 per cent in Czechoslovakia, 7 per cent in Hungary, and 13.5 per cent in Poland. On the whole, men rather than women have moved from the dissident opposition groups into high-ranking offices in the public sphere in Czechoslovakia, Poland, and Slovenia. Indeed, Peggy Watson argues that Eastern Europe is witnessing the rise of masculinism in the public sphere and civil society (Watson, 1996: 91). Political parties have not courted women voters by advocating policies to promote their gender interests. In fact, the opposite is true. Many male candidates in the 1989 Soviet elections campaigned for "a return of women to their maternal duties." The same has been true in Eastern Europe.

### **A comparison**

There are two striking differences in the character of women's activism in Latin America and Eastern Europe during periods of



democratic transition. The first has to do with the very different roles of civil society based organizations in the two regions. State elites initiated opposition to the communist regimes of the Soviet bloc. Foreshadowing an economic and social crisis, Gorbachev launched perestroika and glasnost in the Soviet Union and put pressure on the Eastern bloc as a whole to liberalize. The state hoped that addressing “the woman question” would help solve social problems like rising rates of alcoholism, divorce, and abortion. The state’s hegemonic role most likely discouraged women’s groups from organizing independently. By contrast, civil society organizations initiated opposition to Latin American dictatorships. State’s ban on political parties, trade unions and other such organizations encouraged women to organize informal networks which could defy state surveillance and repression. The fact that movements in which women were active played a significant role in the destruction of the old regimes in Latin America but not in Eastern Europe had important implications for the place of women’s groups in the post transition period.

In Latin America, feminism became linked to human rights and was seen as a home grown product whereas in Eastern Europe it was seen as alien. Secondly, whereas feminism was associated with a discredited old order in Eastern Europe, it was considered integral to democratisation in Latin America. Relatedly, feminism was understood in very different ways in these two contexts.

Writing on Eastern Europe, Maxine Molyneux argues: “Ironically it seemed that socialist state policy on women, which had not achieved their emancipation, succeeded instead in alienating the population from any serious commitment to a feminist programme.”(Molyneux, 1996: 232). The language of feminism was tainted by its association with the old order. The search for new values to replace those associated with the discredited communist system led to a resurgence of “old values” of family, God and nationalism. The Roman Catholic church experienced a remarkable resurgence and abortion rights have come under attack, particularly in Poland, Hungary and Germany. The small group of active Russian feminists must find new language not tainted by the old order. This association of feminism with the old order, combined with state control over civil society, inhibited the growth of significant feminist movements and large-scale



women's movements organizing around practical gender interests.

By contrast in Latin America, women became associated with a wide range of movements, including human rights struggles, consumer movements, and women's movements. Many of these movements privileged women's identities as mothers while politicising notions of the responsibilities that accrued to mothers. It was much harder for post transition regimes to caricature and repudiate feminism.

However least we idealize the fruits of women's struggles in Latin America by setting them against the bleaker experiences of women in Eastern Europe, women's influence over policy processes steadily declined over time. It was greatest in the immediate aftermath of democratic transitions but gradually narrowed over time. As women's involvement in social movements declined, so did their capacity to influence the state. Furthermore, the reinstatement of political rights has not been accompanied by an expansion of women's economic and social rights. More broadly, as noted earlier, feminists can only influence state policy if the state is broadly sympathetic to their demands. With the unleashing of market forces and a diminished role for the state in both Latin America and Eastern Europe, poor women suffered reversals and diminished opportunities for redress.

#### **IV. The Institutionalisation of Activism**

Past two decades have witnessed a confluence of two trends in many democracies. On the one hand, the state's attempts to foster closer ties to social movements and non-governmental organizations, and on the other hand, the attempt by some women's movement activists to exercise power within the state.

Women's movements in their early years voiced serious misgivings about working with the state, political parties and other major institutions for fear that this would result in their dependence, co-optation and absorption. Indeed, one of the defining features of feminist movements was their insistence on their organizational and to some extent ideological autonomy from male dominated institutions. While these misgivings have by no means disappeared, women's movements have, today, increasingly come to work with

parties, states and institutions to advance or defend women's interests. Moreover, protest has increasingly been leaving the streets and entering institutions.

The United States best exemplifies the trend towards the institutionalisation of feminism and the emergence of a powerful feminist establishment in Washington DC, comprising legal groups, political action committees and research institutes. While feminists have always engaged in associational politics, Mary Katzenstein argues that

[...] What is clearly new is its development inside male dominant organizational environments—the media, law enforcement, the churches, universities, business, prisons, unions and engineering, to name just a few of these institutional locales. In these new environments, feminists have generated debates about hiring and promotion, rape and harassment, child care and workplace benefits (including coverage for lesbian and gay partners); they have sometimes engaged in intense contestation over how the quality of work and fairness and worth of what men and women do should be assessed." (Katzenstein, p. 12).

What explains this shift? And do the worries that feminists expressed now seem unwarranted or legitimised? First, with the demise of both right wing authoritarian and left wing socialist regimes and attempts to create democratic systems, women's movements have increasingly adopted liberal goals of achieving civil and political equality. Tensions between liberal, radical and socialist feminisms seem to be a thing of the past and liberal feminism has become hegemonic. The spread of certain universalist ideas, like women's rights and international human rights, has also brought about a closer collaboration between movements and institutions.

In France, for example, the dominant segment of the women's movement was distrustful of the state and wanted to have no relationship with it. By the 1980s, however, radical groups ceased to provide leadership to the movement and other feminist groups embraced a closer relationship with the state. Their main efforts centred on demanding the passage of legislation on sexual harassment and the protection of contraception and abortion rights. As a result of their efforts, France became the first country in the European Union to pass legislation codifying and punishing sexual

harassment. In 1992, the Penal Code was revised to make sexual harassment as a punishable crime (Jenson, 1996:101-102).

Second, globalization has had some important, largely positive implications for women's roles in governance. A number of foundations in the US and Western Europe have made women's empowerment one of their major goals and have sought ways to institutionalise women's movements.

Amidst globalization there has been a shift in many places from states seeing women's movements as a threat to seeing them as a resource. The Indian state, for example, viewed social movements as a threat and treated them as such in the early 1980s. Prime Minister Indira Gandhi set up Kudal commission with the clear intention of closing down a large number of NGOs and restricting the activities of others. After her assassination, her son Rajiv Gandhi took office and sought to cultivate a much better relationship with NGOs. The seventh five year plan (1985-90) identified the voluntary sector as a crucial part of the development process and allotted it five times the amount of money it had received earlier. Where his mother had seen social movements and NGOs as a threat, Rajiv Gandhi saw them as aiding development work, strengthening his image among the rural poor and their middle class supporters, and attracting Western funders. Although Rajiv Gandhi was assassinated before he could implement this recommendation, the state has since sought close ties with NGOs and social movements.

Third, since women's movements have become stronger, better organized and more skilled, state agencies are increasingly relying on them to develop and implement policies and programs pertaining to women. In general, women's organizations have become much more actively involved than in the past in drafting constitutions, budgets, and legislation in collaboration with party and elected officials. The reason for state support is primarily that states need movements at the grass roots level, to help them reach the poor.

Some women's movements which were previously committed to autonomy have come to see the value of working with the state. Historically, the Indian feminist movement was fiercely committed to retaining its autonomy from political parties and the state, to prevent the lure of resources, influence and power from blunting its radicalism. However while retaining its autonomy from political

parties—barring the collaboration of some groups with the communist parties—it stayed out of the domain of electoral politics.

The grass roots movements with which women were closely associated were those of the poorest and most marginal groups (tribals, landless poor, slum dwellers, subsistence agriculturalists) which generally had little electoral clout and no electoral aspirations.<sup>10</sup> The urban feminist movement was primarily drawn to non-electoral issues like violence against women. VP Singh resigned from Congress and formed the Jan Morcha (Peoples' Front), an avowedly "non political" movement which brought new groups into politics and helped bring the National Front to power in 1989. Compared to the students' movement, farmers' movement and backward caste movement, the women's movement was less closely associated with opposition parties and less committed to regime change. It was during this period that the women's movement began to explore new ways of exerting its influence over the state. Today, a broad cross section of Indian activists have embraced the strategy of working more closely with the state. Many activists have expressed frustration that the protest tactics they had pursued for so long had not yielded better results.

Women's movements have created important political constituencies. They have often played key roles in determining whether or not candidates who will advance women's interests will be elected. In the Philippines, for example, support from the women's movement was critical to Corazon Aquino's election. While she was president, the number and influence of women in public office increased significantly. Women's groups took advantage of new democratic processes to push for reforms in public policy such as the Philippines Development Plan for Women. Similarly in the U.S., Bill Clinton's stance on abortion, education and health care reform won him women's electoral support in his first successful bid for the presidency in 1992. Clinton in turn appointed several women to key political posts and more women were elected to Congress in 1992 than in any previous election. But as Aquino and Clinton bowed to pressures from conservative political and religious groups, their commitment to reproductive rights and other women's issues declined.

<sup>10</sup>One important exception to this generalization is the Bahujan Samaj Party (BSP), a caste based party of dalits (scheduled castes) which appeals to the landless poor.

On the one hand, a long standing bias in feminist circles against women's movements that are closely associated with state institutions has prevented feminists from recognizing some of the benefits that can come of working with the state. For example, one of the major problems that has confronted the autonomous women's movement in India has been of extending its reach to the rural poor. The All China Women's Federation which is affiliated with the Chinese Communist Party and the state has not confronted this problem. With 98,000 full time cadres on its pay roll, it commands the resources, personnel and authority to have established a strong base among rural women.

On the other hand there are innumerable examples of state sponsored initiatives co-opting women's movements in virtually every political setting. In Russia and Eastern Europe, extensive legislation designed to improve the position of women thwarted possibilities for women to organize independently around their own interests. Most women were so alienated from the Soviet Women's Committee, the official women's organization, during the communist period, that they were unresponsive to feminist appeals even after the demise of communism. Authoritarian states in Nigeria and Kenya have undermined feminist movements by taking over successful women's programs, and making them dependent on state funding while reorienting them from their, more radical goals.

Quite frequently, the advances that women achieve as a result of a close relationship with the state are double edged. In Mexico, for example, the government headed by president Salinas de Gortari that was elected to power in 1988, introduced a number of programs that were designed to assuage opposition to the previous regime's austerity programs. One of these was the National Solidarity Program (PRONASOL or Solidarity) which created new channels for social involvement, while also enabling the central government to achieve greater control over grass roots movements. Women's groups were confronted with the need to relinquish their autonomy in exchange for access to state resources.

The same double edged character of movement and state collaboration is evident in Australia. A number of groups that were active in the women's movement formed the Women's Electoral Lobby (WEL), a non partisan organization that included women

from all political parties. WEL provided women with training to enable them to move into important government positions. It also sought to influence government policy on social legislation pertaining to women. It then worked closely with femocrats, feminists recruited to fill women's policy positions in government, to monitor and influence government policy concerning women. While this lobby has been extremely effective in bringing women into policy making positions and monitoring the impact on women of all government policies, the bureaucratisation of feminism has also entailed certain costs. As older feminists have been absorbed into government positions, the women's movement has not inspired a younger generation of women. As a result, some of the more radical goals of the early women's movement have died out. (Sawer 89).

What then makes for the difference between situations in which feminists can advance their interests through institutions as opposed to finding them co-opted and subverted?

First, the character of the state itself is of vital importance. Simply put, the more democratic the state, the more responsive it is likely to be to feminist goals. Thus, women achieved the greatest gains in the immediate aftermath of independence from colonial rule and the transition from authoritarianism to democracy. Within Europe, feminism has become most institutionalised in countries with social democratic governments in power in the 1970s and 80s. With the advent of the Thatcherite Conservative government in 1979, British feminism, unlike its French and Spanish counterparts, did not become institutionalised. The Tory government's cutbacks of social legislation had particularly damaging implications for women (Rowbotham, 1996:8).

In contrast to Britain, feminists in Spain have been extremely successful in working with the state since 1983 when a social democratic power was elected — and re-elected four times. The government took far-reaching measures to ensure the representation of women's movement demands. First, it put in place an administrative apparatus for women's rights and equal opportunities. The Instituto de la Mujer (Institute of Women), set up in 1983, was designed to ensure that women's issues were regularly accorded high priority. Second, to assuage worries about co-optation, the institutes devoted a proportion of their budget to

funding self managed women's groups all over the country. Encouraging women's organisations is in fact one of the objectives of the administration. Third, the government has pursued equal opportunity action plans which commit various branches of the central administration to sex equality policies (Threlfall, 1996:124-126).

Feminists have had much more success in working with local than with national institutions for local institutions are often controlled by opposition political parties which are more sympathetic to feminist goals. Recall that in Brazil, feminists recorded some of their most significant achievements while working in Sao Paolo to police precincts to hire female officers and to revise family planning policy. In Britain, feminists worked closely with Left Labour local governments to secure the survival of nurseries, women's aid centres for battered women and rape crisis centres. Feminists in local government drew a wide group of women into contact with the state. Lavatory attendants, hospital ancillary workers, pensioners defending a community laundry, Asian homeworkers setting up a coop and sex workers demanding legalization all formed part of its constituency. Alongside such democratic participatory politics, feminists also worked to ensure equal opportunities through the Greater London Council and other metropolitan councils.

#### **V. Movement-State Linkages: the Panchayats**

In India, one of the most important forms of women's activism in the state is their participation in elections to the three tier panchayats (units of local self government). Attempts to revitalize the panchayats have come from state governments and the center. Some states revived the long moribund panchayats on their own initiative. In 1978, the communist government of West Bengal overhauled the panchayat system by providing for direct elections and giving them additional resources and responsibilities but making no provisions for women's representation. Andhra Pradesh revived its panchayats in 1986, and reserved 22-25 per cent of seats for women. Karnataka reserved 25 per cent of panchayat seats for women in 1983, although it did not hold elections till 1987.



However it was only with the 73rd and 74th Constitution Amendments in 1992 that panchayat elections (to be held every five years) were mandated throughout the country. The reforms called for reservations of 33 per cent of the seats for women and for scheduled castes and tribes proportional to their population. Elections across the country brought over 700,000 women to power once the panchayat reforms were implemented in April 1993. With a few exceptions, most states met and some exceeded the 33 per cent women's reservations at all three levels.

Given the fact that the panchayat reforms were the product of government fiat, the extent to which women benefited from these reforms depended upon their prior history of activism.

The most successful women panchayat members contested the elections and won as a result of prior political activism, sometimes well before the government reforms. In 1989, men and women, who had been active in the Shetkari Sangathana farmers' movement in Maharashtra, nominated seven all women panels to contest the gram panchayat elections. Five panels were elected. Women were also a majority of those elected to the two other panchayats.

In Vitner, one of the villages in Jalgaon district, Maharashtra, a nine-woman panel stood for the elections from three wards, defeating a male dominated Shiv Sena backed alternative. One of the panchayat's early decisions was to instruct women to let their cattle graze on 52 acres of property that outsiders from the village had encroached upon. It then turned the reclaimed land into a community orchard and kept proceeds in a panchayat fund. The panchayat subsequently organized villagers to fight for women's land rights and persuaded 127 of the 271 families in the village to make women co-owners of the family property, ranging from one to six acres.

The case of the Vitner panchayat is especially impressive for the measures it took to improve the well being of the community, and particularly of women, far exceeded the powers that the state had delegated it. The Vitner women's panchayat built seven rooms in the tribal quarters of the village and added two school rooms to the existing structure. Before women came to power, the village school taught only until the sixth grade. It now provides an additional year of education. The panchayat got installed 29 electricity poles to the existing thirty. It also acquired a water tank,



bus service and public toilets for men and women in the village square. Achievements of other women's panchayats, though less audacious, were also impressive. Compared to most male dominated panchayats, they placed greater emphasis on the construction of wells, playgrounds, roads, public toilets and non-polluting stoves. They also closed down illicit liquor vending, fought for more effective schools and installed pipes and pumps for drinking water.

There are numerous other accounts of women's activism in social movements translating into their activism in the panchayats. The movement of the fishing community against the introduction of large scale mechanized trawling has been active now for over two decades. Some women activists from this movement of the fishing community found the panchayats an excellent platform from which to fight the destruction of their old jobs and demand the creation of new ones in Thumba, near Thiruanantapuram, Kerala. Similarly, women have been very active in a movement demanding government prohibition of the production and sale of arrack (a home brewed liquor) which they associated with men's unemployment, impoverishment and domestic violence. A number of anti arrack activists in Karnataka and Andhra Pradesh have been elected to the panchayats as a result of their activism and have continued to fight state policies from within local government.<sup>11</sup>

Many of the stories of women using the panchayats to fight for social justice concern poor, lower caste women. These accounts suggest that caste and class oppression can actually heighten women's consciousness of their own interests. For if social movements politicise women by alerting them to the injustices that confront the community as a whole, they may also reveal how threatened men of their community can be by women's power. Election to the panchayats may provide women with certain institutional resources that enable them to defend themselves and extend their struggles.

The shift from participation in movements to participation in institutions need not result in co-optation. Structurally, the panchayat reforms require reserved seats to be rotated among constituencies so that nobody occupying a reserved seat can win

<sup>11</sup>See Revathi Narayanan (1996:395) and Poornima Vyasulu and Vinod Vyasulu (2000).

for a second term, except on electoral merit. Moreover those women, who serve on the panchayats with a prior history of participation in movements, often become increasingly apt to criticize the state. Many of the women who were elected to the panchayats in Tamil Nadu blamed the courts and the police for either complicity or the failure to act decisively against rape, dowry deaths and illicit liquor production. Many were politicised by the struggles they had to wage for basic needs and services.

However more typical than the examples cited above is for women to join panchayats without a prior history of activism. These women often become token or mere figureheads who are silenced, marginalized and, in extreme situations, subject to harassment and violence. In a study of recently elected women panchayat members in Meerut district, Uttar Pradesh, Sudha Pai found that they had been largely unable to use their new institutional locations to fight for further improvements either in their own conditions or in those of other women (Pai, 1998). Most of the newly elected women reported that they ran for the elections because of family and community pressure, not of their own volition. Many of them displayed ignorance about the functions of the panchayats and said they relied on their husbands for this information.

Other studies of north India conform to this general pattern.<sup>12</sup> Family responsibilities and constraints on their mobility prevented women who had been elected to the panchayats from attending the meetings. Those who attended were inhibited from expressing themselves. Some of these women had been backed by men who formed the real power behind the scenes. In places where women threatened male candidates, they were often accused of sexual immorality. Even more grave, women were the objects of violence in some constituencies in Rajasthan, Madhya Pradesh and Uttar Pradesh. These are areas in which movements of under privileged groups are relatively weak and indicators of women's general well being are low.

Clearly, election to the panchayats, in and by itself, is not a panacea for women's subordination.<sup>13</sup> Many women regretted that

<sup>12</sup>See for example Ekatra (1999), Sharma, Kumud (1998) and Mishra, Anil Datta (1999).

<sup>13</sup>In her 1998 study of Uttar Pradesh, Sudha Pai demonstrates that the panchayats only improve women's situation in those regions in which the social status of women has already improved independently of the panchayats and they are able to take advantage of this.

the panchayats were not mandated to address problems such as dowry, frequent child birth, female education, men's alcoholism, spousal abuse and women's unemployment. While women from activist backgrounds were able to enlarge the agendas of the panchayats to address some of these issues, women who were newcomers to politics could not. An even bigger problem is that the resources and the planning capabilities of the panchayats are relatively limited. State legislatures determine how much power and authority the panchayats will wield. Very few states have engaged in a serious devolution of the panchayats' development functions. Most panchayats are responsible for implementing rural development schemes rather than devising them. The village level panchayats, in which women are especially apt to be active, work under particularly severe constraints.

## **VI. The Absence of Movements: Women at the Top**

Women's movements have vigorously debated the implications of reservations for women to elected office at the national and regional levels. When states have vacillated in their commitment to gender equality, the role of strong women's movements in demanding reservations and overseeing their implementation seems vital. In France, the initiative for radical legislation requiring all elected bodies to be composed of equal numbers of men and women was proposed by Françoise Gaspard, Claude Servan-Schreiber and Anne Le Gall, feminists who had long been active in the women's movement.

In South Africa, the women's movement, under the leadership of the Women's National Coalition (WNC), was committed to ensuring women's representation in parliament when South Africa became a democratic state in 1994. It persuaded the African National Congress (ANC) to reserve a 30 per cent quota of women on electoral lists. Once large numbers of women were elected, women's groups, NGOs and other civil society organizations called on them to channel women's demands into the policy process. As a result, the first democratic parliament passed three important pieces of legislation: (i) the Termination of Pregnancy Act of 1996,

which provides women with access to abortion on broader and more favourable terms than in the past; (ii) the Domestic Violence Act of 1998, which provides protection against abuse for people who are in domestic relationships of various kinds; and (iii) the Maintenance Act of 1998, which substantially improves the position of women dependent on maintenance from former partners.

In India, there has been a great deal of debate within both the women's movement and political parties about the desirability of quotas or reservations for women in the legislative assembly and parliament. The urban feminist movement largely supports reservations while political parties do not, despite their claims to the contrary. The weakness of women's voices within political parties and of alliances between party women and the women's movement could either lead to the recurrent defeat of the Reservations Bill, which has been debated in parliament for the past six years, or to its ineffectiveness if it is passed. Social movements, in which women have been active, are much stronger at the local than the national level. The urban feminist movement may be national in appearance but it is highly localized in practice. Different segments of the women's movement in Mumbai, New Delhi, Calcutta and Madras do not coordinate their activities and do not attempt to formulate a common approach on the Bill. Thus, while segments of the women's movement might support the passage of the Bill, they do not rival the influence of political parties over the form it should assume or the effects it will have.

The recent history of the Reservations Bill dates back to 1996. Three successive governments have supported the 81st Amendment Bill guaranteeing at least 33 per cent reserved seats for women in Parliament and Legislative Assemblies. Although most political parties have endorsed the Bill in their election manifestos, they have not actually supported its passage. It was defeated most recently in December 2000 when a range of parties expressed either ambivalence or opposition to it. As a compromise measure, Home Minister LK Advani supported the Chief Election Commissioner's proposal to require all political parties to reserve 33 per cent of seats for women contestants. However, critics fear that political parties would nominate women in unwinnable constituencies. Thus far parties' records in nominating women candidates have been poor. In the 1996 parliamentary elections,

for example, political parties allotted less than 15 per cent of the total number of tickets to women. In fact women constitute only 10-12 per cent of the membership of political parties (Rai, 1997:105).

There has been far more resistance to state and national level reservations for women by political parties than by the general public. A survey by India Today indicates that 75 per cent of women and 79 per cent of men favour the active participation of women in politics and 75 per cent of men and women favour reservations in legislative bodies (Rai and Sharma, 2000:159). Opposition from parties has been both gendered and caste based. The Janata Dal, Rashtriya Janata Dal (Laloo Prashad Yadav), Samajwadi Janata Party and Bahujan Samajwadi Party have all opposed the Bill because it makes no provision for reservations on a caste basis for other backward classes (OBCs). Among women MPs, a few have opposed it for this reason but a number of prominent, independent minded women have strongly supported it.

The women's movement largely supports the Bill. Indeed it has more actively and directly intervened in the debate concerning the 81st Amendment than about the panchayat reforms. Vasantha and Kalpana Kannabiran, two prominent women's movement activists, argue that it is important to look beyond the actions of the elites who have supported the 81st Amendment. "[...] At a deeper level, the reason why this negligible group is able to speak out so loud and clear is because masses of underprivileged women have a far more important political presence that overruns and refuses to be contained by the vote bank politics of mainstream parties" (Kannabiran V. and Kannabiran K., 1997:197).

Opposition to the 81st Amendment from segments of the women's movement partly reflects a distrust of political parties. One worry is that quotas could form a ceiling rather than a minimum to be improved upon. Another worry is that women candidates might be pliable because of their dependence on male party leaders (Kishwar, 1996:2867-2874). An even more significant worry is that reservations will treat women like a homogeneous group, which increases the likelihood that the "biwi brigade" of educated, upper class, upper caste women will be elected, particularly because the Bill does not provide for sub quotas of OBCs.<sup>14</sup>

<sup>14</sup>See Nivedita Menon (2000) and Vasanthi Raman (1995).

Women who have been elected to parliament without the support of an organized constituency, have been few in number and relatively ineffective in challenging gender inequality. The representation of women in parliament has not increased much from the 4.7 per cent (or 22 women) in the first parliament (1952-57). The largest number ever was 8.1 per cent (44 women) who were elected in the 1984 elections. Forty-nine women were elected to parliament between 1991-96 (5.2 per cent). Women occupied 4.1 per cent of the 22 per cent of parliamentary seats that were reserved for scheduled castes. Two women MPs were from Scheduled Tribes. Most of them were upper caste. Most women MPs are middle class professionals (Rai, 1997:110).

Women MPs are expected to support party policy rather than formulate their own agendas. None of them in fact placed questions concerning women high on their agendas (Rai, 1997:116). This is especially true of an even smaller and more exceptional group of female party leaders. They include: (i) the Italian born Sonia Gandhi, who many see as the major hope for reviving the moribund, faction ridden Congress party; (ii) Jayalalitha Jayaram, who heads the regionally based All India Anna Dravida Munnetra Kazhagam (AIADMK) from the southern state of Tamil Nadu; (iii) Mamata Bannerjee, the head of the Trinamul Congress party of West Bengal; (iv) Mayawati, twice chief minister of Uttar Pradesh; and (v) Rabri Devi, the chief minister of Bihar. Three of these women, Gandhi, Jayalalitha and Mayawati, were directly responsible for the downfall of the Bharatiya Janata Party government. At Gandhi's prompting, Jayalalitha withdrew her party's support from the central government. Mayawati hammered the last nail in the coffin by voting against the government in a critical parliamentary vote, thereby necessitating new elections. Yet, although these women brought down the government, they were unable to agree upon what should take its place.

All these women, with the possible exception of Mayawati, rose to power as appendages to men rather than through movements or institutional channels. Rabri Devi emerged from her role as housewife and mother of nine children. When her husband was imprisoned, she replaced him as chief minister of Bihar. Jayalalitha had a long-term relationship with actor-turned-politician

M G Ramachandran whom she succeeded as chief minister of Tamil Nadu. Sonia Gandhi's rise to power rests on her marriage to the former prime minister Rajiv Gandhi and to being the daughter-in-law of prime minister Indira Gandhi. In highlighting her close relationship to Indira, Sonia not only takes on the very Indian role of the good daughter-in-law, she also displaces her sister-in-law Maneka Gandhi, wife of Sanjay Gandhi and a politician in her own right, whose relationship with Indira was extremely conflictual.

India's women leaders may be important symbols of the nation, but lacking the support of movements, they have not become powerful in their own right. In the absence of such support, their connections to male family members assume paramount importance. Nor do these women share common values, ideas or agendas. Their role in bringing down the BJP government may be as close as they will ever come to collaborating. Their deepest commitments are to their parties and to themselves, not to the collective interests of women.

And yet, there is also enormous opportunity in a possible alliance between the women's movement, as it seeks out a national presence and a role in the state, and the small number of party women who are staking out independent positions. It is precisely such an alliance that is needed to address the problem that Gail Omvedt identifies when she describes the women's movement as anti-political (Omvedt, 1993:310). One might quarrel with Omvedt's terminology and identify the ways in which the women's movement has extended the meaning of the political. One might also acknowledge that engaging in elections often moderates the goals of social movements. However there is no question that the farmers' movement, caste based, ethnic and religious nationalist movements have all had a much bigger impact than the women's movement on electoral politics. The question of how to engage in elections selectively and creatively poses an important challenge for women activists.

## VII. Conclusion

Women are likely to engage more fully in democratic processes and achieve power collectively when the women's movement both challenges and participates in state institutions. One important



example of this potential is the pro-choice movement in the US and elsewhere. The question of women's rights to safe, affordable abortion has become sufficiently important that the fate of many electoral candidates hinge on what stance they adopt on this issue. And yet the issue has not died on the streets as it has been taken up by politicians, the courts, and legislatures.

However the occasions when this has happened are much less common than those in which it has not. One broad reason is that both institutions and movements are hierarchically organized, with power concentrated at the apex. In general, the more powerful the institution, the less power women wield within it. Thus women are less apt to influence the workings of parliament than of local administrative bodies. Similarly, women are more apt to become active in movements and institutions at the local than at the national level. Women tend to be elected in relatively large numbers to school boards, town councils and civic associations. Similarly, women have been at the forefront of community campaigns which highlight their responsibilities as mothers (opposing the dumping of toxic waste in their communities, deforestation, and violence in their communities). Indeed, the very distinction between movements and institutions, clearly drawn at the national level, is less clear-cut locally. It is difficult to know whether the work of women who are elected to the panchayats after having been active in social movements, should be termed activism or institutional participation. The conclusion that follows is that women's movements must apply greater pressure at higher levels to bring about change.

There are several possible explanations for this. The sheer question of scale may be important. People who live in close proximity to one another in the adjoining villages that constitute a gram panchayat may be more likely than urban residents to create informal, open arenas of participation. Although it is important to take heed of Ambedkar's recognition that the panchayats are deeply hierarchical institutions and we should not romanticize them, panchayats are more easily democratized than national bodies. Many women who have been active in political parties speak of the immorality of politics as deterring them from running for national office. This kind of complaint is less often made about the panchayats.



Women seem more apt to exercise leadership collectively than individually and more opportunity for this exists in community based than national movements. Quotas provide one means of ensuring a critical mass of women in office to enable them to effectively voice their concerns. Women are also most apt to become active in movements and institutions that address the interface between their private and public roles. This often happens when public policies hinder their capacity to fulfil their domestic responsibilities. The greater informality of community than national arenas may also help explain women's greater participation at the local level. Similarly, the more open and democratic forums are, the more likely women are to be represented. The creation of democratic deliberative bodies of the kind that sometimes exist at the local level and rarely at the national level, are vital ingredients of women's participation

The different ways in which politics is understood locally and nationally is also extremely significant. The kinds of decisions that the gram panchayats make are often simultaneously economic, social and political. They have to do with questions of land ownership, municipal facilities, marital disputes and the distribution of power. This convergence of issues between public and private spheres encourages the panchayats to further expand the definition of the political to include issues that are normally considered private rather than public, social rather than political and collective rather than individual. The boundaries that are traditionally drawn between politics and other domains narrow at the upper reaches of power. Of the hundreds of issues that come before MPs, few directly bear upon the situation of women.

The importance of defining governance in broader and more far-reaching ways than it has traditionally been understood, emerges from the myriad forms that women's political participation assumes at the local level — both private and public, economic, social and political.

Another challenge is to consider how some of the models of women's political engagement that have emerged at the local level can be reproduced nationally. This is one of the central questions that confronts both states and women's movements. The ideal way would be the large scale devolution of power to the local level. However what makes this so desirable is also what makes it so

unlikely, namely the highly centralized character of the Indian state. Another way would be to strengthen the links between women's movements and institutions. Although this has happened in particular cases, it has not happened on a broad scale. Some attempts at building linkages between the panchayats and women's movements took place during the preparatory meetings in India leading to the Fourth World Conference on Women at Beijing. However these deliberations were not sufficiently reflected in the final Platform for Action (Narayanan, 1996:389).

There are some issues and contexts in which women's activism at the local level has provided a building block for their activism at the regional, national and ultimately transnational level. The Self Employed Women's Association in Gujarat has been extremely active in urban politics in Ahmedabad, established strong links with politicians at the state and national levels and forged ties with Home Net, an international network of home based workers. In other instances, however, it has proved more difficult for activists to work equally effectively at the local and transnational levels. The human rights movements, for example, is arguably more successful transnationally than in the Middle East and South Asia. Although both local and global approaches have their critics and detractors, clearly the most successful social movements are those that combine activism at all three levels.

The worry that institutional participation will co-opt women and thwart their activism presents a more serious challenge at the national than at the local level. One reason has to do with simple class dynamics. A larger proportion of poor women are elected to office at the local than at the national level. It is primarily landless, lower caste women panchayat members who have made the most far reaching efforts at social change. A study of 843 women panchayat members in Rajasthan, Madhya Pradesh and Uttar Pradesh found that 40 per cent had family incomes below the poverty line (Buch, 1999). These findings challenge the commonly expressed concern that reserved seats will benefit economically privileged individuals. By contrast, most women who are elected to Parliament come from elite backgrounds which carry considerable material and symbolic rewards.

Another important determinant of whether or not women's movements will have an impact on the state has to do with their

relationship to political parties and electoral processes. The closer the ties the women's movement forges with mainstream parties, the more likely it is to have an impact on state policies. However this gain may come with the cost of its radicalism. The contrasts between India and the US are instructive. Although women's movements in both countries eschewed the state during their zenith, certain segments of the US women's movement have forged ties with women in Congress. As a result, female legislators tend to focus more than male legislators on such issues as unemployment, housing, poverty, health care and child care. Women legislators have also come up with the most effective analyses of the costs and consequences of decreased social services.

By contrast, as we have seen, the Indian women's movement has not forged comparable links with women in office at the national level. Virtually no women MPs, but for a few from communist parties, have ties to the women's movement or commitments to women's empowerment. However at the local level, where women panchayat members have been active in grass roots movements, they have often raised issues pertaining to the well being of the community and family by striving to increase literacy rates, improve preventive health care, engage in forest conservation, strengthen pension schemes and maintain roads and tanks. Some have focused on issues concerning women such as girls' education, creation of income generating schemes and small scale industries for women, counselling abusive husbands, and providing women with land deeds.

As we have seen in numerous instances, women's movements are most likely to influence state policies when a commitment to certain feminist objectives exist both within and outside the state. In France, for example, women's groups worked closely with women in state institutions, particularly with Veronique Neiertz, secretary for women's rights, to address sexual harassment (Jenson, 1996:104). State actors needed public mobilization and pressure from outside in order to convince other sections of society and their government colleagues to take action. In 1992, they succeeded in extending birth control.

What is the rationale for supporting reservations at the national level if they are not backed by the power of movements? Why bring more women into power if the result is either the entry of yet more

elite women into the corridors of power to the detriment of the poor or the demobilization of activist women? There is no simple response to this question. While it is most likely true that elite women are likely to outnumber poor women, it is unlikely that more poor women would be elected in the absence of reservations. While it is true that exclusion and marginalization can be radicalising forces and women may be conservatized by gaining entry into institutions, some of these women may be radicalised by the marginalization they experience within institutions. Thus the risks of co-optation must be set against the risks of marginality. Social movements which do not turn to the courts, the legislature or elections to promote their interests are unlikely to have the same impact on national politics as those that do. Without denying the dangers of co-optation, its alternative must always be kept in mind.

One important reason for supporting reservations in parliament, for all its inadequacies, stems from a recognition both of the state's importance to determining women's life chances and yet the dangers of becoming excessively dependent on the state. As one scholar argues, women cannot easily give up on the state because it will not give up on women (Randall, 1998:204). Reservations provide a way for the women's movement to engage the state while diversifying its focus from the courts and legislature to the electoral system. Working through several branches of the state simultaneously rather than focussing exclusively on one reveals the advantages and disadvantages of each.

However, ultimately, reservations can be a temporary strategic necessity rather than a path to women's empowerment. Unless movements can use reservations subversively to point to the limitations of prevailing structures of power, they become another instance of what Charlotte Bunch has termed the "add women and stir" approach to "fixing" gender inequality (Bunch, 1985). A focus on the state must be accompanied by a vigorous commitment to activism within civil society which has always been the source of the most creative ways of thinking about women's political participation. For activism within civil society, with all its limitations, has provided the most enduring bulwark against authoritarianism in India.

Beyond the short and medium term goals of achieving more equitable male and female representation in office and leadership,

thinking of women's governance should always take us back to the initial goals of women's movements. Beyond the goals of enlarging women's access to power and exercise of leadership is the far more precious goal of undermining the force of gender in politics and thereby rethinking the nature of power itself.

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# THE IMPACT OF GENDER INEQUALITY ON GOVERNANCE

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Yasmin Tambiah\*

## I. Introduction

Acknowledging “gender” and its implications appears to have become formulaic in policy articulation and execution pertaining to a range of political, social and economic issues at local, regional and global levels. These include the arenas of governance and politics.<sup>1</sup> International and inter-governmental bodies concerned with governance have increasingly been compelled to address gender inequities in their various programmes and operations, and not confine such discussions only within bodies expressly dedicated to addressing gender concerns. In turn, individual states have been challenged to consider the views and needs of female citizens. However, activists, researchers and policy makers sensitive to the operations of various matrices of power, especially regarding gender, continue to point out that several issues pertaining to women and to the trajectories of gendered notions of power are still addressed only nominally in processes of governance. Further, in reality such issues tend to be either sidelined altogether, or mobilised to suit the particular interests of a ruling elite or

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<sup>1</sup>Unless otherwise noted, the UNDP definition of governance is utilised in this paper as a working definition. “Governance [is] the exercise of political, economic and administrative authority to manage a country’s affairs. It comprises the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences.” (UNDP, 2000).

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bureaucracy within the workings of the state. As an immediate consequence, such marginalisation circumscribes women individually and severally in attaining the best possible quality of life for themselves, their families and communities. In the broader perspective, it compromises the promise of equal development for all citizens within a state and the possibility of meaningful governance undergirded by (gender) justice and peace.

All women do not experience or negotiate with the state in the same manner. Nor do they receive or lose its benefits and privileges in an equal way. The category of “woman” is a contested one. Locations such as those of class, ethnicity, religion, caste, sexual orientation, age, marital and parental status are enmeshed in assessing who qualifies for the status of most-favoured (female) citizen, how and under what circumstances. In turn, these multiplicities of location and difference inform how women engage with, access, define and deploy power at various sites within the state. Such considerations inform the nature of gender (in)equality, and in turn the specific and general implications for the quality of governance.

This paper reckons with the impact of gender inequality on governance by exploring four themes:

- (i) Politics and governance as “public” activities and the consequent implications for women;
- (ii) The state-women interface: women’s political participation;
- (iii) Women’s perceptions and experiences of formal and informal institutions of governance; and
- (iv) The role of civil society in engendering governance.

The exploration relies on analyses, examples and experiences predominantly from South Asia,<sup>2</sup> with select illustrations from South East Asia (especially in the context of women’s political participation). The state is not designated as inherently homogenous, and gender constructs and relations are not considered as invariably predictable in the state’s domain. Rather the state “is not a unitary structure but a differentiated set of institutions and agencies, the product of a particular historical and

<sup>2</sup>Select analytical frameworks, examples and conclusions that follow, also appear in the introduction to *Tambiah, Yasmin, ed. (2002)*.

political conjuncture. [It is] a site of struggle, not lying outside of society or social processes, but having on the one hand, a degree of autonomy from these which varies under particular circumstances, and on the other, being permeated by them. Gender (and racial and class) inequalities are therefore buried within the state, but through part of the same dynamic process, gender relations are also partly constituted through the state." (Waylen, 1996:16).

In the delineations that follow, the choice of national examples reflects the differences in the varied developments of states, even if a corresponding discussion of the specific historical development of that respective state may not be explicitly made. Sometimes, a discussion of "the state" has been consciously generalised in the South Asian context to highlight a particular issue that resonates across the region. Broadly speaking, in South Asia the issues are raised against a backdrop of states that range from a democratic system newly emerging from a monarchy (Nepal), to longer-lived democratic systems grown out of a colonial experience and that have sometimes forestalled elections and resorted to lengthy periods of emergency rule (India and Sri Lanka), to military regimes with colonial pasts and interregnums of elected government (Pakistan and Bangladesh).

## **II. Politics and Governance as "Public" Activities - Implications for Women**

Constructions of allegedly contrasting, exclusive and complementary spaces, associated actions and behaviours that constitute the "public" and the "private" are central to any discussion on gender, politics and governance. Whether politics is defined formally (as in political party- or voter-related activity, highly organised anti-systemic initiatives in contests for state power, or trade union movements) or informally (as in mobilisations intending to challenge the status quo in realms such as gender relations, caste, ethnicity and religion), its key elements are regularly characterised in terms that locate them within a "public" domain. That is to say, politics is generally understood to be constituted primarily through (and as) activity and association outside the "private" or "domestic" realm. Likewise, effective governance requires citizens of a particular state to interact with

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agents of that state, institutions associated with the state, or participation in such institutions, all of which, too, are located outside the spaces designated as constituting “home”.

In the states of South Asia, the public/private divide is constituted and operated in gendered terms: masculinity is associated with the public, worldly space, and femininity with the private, domestic realm. This appears to hold even when the classification of any given activity as feminine or masculine, private or public, varies by state, and within a state, depending on the nature of the activity. The idea of the dichotomy can be retained even as its meaning is constantly contested, transgressed and transformed, especially by women. Its retention in the assumptions that undergird recent developments and implementations of state policy, however, has direct implications for women, obstructing at critical moments their engagements with the state. The ramifications of such a division are simultaneously mediated by status premised on factors such as class, caste, ethnicity, religion, and the rural/urban location.

### **Implications of the Private and the Public for Women**

For women, the split between the public and the private is pronouncedly informed by gendered notions of legitimate and illegitimate social behaviour. Where chastity and modesty are privileged as markers of “good” womanhood, to be a female public actor is a contradiction in terms. Complying with the prescriptions of good behaviour translates as confining oneself to the domestic realm, desisting from associations with men outside the prescribed kin group, and especially ensuring that one is not implicated in any activity that may be scripted as immodest and therefore immoral. This restriction has important consequences for women’s material independence and access to education, both usually requiring entry into public spaces, and both essential to locating women as autonomous citizens complementary to their position within their families and communities. Its implications for women as political actors are debilitating. To expose oneself outside the domestic space may place one’s “reputation” at risk, an argument that is also employed to blame women who are sexually harassed or assaulted while engaged in non-domestic activity, and to justify such violence.

However, even where women may have secured or been granted greater access to certain public domains, they may not have access to all public domains. For instance, Sri Lankan girls and young women face few family-imposed obstacles to education. Whether in rural or urban areas, a very high level of female literacy is reflected across most ethnic groups. Sri Lankan women do not face serious impediments to basic-level employment in the local and global marketplaces, the latter including the Free Trade Zones (FTZ) within Sri Lanka and migrant work in West Asia (Dabindu Collective, 1997). The marking of employment in the FTZs and West Asia as providing occasion for so-called immoral sexual activity and compromised chastity (insinuations that underscore the link between women's material independence and capacity for sexual autonomy) has not dissuaded women from seeking jobs in these sectors. Yet, such employment opportunities and associated struggles for the dignity and rights of female extra-domestic labour have not translated into a correspondingly high presence of women in public decision making or representative politics in Sri Lanka.

Constraints on women within the private domain have a direct impact on their capacity for public engagements. The reproductive aspects of the sexual division of labour, including maintenance of a household, birthing and caring for children, care for older kin and other temporary or permanent familial dependents, as well as working in the fields or engaging in other income-generating activity that benefits the family, have been noted by many women across South Asia as a key obstacle to political or other organisational engagement. This focus on domestication and a domesticated morality also means that women feel pressured to eschew any knowledge of "outside" matters, including politics. Men too invoke women's domestic responsibilities (which, as mentioned above, may allow for earning a wage outside the home, but no more) to discourage women's incursions into the public realm.<sup>3</sup> Additionally, in a bid to maintain the gendered division of space and associated norms of morality, male kin may use coercion or violence to prevent women from engaging in various types of public, social intercourse.

<sup>3</sup>*Shirkat Gah* (2002:183) recounts an example where women in Pakistan who attended a Focus Group Discussion had to make up an excuse to their men-folk in order to participate. One woman was reminded by her husband that even being allowed to work was a privilege!

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The state and its agents may act, in conjunction with family and community, to maintain the domesticity of women in particular ways and at particular times, while also enabling spaces and opportunities for women to disrupt their domestication. The actual consequences of state action or inaction, and how women act in such situations, are mediated by women's class, caste, ethnic, and other status, as well as by the nature of the state. For example, in processes of governance, the state compounds private patriarchy and the domesticated feminine when it nominates or (mis)recognises men as heads of households in contexts such as land distribution, local resource management or displacement compensation, regardless of whether or not women too are land owners or heads of households. An example from Sri Lanka highlights this. Generally in Sri Lanka, women across ethnic groups have had significant rights to own land. These rights are reflected in bilateral and matrilineal patterns of inheritance, even if the gendered control of land, *per se*, varies by ethnic group and region.<sup>4</sup> The nineteen-year old ethnic civil war has caused tremendous internal displacement and community losses, which have increasingly catapulted women into roles previously unfamiliar to many of them, including as head of household and primary wage earner. The new roles have compelled women to reorganise their lives to cope with the changes while also providing for increased personal autonomy in certain contexts. In rehabilitating displaced persons, the state has taken to allocating land with little regard for local inheritance patterns and traditions of land ownership, or to changes in women's lived realities. Thus, women are ignored as potential title holders and land is given in men's names only, unless it can be proved that the male head of household is dead. State officers may refuse land grants to women deserted by their husbands or where a husband's whereabouts are unknown (Rajasingham-Senanayake, 2001:119). By privileging marriage in this context, as the gauge of who should and should not receive land, the state institutionalises hetero-normativity. Thus, the state acts as a moral guardian, and ties together sexual morality, material autonomy and (un)worthy citizenship. It rewards women who are "properly" appended to a man and penalises women who are

<sup>4</sup>See Bina Agarwal (1994).



deemed inappropriately linked to a male, or not linked at all. Those thus penalised ostensibly include unmarried women who have male or female (sexual) partners, whether or not they live together in a domesticated relationship.

The tensions inhering in the sexual division of labour and the attendant demarcations of private and public may also be implicated in community-state relations. While devolving power to communities, the state could resist consideration that women are better placed than men to manage certain essential resources such as potable water. Women occupy this placement because they are most likely to need and utilise such resources in their daily labouring for the benefit of families and community. Because of the sexual division of labour, it can be argued, women are in fact primary mediators of the resource's consumption or utility, but the state continues to see women as unqualified. This resistance by the state is compounded where women themselves may take it for granted that they cannot possibly be engaged in resource management that is deemed a public/communal matter (Rafi Khan, 1996).

At another level, the sexual division of labour and accompanying gender-role stereotyping are implicated in how state functions are organised. In a militarised state, where membership in the armed forces is predominantly or exclusively reserved for men, and where the military has permeated state structures and operations in civilian contexts as well, corresponding gender constructs often valorise women in their reproductive and domestic roles. In contrast, where initiatives of the state, whether civilian or militarised, create or promote opportunities for women to participate in its bureaucracy, women are able to access public spaces through state employment. Middle-class, educated women may be best located to take advantage of such opportunity. Nevertheless, such spaces may also be gendered to contain them in a specific manner, so that these women are simultaneously prevailed upon to participate in sustaining a particular ideological definition of the state. An example from South East Asia reflects this. In the New Order in Indonesia (1966-1998), under the militarised regime of President Suharto, the state bureaucracy was organised in terms of the patriarchal family with its *pater familias* as head of state, and lesser "fathers" as heads of ministries,

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departments and other branches of the bureaucracy. Women's civic duties, especially if they were wives of civil servants, were defined so as to underscore their status as wives and mothers in subordination to men (Robinson, 2000). There was little formal recognition of women's role as productive workers, even though the regime's economic policies opened up new employment opportunities for women (Sen, 1998). This hegemonic state ideology of women's subordination overrode the diversity in practice of the status accorded to women in different ethnic communities of Indonesia.

Mobility is essential to participate effectively in activities that constitute citizenship. The capacity for mobility plays a key role in determining women's location in politics, because it determines access to resources and opportunities, and the actual ability to engage in mobilisation. For women, the meanings and valencies assigned to mobility are linked with the perimeters of domestication and other factors (such as caste and ethnicity) that are imbricated with gender. In Nepal, for instance, upper caste women, who have been able to take advantage of the mobility generated through access to the processes of modernisation, dominate the political arena. In contrast, Nepali women from other caste strata among ethnic and tribal groups of the hills, who are mobile for economic purposes and because of cultural permissions, are nonetheless discouraged from explicit political activity (Shtrii Shakti, 2002:48-49). Female mobility appears most permissible when the activity concerned is likely to benefit the family and carried out within its purview, even if the physical bounds per se are stretched, or when domesticity permeates an aspect of the activity requiring mobility. For example, in Pakistan women may travel away from their homes to participate in religious celebrations, bereavement or family celebrations such as births and weddings (Shirkat Gah, 2002:199-200). The forum of participation still fits within the bounds of the domestic and the reason falls within the parameters of acceptable female behaviour, such as extra-domestic movement for religious purposes or to maintain kin ties. Women, of course, may use such allowances to engage in socially subversive and/or political activity.

The accumulation of and access to material resources are also linked intimately with the demarcations of the private and public.

Gender-discriminatory inheritance laws across much of South Asia, usually falling under personal or religious legal systems and largely interpreted to grant women a lesser share than men, undermine women's capacity to maintain themselves independently outside marriage or other male-centred family formations. Stagnation in the interpretation and application of such laws often means that there is no provision to accommodate changing social and economic realities, including where women themselves are compelled to take on the responsibility for accumulating and redistributing essential material resources. In Bangladesh, for instance, Islamic law presumes that a son will look after his ageing mother and is therefore entitled to twice the inheritance of his sisters. However, social and economic changes mean that daughters rather than sons are now often solely responsible for taking care of aged parents, but they continue to inherit only half the share of a man (UNDP, 1999:26). Discriminatory allotments may apply even in situations of class privilege (where there are ample material resources to ensure equal inheritances regardless of gender) or where women's material and labour investments in family property would entitle them to a share commensurate with their investments. Such laws also compromise women in the context of political participation. Since women are, in general, less likely to be financially autonomous than men, they are less likely to have independent monetary resources for electioneering, and are further disadvantaged when inheritance laws deny them access to family capital to support their work.<sup>5</sup> In addition, the example of Sri Lanka given earlier contravenes any automatic positive correlation between more liberal inheritance laws and women's access to positions of public decision making.

### **Literacy's Worth**

Women (and often men) at all social and economic levels have often identified literacy and education as critical prerequisites to any type of effective engagement in public or political space.<sup>6</sup> Poor

<sup>5</sup>For the example of Pakistan, see Shahla Zia and Farzana Bari (1999:88). This report draws on several sources, including prior studies on women's political participation by Shirkat Gah.

<sup>6</sup>All the country reports in Tambiah, ed. (2002) attest to this.

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levels of literacy often lead women to devalue themselves and therefore compromise their capacity for decisive interventions both within and outside the family. Women in certain political fora, such as those elected to panchayats in India, have recounted numerous instances where male counterparts used the women's illiteracy against them. The women faced derision when articulating their opinions, or their recommendations to the council were disqualified (Ekatra, 2002:307-308). Locally, even where provisions for schooling exist, being deprived of an education may be the consequence of patriarchal values that deem education unnecessary or even dangerous for girls and women.

It is important to note, however, that high levels of female literacy do not automatically correspond to a high presence of women in public decision-making positions, or increase their political participation. Sri Lanka provides a key example of such an instance, indicating thereby that education needs to be associated with other social transformations to be an effective factor in promoting women. The quality and content of education are as important. Women who acquire literacy and education through texts and instructors that reinforce gender stereotypes are unlikely to interrogate the premises of existing social relations, beginning in the household, and consequently less likely to deem themselves political actors in public.

### **III. State-Women Interface: Women's Political Participation**

For women in South Asia, and in South East Asia, the challenges to engaging in politics are as complex as those faced in the bid to access and participate meaningfully in various other public fora where the decisions taken in such arenas have implications for larger groups of persons. The issues faced by women contesting elections through formal political processes foreground the nature of political culture in the region, as well as underscore, among others, the links between "private patriarchy" and "public patriarchy" (Kandyoti, 1997).

### **Dynastic and Kin-Group Politics**

Political activity at the national and provincial levels in South Asia continues in large measure to maintain intact feudal hierarchies and associated dynamics of power and patronage, implicating men as well as women. Consequently, women in politics at these levels, similar to (or perhaps even more so than) their male counterparts, are likely to emerge from so-called political families, kin groups with a history of political engagement, often located at the top of the national class and/or caste ladder. In South East Asia too, women in national-level politics are mostly from elite formations, whether these are old, wealthy, landed families or more recent elites whose power derives from their cultivated capacities for patronage.<sup>7</sup> In either region, the availability and type of spaces for political engagement are closely linked with the respective histories of state formation, development of state bureaucracies, and the promotion or compromise of means to democratic politics.

Most women in positions of national- or provincial-level political leadership in South Asia and South East Asia are the daughters, wives, and frequently, widows of prominent male politicians. This, in turn, informs how women access a political arena where kinship networking overrides loyalties based on political ideology and non-kin affiliations. A woman in such circumstances is likely to be heavily dependent, at least at the outset of her political career, on the electoral support accorded to her family, and on the financial support of male kin. Women are thus both supported and constrained by their privileged locations. Women who lack such family connections may have a minimal chance of entering politics, unless they are elected through social capital acquired by their own community work, including social service, or through the support of nongovernmental organisations (NGOs). Such women may also obtain the opportunity for political involvement if there are provisions for parliamentary reservations,

<sup>7</sup>In general, see Edwards and Roces eds. (2000). For a discussion on female candidates in the 1998 Philippines national elections, see Sagara Reyes (1998).

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or where the avenues to representative government include capacities for nominating Members of Parliament from national party-based or merit lists.<sup>8</sup>

In contrast, women's representation at local government level, especially in the lower tiers, is less likely to be determined by dynastic politics, as borne out by studies on panchayati raj institutions in India. While kinship ties and local patterns of family or caste group influence and hierarchy may have bearing on which women are nominated to contest elections, including when there are reservations for women, there is also more space for those with personal initiative and their own social capital (acquired through participation in community-level groups and associated decision making engagements, for instance) to be active in representational politics (Jayal, 2000:24-27; Asmita, 2002). Family and/or community support, however, appears to be essential for a woman to enter politics, although the implications of its presence or absence varies by location. In India, for example, a representative from Karnal district in Haryana, who took a personal decision to be politically active, was physically and verbally abused by her husband and family. To the contrary, several women from Garhwal region in Uttar Pradesh asserted that the decision to participate had been their own and ostensibly were able to act on their decision without family or community opposition (Jayal, 2000:24).

### **Hurdling Through Politics: Being a Woman Representative**

The terrain of electoral politics and representation is a trying one for many women. At the provincial and national levels, political parties are reluctant to nominate women as electoral candidates, even when policies are in place to encourage greater female representation at the level of candidacy. Women (if they are not from the political elite families) may need to cultivate the patronage of a senior male politician, and then feel they are permanently beholden to their patron (ICES, 2002:442). They are also likely to be compromised because of a lack of adequate personal financial resources to cultivate the electorate, or because their gender

<sup>8</sup>Sri Lanka and Singapore have provisions for such lists. As an example for Singapore, see "A candid interview with Dr. Kanwaljit Soin," [http://www.womenasia.com/eng/women\\_to\\_watch/articles/kanwaljit\\_soin.html](http://www.womenasia.com/eng/women_to_watch/articles/kanwaljit_soin.html)

indirectly disqualifies them from accessing party funds.

At the local level, where local elites dominate, even if the dynastic dynamic is less pronounced, both gender and caste may connive to block lower caste women from candidacy through harassment and intimidation, or sabotage the efforts of such women once they are elected (Vyasalu, P. and Vyasalu, V., 2000:45; Asmita, 2002:358-361). Again, the example of India provides valuable evidence for women's chequered experiences in local-level politics. The 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments of 1992 enabled 33 per cent representation of women in panchayats and indeed empowered women to enter the domain of politics in unprecedented numbers. However, their participation has been full of challenges and obstructions. In the first instance, many women were compelled by male kin to contest elections. It was regardless of whether the women themselves were interested, or whether there would be obstacles to their effective involvement, which included illiteracy, ignorance of institutional procedures or the responsibilities of office and no alteration to women's multiple work burdens. After election, women have not always been allowed to carry out their mandates. There are several instances where women have been put in place as proxies of their husbands or other male kin.<sup>9</sup> The panchayati raj experiences, however, continue to be hopeful. Instead of passively accepting their lot, women have frequently asserted themselves against efforts by familial or community men to confine them.<sup>10</sup>

Once women are elected as representatives, they face other hurdles. Firstly, they are much more likely than their male counterparts to be objects of the "moralistic gaze", and become targets of character assassination. Since they have defied the bounds of domesticity to engage with the public (male) domain of politics, the verbal and physical attacks against them are often explicitly sexualised. (This echoes the nature of the violence they may face

<sup>9</sup>For instance, see Khurd (1998). This example is from 1992, the year in which the 73rd and 74th amendments were passed.

<sup>10</sup>Asmita (2002), Buch (1999), Datta (1998), Ekatra (2002) and Jayal (2000) all provide examples.

<sup>11</sup>Election-related violence appears to be endemic in South Asia, and quite severe in Sri Lanka (see ICES, 2002). While both women and men are subjected to it, the violence directed at women, whether as candidates or party supporters, is almost inevitably sexualised, taking the form of stripping and threatened or actual sexual assault.



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while on the electoral trail.<sup>11</sup>) Some women have sought to pre-empt such attacks by deploying respectability upon entering politics, articulated via an insistence on modesty and emphasis on prioritising home and family over political commitments.<sup>12</sup> They have also invoked the image of the mother who serves the people as she does her family. The latter blurs the boundary between an exclusive construction of the private and the public by bringing a usually domesticated labour role into the public arena, but does not interrogate an otherwise essentialist gender construction. In other instances, engagement with politics may provide women the opportunity to defy the restrictions of the gendered feminine by moving into a more androgynous location, or by adapting certain postures and modes of operation that are generally reflective of a masculinised political culture. An example from the Philippines highlights this at the national level. Miriam Defensor Santiago was a 1992 presidential candidate who campaigned as a redoubtable, moral crusader. As a Commissioner of Immigration and Deportation, she successfully tackled corruption and prosecuted criminals engaged in the prostitution of women and children. Her “Movement for Responsible Public Service” metamorphosed into the People’s Reform Party. Santiago was a highly popular candidate who secured her position sans backing from the political machine, major funds or political families. At the elections she came a very close second to President Fidel Ramos, who was from the established elite and had the advantages of funds and infrastructural support in his campaigning. In her self-presentation, Santiago wore short hair, and practical, no-nonsense clothes in a culture where women in politics were expected to embody and reflect feminine beauty and religiosity as correlates of (female) power (Roces, 1998:295 & 303). At the level of local politics, there is the example of a Sri Lankan Municipal Councillor who, when asked about how she dealt with the endemic violence in electoral politics, exclaimed: “During election time the man in me has come to the fore. I have suppressed my femininity, tucked the fall of my sari around my waist and entered the fray” (ICES, 2002:452).

Secondly, the roles imposed on elected women representatives

<sup>12</sup>For instance, see Malathi de Alwis (1995), which draws on examples of key Sri Lankan women politicians.



by their (male) peers reflect the values ascribed to women's capabilities in the broader social context. Women may have greater responsibilities than male counterparts but fewer resources to fulfil these. Women's authority is compromised when their suggestions are rejected by male council presidents or co-members, and their efficacy brought under scrutiny simply because they are women (UNDP, 1999:23). Within elected bodies men may receive the more favoured positions and duties associated with greater social power, compared with women. Where women are proxies to male kin, they may be compelled to defer to the men, regardless of whether or not they (women) are competent in their own right (Asmita, 2002).

Thirdly, as mentioned above, women are also more likely to be illiterate or undereducated and hence subjected to ridicule. Furthermore, their minimal exposure to politics and little or no training in political duties may undermine their interventions as well. However, to the contrary, while their perception of politics may be limited by confinement to local bodies, several women representatives in panchayats have demonstrated a clear understanding of the functioning of local bodies. Many of them also see their election as an opportunity in empowerment, evident in the experience of representing their community at the panchayat, and in dealing with government officials on matters ranging from provision of development resources to countering gender and caste violence.<sup>13</sup>

### **Political Parties**

South Asian politics continues to be determined largely by political parties, their alliances and duels. Where party loyalties, rather than the competence of individual candidates, tend to determine fortunes in the political arena, women as a constituency are likely to lose out. While the strength and maturity of political parties are linked with the history of representational politics in each state, there appear to be some common trends with regard to women.

<sup>13</sup>For an example from Karnataka, which also addresses the positive ramifications of support by community-level women's groups for women representatives, see Srilatha Batliwala (1996). Also see examples given under the subheading, "Transforming women" by Jain (1996), and Asmita (2002).

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Women in political parties, unless they happen to be party leaders, are unlikely to fare well. Party women are usually confined to the lower echelons of power, with little chance of advancement. Further, their interventions are largely limited to activities connected with increasing the number of votes during elections or to social work efforts that promote the party's image.<sup>14</sup> Across the region, women's wings in political parties have provided a poor training ground for women interested in running for office, usually being activated to further party objectives rather than promote women's political empowerment.<sup>15</sup> This auxiliary status also means that the women's wing is unlikely to protest the party's failure to meet gender quota objectives. In the exceptional instances where a women's wing has been successful, this is often because of its relative autonomy vis-à-vis the party. For instance, the rural-based Sindhiani Tehrik in Sindh, Pakistan, was instituted by women of the Awami Tehrik explicitly to deal with women's issues that were insufficiently addressed under the auspices of the main party. Committed to raising the status of grassroots women but organising women across classes, it has espoused issues ranging from health and education to honour killings, and has worked collaboratively with women's groups on issues of women's representation in decision making bodies. It also plans to field women at local government elections. Sindhiani Tehrik is represented on the central executive of the Awami Tehrik, and owes allegiance to the party, but works with considerable autonomy (Zia and Bari, 1999:32).

Parties are also infamous for limiting the numbers of women, for party positions or electoral candidacy, to the quota recommended where such quotas exist, rather than using the quota as a minimum. In Nepal, for instance, while the three major political parties have a ten per cent quota for women's representation on their executive bodies, recent statistics indicate that the actual numbers of women on these bodies are less (Shtrii Shakti, 2002:53-54).

The de-prioritising of women's issues within the party and the discouragement of developing platforms on women's issues,

<sup>14</sup>This is a common complaint across South Asia. For Sri Lanka, see Kamala Liyanage (1999:111).

<sup>15</sup>For the case of Pakistan, see Shahla Zia and Farzana Bari (1999:31-32, 91).

whether within or across parties, are echoed by elected women representatives as well. Women members of national and provincial assemblies, like their male counterparts, are more likely to vote along party lines on issues that affect women, rather than espouse a bipartisan or non-partisan approach. They can also use the argument of gender impartiality to justify their inactivity on gender-specific issues.<sup>16</sup>

### The Vote

Casting a vote at an election assumes the status of a national duty for many women, regardless of the extent of their exposure to politics. Unless subjected to voter education, as in Bangladesh, few illiterate or undereducated women, compared with their educated counterparts, are likely to see voting as a political right rather than a duty, or to make an explicit connection between voting and the capacity to have an impact on a government (Ain O Salish Kendra, 2002:124). Sometimes women cannot vote because of cultural prescriptions. Through the invocation of purdah, women in some regions of Pakistan are not allowed to get their ID cards (which are pre-requisites for casting one's ballot) or because of cultural sanctions, the IDs have no photograph (Zia and Bari, 1999:90). In other instances, arguments that allege to be rooted in religion have been deployed explicitly to forestall women from voting, as when sanctions were imposed on women in Pakistan and Bangladesh to prevent them from casting their ballots, or even from standing for election.<sup>17</sup> Here, the terrain of women's fundamental rights may become the site of other political contests, as when allowing or preventing women from voting is linked with which candidate is winning or losing (Zia and Bari, 1999:26-27). In either case, whether it is invoking gendered cultural prescriptions or manipulating religion to inhibit women in the interests of more conventional political requirements, this can be an instance of connivance between male citizens, their communities and the state to restrict the fundamental rights of women.

Sources of influence on women's voting patterns speak to

<sup>16</sup>Several of the country studies in Tambiah, ed. (2002) reported this.

<sup>17</sup>For further details see Shahla Zia and Farzana Bari (1999:24) and UNDP Bangladesh (1999:22-23).

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another instance where restrictions and allowances within a domestic or communal space may spill out into a broader domain. In South Asia, a family-influenced voting pattern affecting both men and women reflects the enduring patron-client relationship between political candidate and voter. Women are more likely than men to concur that men influence their voting, but may deny that they felt pressured to vote for a particular candidate by male kin (Shirkat Gah, 2002:229). This influence is justified in terms of the perception that men are better informed on politics and what happens outside the home. It must be noted that patterns of pressure or its lack sometimes vary significantly within a state, where responses are informed by women's access to politics or political awareness within a particular province.<sup>18</sup>

### **Women Politicians and their Constituency**

Women politicians and their female constituencies appear to have a testy relationship. While women voters want women politicians to be sensitive to gender concerns, they also expect that female politicians intervene in governance beyond the "soft" (feminised) portfolios such as education, health, social welfare and the Women's Affairs Ministry. In Nepal, female voters who supported key women politicians complained that their representatives had largely failed to deliver any women-specific actions after they were elected, even though these politicians had campaigned on platforms dedicated to women's concerns (Shtrii Shakti, 2002:76). In Pakistan, neither women nor men had illusions about the competence and honesty of female politicians but many felt that only women would improve the lot of other women. Women also were convinced that women councillors rather than men would be more sympathetic to women's concerns (Khattack, 1996:20-21; Shirkat Gah, 2002:223). A high proportion of both women and men interviewed by Shirkat Gah in Pakistan favoured women's electoral involvement, even though rural men were anxious about who would mind the home if women took to politics, and queried whether women could

<sup>18</sup>*Shirkat Gah (2002). For instance, urban Sindhi women were less likely to be pressured than rural Baluch women, but women in rural and urban Sindh evinced higher level of interest in politics.*

competently negotiate on behalf of the state. Urban men did not have such reservations, but were reluctant to see their women kin enter politics (Shirkat Gah, 2002:239).

### **Affirmative Action: Pros and Cons**

Affirmative action measures, such as reservations and quotas for women, have for some time, and in different fora, been advocated as a critically important strategy to rectify the imbalance of women in political life and other key decision-making public posts. Such measures may be especially necessary to pre-empt the pattern of only women from privileged families accessing such positions. But as the Indian debate on reservations in the Lok Sabha has indicated, mandating quotas for women is not a position endorsed by most men, and some women, in particular at the national level. In South Asia, concerns about reservations include fears that: (i) female kin of elite or upper-caste male politicians may dominate parliament rather than ensure a more equitable ethnic/caste/religious representation; (ii) “feminists” wielding political power might threaten the status quo and provoke a male backlash; (iii) women entering parliament via quotas may be inadequately qualified; or (iv) competent women candidates may be permanently discredited as persons who made it on the charity ballot rather than by their own efforts.<sup>19</sup>

Besides, the efficacy of affirmative actions depends on how quotas are filled. In Bangladesh, for instance, elected parliamentarians, largely male, nominate those who will fill the ten per cent women’s quota at the national level. This means that occupants of those reserved seats are far more likely to help stabilise the party already in power rather than be well-qualified women, regardless of party affiliation, entering parliamentary politics. Some critics favour direct election to those reserved seats rather than nominations, while others prefer to strengthen those women already in government (Ain O Salish Kendra, 2002:139-140). In spite of the argument that reservations are as likely to keep women disempowered as to give them a foothold through affirmative

<sup>19</sup>For an earlier assessment in the Indian context see Vasanth Kannabiran and Kalpana Kannabiran (1997).

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action, several women, especially at the grassroots, have clearly favoured reservations at local government level as a means to empowerment in public and political space. This is especially striking when it is reckoned that women's political participation as a critical mass, as exemplified in the Indian panchayats, has helped implement plans that alleviate women's "private" burdens (childcare, potable water, sanitation etc.) and also enhanced their status in domestic space (Jayal, 2000:30-36; Asmita, 2002:362).

### **IV. Women's Perceptions and Experiences of Formal and Informal Institutions of Governance**

#### **How Gender Mediates Governance: Where are Women and Men Likely to Encounter the State?**

Gendered encounters with the state in South Asia appear to be contingent upon certain key factors. The occasions for meetings between citizens and agents or officers of the state may already be "gendered" prior to such encounters. For example, given that women are expected to be more concerned about domestic matters than men, women are more likely to interact with state officials in education, health and welfare. These are domains that constitute a government's "soft" ministries compared with other areas. This is where women in the civil services of their countries are likely to be concentrated as well, with a minuscule number, if any, at the higher echelons of office even within these ministries and related departments.<sup>20</sup> Men may have greater occasion to interact with personnel in the areas of finance and taxation, law and order, urban

<sup>20</sup>*Taking Pakistan and Bangladesh as examples: In 1993 in Pakistan women were a little over five per cent of federal employees. According to a 1995 report, more than half of female federal employees were in the ministries of education and health. While women constituted 40 per cent of employees in the education sector, and over 20 per cent in health and social welfare, they were only 1.8 per cent in food and agriculture, and 3.9 per cent in planning and development. The lowest presence was in foreign affairs (Zia and Bari, 1999:61-64). In Bangladesh, according to a 1997-1998 report, women constitute a little over ten per cent of public sector employees. About 21 per cent of health sector employees and 18 per cent in education are female (Ministry of Planning and Ministry of Women and Children Affairs, 1999).*

and rural development, and trade, covered by the traditional “hard” ministerial portfolios. They are also likely to constitute the majority of officials in these areas, at all bureaucratic levels.

Women, already implicated in state and community systems that ascribe to women dependency on men, are therefore liable to be portrayed and dealt with as passive recipients of the state’s services and resources, including as recipients of state initiatives on population control. This move also places women alongside children and others constructed as dependents upon the state. They thus merit the state’s benevolent “protection” because of ascribed special vulnerability. At the same time, they risk being victimised by the state while moving in “gendered” domains for their own advancement. An example would be the women workers in the Free Trade Zones of Sri Lanka, who have the opportunity to subvert material dependency and thereby secure some autonomy in other areas of their lives, because of negotiations between the state and multinational companies that make their employment possible. Simultaneously, that employment is possible because these workers are marketed by the state to the multinationals through the invocation of feminised ascriptions – nimble, malleable, docile and unlikely to cause trouble.

Men and women are likely to encounter the state on somewhat less gender discriminatory terms when they challenge the state directly in anti-systemic encounters. For instance, in the context of the Chakma uprising in Bangladesh or the civil war in Sri Lanka, women and men who actively resisted the state, shared equal risk when confronted by the state’s security forces. Gender is still an issue where the state deals with suspected or actual militants and with a civilian population in the context of a guerrilla war. Surveillance directed at women remains highly sexualised even if rape is not deployed systematically as a means of terror in the course of military operations.<sup>21</sup>

<sup>21</sup>*In the Sri Lankan civil war, rape has not been used systematically as a weapon by either the LTTE or the state, compared with the rape of Bangladeshi women by Pakistani soldiers during the 1971 Bangladesh Liberation War. But Tamil women in Sri Lanka are still at risk of rape by the state’s armed forces. Some brutal examples compounded by murder have been highlighted in the last four years. The most notable is that of Krishanthi Kumaraswamy. Local and international outrage spurred the state to take serious measures to prosecute the perpetrators, exposing shortcomings in the legal system during the process (University Teachers for Human Rights, 1999).*

### **Conventional Notions of Citizenship and Gendered Implications**

Citizenship, in its most basic understanding, connotes the relationship between citizen and their state. The state is expected to respect, safeguard and promote the rights of its citizen, while the latter discharge their responsibilities to a state that, they hope, represents them equally without favouring any select group. However, it appears that unequal gendered notions of citizenship are central to discourses of the state, regardless of assertions of equality.

Historically, women's entitlement to citizenship has been determined by their relationships to men and subordinated to masculinity, class, caste and other community locations, giving women therefore an "auxiliary" status vis-à-vis the state.<sup>22</sup> Besides enacting unequal citizenship status premised on gender, rather than disavow sectarian or ethno-nationalist policies South Asian states (as much as ethno-religious communities) have also selectively mobilised ethnic or religious identities for political and economic ends, thereby further complicating the relationship between gender and citizenship.<sup>23</sup>

Women rights activists have responded to the state's failure to promote gender equality in two ways: they have either held the state accountable for abuses of power regarding gender<sup>24</sup> and have pressured it to meet its commitments to women's welfare, or they have eschewed reliance on the state. As much as other movements for social transformation, women's movements at various levels have pressured the state, through non-party political mobilisation and advocacy, to re-define the state's responsibilities towards them. To press for good governance reforms, such as anti-liquor laws and state initiatives to safeguard the environment, it has used the

<sup>22</sup>As articulated by Shirkat Gah (2002:180).

<sup>23</sup>See Patricia Jeffery and Amrita Basu eds. (1999) for examples from Bangladesh, India, Pakistan and Sri Lanka.

<sup>24</sup>An example of the state's abuse of power regarding gender is on the matter of population control. While women proposed the need to be able to control their reproductive lives, policies articulated as population control have had the capacity to become coercive in the state's hands.

<sup>25</sup>Examples from India include the Chipko movement (Ekatra, 2002), and many anti-liquor initiatives country-wide (Ekatra, 2002, and Asmita, 2002).



discourse of basic needs and fundamental rights.<sup>25</sup> Significantly, women citizens may also seek to establish what their responsibilities are, along with their rights, in re-articulating their relationship with the state. This is perhaps because women have overwhelmingly had the demand to act responsibly thrust upon them by family, community and state, compared with their male counterparts.

Women in various formations have, through their activism, also contested the conventional definitions of citizenship and consequent relationship with the state, seeking to re-negotiate the meanings of citizenship through encounters with the state and its officers. For instance, while continuing to regard the state as the source of laws that protect them, women are sometimes compelled to confront the state's officers as compromisers of that same law. Encounters with the police and issues of custodial rape are an illustrative instance that is applicable across the region.

### **Mediated Perceptions of the State**

Women's perceptions and experiences of the state and therefore their definitions of a state's responsibilities are, in large measure, mediated by an array of social, economic and ethno-religious factors. For women who have minimal exposure to the public realm, politics and processes of the state may be equated almost exclusively with electoral politics and voting. Others who have greater mobility and cause to challenge the state and its policies, whether by accident or design, including politically active students and workers, may see politics as an expression of the competitive tendency and contests for power that permeate all levels of government (Ain O Salish Kendra, 2002). Proportionately few women are likely to define politics as a matrix of power processes informing the assertion of fundamental rights and negotiation of various entitlements from the state, and therefore value women's direct representation in democratic process in a particular way. Women from depressed castes or classes, and from ethnic minorities that are under siege from the state, may see political engagement as a means to retain or regain their identity and self-dignity simultaneously as women and as members of a minority or

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depressed group (Ain O Salish Kendra, 2002:162).

To glimpse how women and men in South Asia may understand concepts such as “governance”, “state” and “government”, it may be useful to compare field research evidence<sup>26</sup> with some definitions generally used in a social science context. In the latter instance, notions of governance may include ideas about (i) the legitimacy of government, which is linked with participatory processes and the consent of those who are governed; (ii) the accountability of government officials for their actions and the existence of mechanisms by which individuals and institutions can be held accountable; (iii) the competence of a government to formulate appropriate policies, make timely decisions, implement them effectively and deliver services; and (iv) the respect for human rights and the rule of law to guarantee individual and group rights and security in order to provide a framework for political, economic and social activity (Ain O Salish Kendra, 2002:105).

Few women and men surveyed or interviewed in South Asia demonstrated an understanding of the difference between the concepts of government and state, even if there were different words in local languages to distinguish between the two. Among those who identified a difference, some said that they felt a sense of entitlement as citizens within the state, regardless of the government in power, whereas any particular government could represent the interests of select persons or communities rather than all components of the body politic (ICES, 2002:490).

Understandings of governance were also mediated by the social and political locations of persons in relation to the state, which in turn inform their expectations of what constitutes good governance. In some situations of political contest where citizens experience the armed presence of, and heightened surveillance by, the state, many women continue to feel represented by the state.<sup>27</sup> Such a view would be unlikely in other, but similar, situations where the presence of the state is experienced mainly as oppressive and illegitimate. Women’s location vis-à-vis the state, as perceived by

<sup>26</sup>This again draws primarily from the country studies in Tambiah, ed. (2002).

<sup>27</sup>Ekatra (2002:340) indicates that even in a troubled region such as the Punjab, in India, only about 25 per cent of the women surveyed felt that they were not represented by the state.

minority women (such as the Chakma in Bangladesh) sometimes hinged on the nature of the minority community's relationship with the majority, especially with the majority-dominated state at any given historical moment (Ain O Salish Kendra, 2002).

The capacity to re-imagine the state in South Asia is both influenced and limited by the fact that women and men have rarely, if ever, experienced, or been encouraged to imagine, a viable alternative to the organising principles and functioning of an overarching state, even if, as an institution, it is inefficient and frequently corrupt and repressive. Hence, women and men continue to perceive themselves as located within and in relationship to the existing state, and in large measure expect the state to continue in its many roles as intervener and mediator rather than reduce its capacities. However, women in general are very clear that the state falls considerably short of what it could do to alleviate the lives of its citizens. Most women envision a democratic, participatory, accountable, non-discriminatory and gender sensitive state that is committed to the transparency of processes of governing. Many also see the state as a provider of law, order and peace as women are disproportionately victimised by violence of all types (Ekatra, 2002). They also desired a state where religious or ethnic differences would not be deployed for political gain. Others, especially if they were from disenfranchised minority communities, emphasised the need for a state to guarantee physical and economic security, and to maintain the rule of law, including respect for fundamental rights (Asmita, 2002, and Ain O Salish Kendra, 2002). It was felt that a decentralised state was more likely than a centralised one to address effectively everyday, local concerns (Ekatra, 2002). In short, women are interested in seeing the welfare state persist and strengthened, acting as a provider of resources and employment, a site of adjudication, and as the owner and maintainer of essential services. This takes on added urgency in a context where structural adjustment and economic reform programmes threaten to curtail state-provided facilities that are vital to women's capacities to continue discharging their responsibilities to their families and communities.

There is also hesitation by communities to take on full responsibility for managing resources that could be utilised by citizens. While communities may profess to have a shared

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investment with the state in regard to resource ownership, with the state holding resources in trust for the people, they still expect that the state, whether acting in its centralised or de-centralised capacities, would administer such resources and their distribution (ICES, 2002:483). However, existing degrees of, or increased, intervention by the state notwithstanding, a considerable proportion want NGOs and civil society groups or “the community” to take on service delivery. For women, education and health are the two areas where they are open to considering interventions by the private sector, especially if these women are of urban, middle class backgrounds (as they are the group who could access such service alternatives to the state). In comparison men, especially if they are from the urban upper and middle classes, favour private sector interventions in areas such as health, education and banking.

## The State and Law Reform

In South Asia, the women’s movement has frequently focussed on law as the favoured site for confronting the gender biases of the state. However, the capacity for transformation in that arena has been compromised as much by the endemic sexism of the legal system as by the limitations of impact resulting from inadequate related institutional change and public awareness raising. The law continues as a site that offers an important blueprint of the nature of relationships between the state and (female) citizens. For instance, the law valorises women as wives and mothers in certain contexts, but simultaneously discriminates against married women in others. In Sri Lanka, for example, wives cannot prosecute their husbands for marital rape (except in instances of judicial separation). The law may also manifest perverse bids at gender equality, as in the move in Sri Lankan law to criminalise homosexual acts between women.<sup>28</sup> The law has also frequently been the site where contests between ethno-religious communities for stakes in the state have been articulated, with gender frequently becoming

<sup>28</sup>Until the 1995 Penal Code amendments, section 365A of the Sri Lanka Penal Code criminalised “gross indecency” between “male persons”. The 1995 amendments removed “male” so that the statute now reads (gender-neutrally) “persons”.

a terrain for legal battles that ignore minority women's needs, especially pronounced in contexts of ethnic polarisation and the fragile political alliances within governments.<sup>29</sup>

Most citizens, both women and men, experience constraints in accessing the state's justice system, marked by chronic delays in judicial processes. There is a general perception that justice is available only for the privileged class. Some women may also reject the state as a site of justice, seeing it as acting in collusion with other formations repressive of women, such as family and religious hierarchies. Others prefer to keep the state out of family matters, or turn to the courts only as a last resort (Shirkat Gah, 2002). Few South Asians consider the police in favourable terms. These experiences notwithstanding, the expectation prevails that the state's institutions should provide justice, even if many persons are compelled, or prefer, to take their problems elsewhere to more accessible institutions, such as to the local political elite and traditional, community-based fora, for dispute resolution.

The general distrust of state institutions, such as the police and legal courts and their perceived condoning of gendered violence may also push women and men to seek justice through panchayats or other local decision-making bodies. Local sites of arbitration may be preferred for their familiarity, accessibility and relative speed of dispute resolution rather than unfamiliar, time consuming and inaccessible mechanisms of the central state. This may be true even if such local bodies traditionally have no women functionaries, or are rarely accessed directly by women themselves, as in Bangladesh and Pakistan (Ain O Salish Kendra, 2002, and Shirkat Gah, 2002). In fact, in some instances such as in Pakistan, the state might actually rely on local arbitration bodies for problem resolution within the local context rather than bring a matter to court. It is so especially when it is felt that the existing state mechanisms will not be able to address a situation competently or adequately, thereby bearing testimony to the imperfect reach of the state and its mechanisms (Shirkat Gah, 2002). However, both women and men are keenly aware that such local fora are not "neutral", being also sites for power play and exertion of influence by the local elites.

<sup>29</sup>See, for instance, Nivedita Menon (1998) and Yasmin Tambiah (1998).

### **The State and Women Workers**

The relationship between the state and its female citizens has become increasingly tentative, mistrustful and fractious in the context of globalised movements of capital and labour. Globalisation has entrenched gendered hierarchies in the labour force as well as increased the percentages of women living below the poverty line. As discussed above, the state has been instrumental in ensuring the docility of labour to ensure foreign investment, such as by banning strikes in Free Trade/Export Processing Zones, and has been party to the exploitation of labour by multinational corporations through its role in projecting an image of the passive female worker. It has also taken inadequate measures to ensure the personal and occupational safety of female garment workers and migrant women workers whose income swells the gross national product. In addition, given that the (already relatively weak) welfarist role of the South Asian state has been increasingly compromised through its compliance with structural adjustment programmes or their equivalents imposed by international monetary institutions, women are being forced to shoulder increased responsibilities in care-taking and other reproductive labour sloughed off on to them by the state.<sup>30</sup>

The gender biases of the state also emerge in instances where resource allocation becomes an issue. The state appears as cooperative and supportive when income generation is the focus. Income generation can, in fact, be justified as alleviating the situation of the entire community through socialising of the private care-taking function of women. But it may turn hostile when resource allocation requires enactment of the norms of “equal” citizenship, recognising women as landholders, primary wage-earners or heads of households, independent of or equal to men (ICES, 2002:455-460).

<sup>30</sup>See for instance Kerry Rittich (2001). While Rittich focuses on the former Soviet Union and Eastern Europe, the issues she raises are pertinent to South Asia.

## V. The Role of Civil Society in Engendering Governance

### Women's Movements and the State

In South Asia, the history of women's movements is closely linked with the history and fortunes of the post-colonial state. Political and institutional mobilisations to promote women's education, interrogate repressive social practices and revoke or reform certain oppressive laws were an important aspect of reform and independence movements from the late 19<sup>th</sup> century into the 20<sup>th</sup>. Women in contemporary political movements have continued to emphasise that advancing women's rights cannot occur independent of other movements for democracy and social justice, including equality for ethnic minorities and depressed castes and classes, and demilitarisation and cessation of armed conflict. While women's mobilisation has catalysed the state to alter some of its policies to accommodate women's needs, women's movements have often suffered major setbacks when the democratic capacities of the state are compromised through military regimes or other authoritarian governments.<sup>31</sup> Further, given that the South Asian state tends to favour the maintenance of a gendered inequality, rarely interrogating gender relations in a fundamental way, it is likely to support those women's organisations and initiatives that it perceives as non-confrontational and/or promoting the state's policies.<sup>32</sup>

Some women's organisations associated with development have striven to function independently of any political party, and to cultivate support from the state through such 'neutral' positioning. While this strategy has enabled women to secure more access to public space and decision-making, the confinement of such organisations to 'community development' level has also compromised their capacity to assert themselves in more conventional politicised fora. In fact, the state can now easily ignore

<sup>31</sup>Exceptions to this do exist, however, as in spaces opened up for women during the Ayub military regime in Pakistan, most notably the introduction of the Muslim Family Laws Ordinance (Zia and Bari, 1999:7).

<sup>32</sup>For examples of such organisations and the consequences once they engaged in electoral politics, see ICES (2002:456-462).

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or dismiss them as being concerned primarily with (non-politicised) development. At the same time, most states in South Asia have been compelled to recognise the value of NGOs, especially in the context of globalisation and economic restructuring. They may acknowledge, even if reluctantly, that in some instances NGOs are positioned to provide services that the state cannot deliver to its citizens, even as in many more instances the state, by the far greater magnitude of its outreach capacity, cannot have its functions replaced by those of NGOs. In the former instances, NGOs are implicated in state maintenance and reformation, even if explicit joint ventures between NGOs and local government bodies are rare.

### **Women's NGOs, Informal and Formal Politics**

NGOs play a key role in providing space for women to cultivate political awareness and actively participate in politics, or challenge the status quo and various systems of discrimination from outside party-dominated spaces.<sup>33</sup> While NGOs may have a limited impact on society compared with the apparatus of the state, they can still play an important role by supporting women's interventions and providing opportunities for developing leadership (Asmita, 2002, and Shirkat Gah, 2002).

Nationally and regionally, NGO networks form effective pressure groups to keep women's issues, such as inheritance rights, violence against women, and equal access to education and employment, at the fore. The particular strength of such formations is that they provide the opportunity for women to cultivate a collective social power to confront and negotiate with the state for the causes important to women (Shtrii Shakti, 2002). In particular, if their interventions are rooted in a feminist perspective that underscores the need for a multifaceted approach to challenging gender inequality, by simultaneous consideration of concerns such as poverty, caste privilege and sectarianism, then they also afford the opportunity for women to understand the interconnections between, say, income generation and the merits of women's material autonomy. For instance, in Bangladesh, access to micro-credit

<sup>33</sup>All country studies in Tambiah, ed. (2002) attest to this.



systems empowered poor women to be less dependent on class-privileged people for work and resources (Ain O Salish Kendra, 2002:146).

NGOs have also made decisive interventions in shoring up elected women representatives. Examples from India establish that, where women's NGOs are active, elected women representatives are more likely to be aware of provisions in the formal political process (Asmita, 2002, and Ekatra, 2002). Some NGOs have undertaken training programmes to strengthen the efficacy of women representatives, thereby underscoring the potential in links between women in civil society and those in formal politics.<sup>34</sup> To the contrary, others have desisted from such activity in order to distance themselves from mainstream politics (Shtrii Shakti, 2002, and ICES, 2002). The most noteworthy alliances between women's groups and other civil society institutions have emerged in the context of either resisting or contesting an authoritarian state, as in working on human rights initiatives or protesting press censorship. On the other hand, women's formations have also cultivated alliances with groups that promote sectarian impulses, a reminder that civil society does not simply mean pro-democratic, pro-feminist forces, but also conservative, anti-feminist, religious extremist formations.<sup>35</sup>

### **Gendering the Governance Agenda in Civil Society**

The growing emphasis on promoting good governance through an alliance between funders and concerned civil society organisations has necessitated a focus on gender, its implications and deployments. NGOs that are primarily women's organisations, and which therefore focus all their resources, personnel and material, on women's issues have engaged in a number of projects in relation to assessing the nature and requirements of effective governance in specified locations. Such projects include research for action, training of elected women representatives, gender-sensitising government officials, building institutional capacity to provide and sustain support for local governance initiatives, etc.

<sup>34</sup>As in states such as Karnataka. See Srilatha Batliwala (1996).

<sup>35</sup>See for instance Patricia Jeffery and Amrita Basu, eds. (1999).

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There are also organisations that are not women's NGOs, but which are concerned with ensuring that gender sensitivities are reflected in their governance programmes. The strategies they employ to ensure this appear to place them in two main, though not always exclusive, categories.

In the first type, there is a distinct gender unit within the institution. This unit deals with a range of programmes that address concerns focussing on women, of which governance may be one area, alongside violence against women, micro-credit opportunities, women's health, female literacy, etc. Governance concerns may include gender-sensitising the judiciary, and providing support and training for women candidates and elected representatives in local government.<sup>36</sup> Governance programmes that fall outside the gender unit may be gender-blind, gender-neutral, or regard gender as irrelevant. Alternatively, while there may not be a distinct gender unit per se, there would be research projects or training programmes that focus exclusively or primarily on women, with governance again being one of many areas addressed.<sup>37</sup>

In the second type, there may not be a separate gender unit, per se, but gender is addressed within each or most projects undertaken by the institution, including those on governance. Women and gender concerns are therefore integrated into programmes or projects so that a critical awareness of gender informs research (both content and research team composition), analyses or training.<sup>38</sup> This type of institution appears to be more rare, as it requires that its staff be gender sensitised so that project design and implementation reflect gender awareness more widely. Assessing the merits of each type of institution in the cause of promoting women's interventions in politics and governance would require more extensive research and analysis.

<sup>36</sup>For example, ProPublic in Kathmandu.

<sup>37</sup>The International Centre for Ethnic Studies in Colombo, which has governance as part of its programmatic mandate, has recently had a regional project on women and governance, as well as a Sri Lanka-specific project looking at domestic violence.

<sup>38</sup>The Sustainable Development Policy Institute (SDPI) in Islamabad strives to approach this model. While some of its governance research focuses primarily on women (such as studies on local government, and nuclearization, by Saba Gul Khattack), others (such as studies done by Shahrugh Rafi Khan, et. al. on controlling water resources) attempt to integrate gender into analysis.

## VI. Conclusion

The impact of gender inequality on governance is as debilitating as it is widespread. Complicated by other intersecting hierarchies, such as class, caste, ethnicity and religion, the differences ascribed to women and men on the basis of sex are recreated, maintained and manipulated in contests for state power and resource allocation. Women (and whatever is designated as “feminine”) unless they are already located in a network of privilege tend to lose out in such contests. Not only does this translate into at least half of a state’s population being deprived of benefits and opportunities for advancement, but it also indicates that the growth of a state, in terms of economic and infrastructural development, and a better quality of life for all its citizens, is seriously compromised.

Women’s attempts to engage more effectively in the public and political life of their countries, and to negotiate the meanings of citizenship, necessitate engaging with issues that range from access to education, mobility, financial capacity, and the sexual division of labour on the one hand, to political parties, systems and processes on the other. The state’s willingness to intervene on women’s behalf, or create an environment and opportunities that promote women’s participation, is, in turn, determined by the interests of state and political actors in securing or maintaining power. In South Asia, and frequently in South East Asia, this has often taken the form of manipulating ethnic and religious sentiments of citizens, protecting existing social hierarchies and incumbent political elites, and using gender as the terrain for negotiating the maintenance or reformulation of political alliances regardless of the interests of women themselves.

The results of such operations are seriously compounded by tensions besieging global south states in the contemporary international arena. In 2003, globalisation includes contending with the possibility of a world-scale war; the designation of particular communities as local and international security risks; and restrictions on migration and travel for a range of purposes, including employment, prompted by fears of border penetrations by so-called “terrorists”. These are aggravated by ongoing, vigorous contests for the control and regulation of capital and labour by multinational corporations, and demands for infrastructural

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adjustments in the states of the global south by international financial institutions.

In many of these scenarios, as states contend with internal and external pressures, it is women who are facing the primary risks and debilitations of shifts and failures in state commitments. Women are still largely dependent on the state for resources and services that make it possible for them, at least minimally, to cope with the discriminatory sexual division of labour, an inequality that in itself compromises any bid at material autonomy and accompanying freedoms. Withdrawal of the state from its welfare functions will burden women still further. While the root causes of the under-development or uneven development of a state may be complex, it is pressingly clear that attempts to devise solutions at any level of policy making within a state, or on issues concerning its borders, cannot hope to be effective unless the lives and concerns of women are given serious consideration, and they are drawn in as public decision makers and political actors to articulate their anxieties and aspirations, as well as voice the concerns of the communities with which they are linked.

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## ***LOCATING GENDER IN THE GOVERNANCE DISCOURSE***

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Niraja Gopal Jayal

In the recent history of the idea of governance, there has occurred an observable shift from a state-centric notion of governance to a more catholic one that encompasses the three major domains of social action: the state, the market and the civil society. The emphasis on governance in recent development discourse attempts to redress the excesses of the swing away from the state to the market as the premier agency for achieving the goals of development and poverty reduction. The market - which was till recently offered as the definitive panacea - is no longer seen as unambiguously good, and the state is no longer viewed as unequivocally bad. Current notions of governance thus seek to embrace both state and market simultaneously. It is also not altogether accidental that the new emphasis on governance coincides with a renewed appreciation of the virtues of civil society and, in some accounts, of social capital as a factor enabling development.<sup>1</sup>

The recognition of this plurality of domains - state, market and civil society - is arguably the most distinctive feature of the new definitions of governance that have emerged in recent years. But it is worth noting that they also recognise a multiplicity of levels. As such, they include, in addition to the institutions of national government, a focus on institutions of local and global governance, and indeed frequently suggest an emphasis on these two levels at the expense of the national. This displacement of the national is an unsurprising corollary of the interrogation of the centrality of the

<sup>1</sup>*Ben Fine has argued that the promotion of the concept of social capital is of a piece with the economics of the post-Washington consensus, in its search for the role of non-economic factors in economic performance. (Fine, 1999:13)*



state in the new governance discourse.

Altogether, therefore, governance is now viewed as a more broad-based process which encompasses state-society interactions and partnerships. The empirical referents of this process-based, rather than structure-based, definition of governance include a range of organizations, as well as the complex relationships between them. Institutions of local government (such as *panchayats*); civil society organizations (ranging from social movements to non-governmental organizations, and from co-operatives to civic associations); and private corporations as well as other market institutions, are all relevant actors in the new lexicon of governance.

It is, however, worth noting the fact that the shift from government-speak to governance-speak has had quite distinct imperatives in the North and the South. In the North, the policies of deregulation and cutbacks in social spending were substantially the result of a fiscal crisis in the advanced capitalist democracies, leading them to search for new strategies of public management to replace the inefficient and gargantuan welfare-state bureaucracies, even if these meant reorganizing the state itself along the lines of private industry. Privatization and liberalization have not meant a reduction in the role of the state, but rather a process of 'reinventing government' in a way that entails "the replacement of bureaucracies which directly produce public services by ones which closely monitor and supervise contracted-out and privatized services, according to complex financial criteria and performance indicators." (Cerny, 2000:129). Simultaneously, the wave of new social movements—including the women's peace and environmental movements – signalled new assertions, independent of party politics, in civil society. The resurgence of civil society was particularly marked in the erstwhile socialist states of eastern Europe. The retreat of the state effected by the new emphasis on the market and civil society was arguably accentuated, in the 1990s, by the processes of globalization, expressed in diverse institutional forms, from the spatially limited economic and political federation i.e. the European Union, to institutions like the WTO and others, seeking to inaugurate global regimes in trade and environmental regulation. Together, these tendencies have effected a truncation of the state's role as the regulator of economic activity, as also its role as a provider of social services, but not arguably its role as the

“orchestrator of social consensus” (Hirst, 2000:26).

In the South, by contrast, governance discourse did not merely recognise and justify an existential reality. It landed on Southern shores as medicine prescribed by the good doctors of the Bretton Woods institutions, to remedy the laggard and inefficient development performance of these states. It is well known that governance was first problematised in a World Bank document of 1989 on sub-Saharan Africa, which suggested that the Bank’s programmes of adjustment and investment in that region were being rendered ineffective by a ‘crisis of governance’. Good governance soon came to be equated with “sound development management”, and was defined as “the manner in which power is exercised in the management of a country’s economic and social resources for development” (World Bank, 1992:3). Its four key dimensions were specified as public sector management (capacity and efficiency); accountability; the legal framework for development; and information and transparency. The OECD drew upon this definition, and proceeded to link it with participatory development, human rights and democracy. The convergence between these definitions of governance and neo-liberal economic policies was unmistakable, as both made a case for democratic capitalist societies, governed by a minimal state. Notably missing from this definition of governance was the idea of politics. It made no allowance for citizens of democratic societies to determine their particular concepts of governance through the political process. In this way, it ruled out the generation of a governance agenda that is a product of democratic politics, rather than a condition of it (Jayal, 1997).

Happily, this definition of governance has, in subsequent years, been transcended and alternative conceptualizations have emerged which are not driven by donor interests or tied to aid conditionalities. Not merely do the newer definitions recognize the *plurality of actors* involved in the process of governance, they address themselves also to the *substance* of governance. This means that governance is no longer simply equated with civil service reform, or with the application to public organizations of management strategies devised in the private sector. Instead, there is now a greater emphasis on participation, decentralisation, accountability, governmental responsiveness and even broader concerns such as

those of social equality and justice. This new emphasis has been facilitated by a parallel process: the discrediting of the conventional definition of development as economic growth, and the adoption by international agencies, of the human development perspective associated with the writings of Amartya Sen and Mahbub-ul-Haq, most recently linked also with the agenda of human rights (UNDP, 2000). Of course, it must not be forgotten that the redefinition of development has been at least partly a consequence of social and political struggles the world over, but especially in the countries of the South, against unsustainable and inequitable forms of development.

An understanding of governance thus requires that we study domains other than that of exclusively formal institutionalized political and administrative structures, and recognise that governance concerns encompass a variety of spheres. These include the political (e.g., equal application of the rule of law, accountability and transparency, the right to information, corruption in public life); the economic (e.g., corporate governance, the regulation of the private sector and financial markets); and civil society (in its various manifestations, not excluding uncivil associations). However, the degree to which the activities in these varied domains reflect the substance of the concern for governance varies. For instance, initiatives in some of these areas - e.g., social movements are participatory, but in many others they are manifestly not. Similarly, while some non-governmental organizations potentially offer more effective delivery even of public goods or services, they are not necessarily accountable or transparent, and several even begin to resemble the state and replicate statist models.

A gendered perspective on governance must encompass all the realms that the new discourse of governance recognises, and more. Indeed, the three domains of governance should not be seen as unproblematically hospitable to gender issues. In fact, there is nothing inherently gender-friendly in this widening of the ambit of governance beyond the state. Even if the need to go beyond the state is indisputable, the importance of state intervention for disadvantaged social groups can not be underestimated. Ultimately, it is unlikely that social provisioning can or will be done by any agency other than the state. Even in advanced capitalist societies, the role of the state as the 'orchestrator of social consensus' remains

relevant. Markets are notoriously hostile to the poor, and given the gendered nature of poverty, to women belonging to these sections. Civil society is not definitionally gender-neutral, either. Even as women's movements are located on this site, we cannot ignore the fact that many civil society organisations - such as religious fundamentalist groups - are neither civil nor democratic nor empowering, and frequently conservative in the way they define women's roles.

What then does the project of 'engendering' governance entail? In 1995, the UNDP committed itself to the view that improvements in "the public sector management aspects of governance...might promote the realization of objectives of sustainable human development" (UNDP, 1997:1). Here, sustainable human development was posited as the objective, and governance (as public sector management) as the appropriate instrument for its achievement. The normative weight of the definition was unmistakably on sustainable development. Two years later - recognizing that this definition (a) was not adequately critical of the idea of economic growth as a panacea for development; (b) presented an incomplete picture of the major realms of governance; and (c) did not sufficiently account for future challenges to governance, arising out of globalisation processes and environmental degradation - the UNDP redefined governance as follows :

The exercise of political, economic and administrative authority to manage a nation's affairs. It is the complex mechanisms, processes, relationships and institutions through which citizens and groups articulate their interests, exercise their rights and obligations and mediate their differences (UNDP, 1997:9).

This definition retains vestiges of the instrumentalist view, for though the larger document explicitly recognises that governance encompasses every institution and organisation in society, from the family to the state, the definition pointedly isolates only the three important domains of governance which, it claims, directly contribute to sustainable human development: the state (political and governmental institutions), civil society organisations and the private sector (ibid). This *focus on essentially public institutions carries an implicit endorsement of the public-private divide.*

Two cautionary arguments may therefore be ventured. First,

the very definition of governance needs to be engendered before we can embark upon the project of engendering governance itself. This implies a recognition of the fact that, through their emphasis upon public institutions of authority, current definitions reinforce the public-private divide, and make little or no attempt to recognize the private sphere as an arena of governance – e.g., the family – or as an arena influencing the exercise of social power and modes of governance. The interaction of public and private arenas of governance is important because the ways in which these spheres are distinguished and constructed affects women profoundly. Is it then unreasonable to expect the idea of governance to explain or interrogate the mutually reinforcing relationship between what Sylvia Walby has called public and private patriarchies?<sup>2</sup> Standard conceptions of governance are arguably also less than attentive to arenas of resistance, traditional methods of self-governance, or even alternative models, such as informal institutions for the collective management of natural resources.

Secondly, the project of engendering governance should be viewed in terms more exacting than simply placing women at the higher echelons of governance – of the state, the private sector and NGOs. This may be an important objective, but it is no guarantee of genuine participation or equal voice in decision-making. Historically, early feminists like Mary Wollstonecraft had invoked essentially liberal notions of equality and universal individual rights to buttress the claim of women to equal rights of citizenship. Today, almost a century after female suffrage was first granted, it is clear that franchise alone had a limited potential to transform women's lives, leading 'second-wave' feminists to question the apparent gender-neutrality of the liberal conception of the individual citizen (Voet, 1998). This concept has been found wanting precisely on account of its universalism, which precludes it from recognising the importance of difference, one response to which deficiency has been Iris Marion Young's argument for group-differentiated citizenship (Young, 1990).

In the same way, while engendering the uppermost echelons

<sup>2</sup>"Private patriarchy is based upon household production as the main site of women's oppression. Public patriarchy is based principally in public sites such as employment and the state." (Walby, 1990:24)

of governing institutions may be regarded as an important task, it should be seen as no more than one of the multiple strategies required to achieve substantive gender equality. This is so because the engendering of the higher levels of governing institutions frequently achieves little more than the engendering of elites. Any top-down conception of governance has only a limited potential for empowering women, for even as it recognises the plurality of areas of governance (outside and beyond the state), it remains preoccupied by the uppermost layers of structures in these. The important task is surely to address the many different ways in which women are unequal, disadvantaged, oppressed and exploited : within the household, in the labour market, and as members of particular classes, castes, races, and religious communities. Women need to be empowered to interrogate their oppression in all these spheres, from the family to the state. A wider definition of governance alone can enable us to do this, though the question of how limited or how wide that definition can legitimately and usefully be is not easily resolved.

Such an interrogation suggests the possible efficacy of expressing governance concerns, and especially those of gendered governance, in the vocabulary of rights. What sort of rights theory is most hospitable to such claims? Clearly, a negative conception of rights (in terms of liberty or 'freedom from') alone is an inadequate instrument, because the principle of freedom from the state has often (from the liberal political philosopher John Locke to the contemporary libertarian philosopher Robert Nozick) been invoked to assert the indefensibility of state interference in the private sphere. From a feminist point of view, negative rights are suspect because social practices are often oppressive and patriarchal, and the absence of state interference may give license to such forces. A positive conception of rights, on the other hand, has the merit of providing not just a formal structure of rights, but also enabling conditions that make their fulfilment possible. A gendered view of governance must be a rights-based view in this latter sense, because it has to engage with and address long histories of exclusion, marginalisation and invisibility. Women's claims to voice, and to a recognition of their contribution to the productive life of society, have therefore to be couched in the language of rights for at least the following reasons :

1. Despite ostensibly universal and gender-neutral categories of citizenship, women have continued to suffer subordination and exclusion, both within and outside the family.
2. The availability of rights is severely compromised for those belonging to subordinate social groups (e.g., racial or religious or linguistic minorities or lower castes in India), and especially so for women belonging to these groups.
3. Even in their most minimal and negative conception, rights are frequently not available to large numbers of women. Let alone the right to make meaningful choices about one's life in accordance with one's conception of self-realization, basic civil and political liberties are routinely denied or severely curtailed. These include, variously, the free exercise of the right to franchise, freedom of association and movement, the right to be elected, reproductive rights, etc.<sup>3</sup>

Let us examine more closely some dimensions of these three issues. First, the question of the universal rights of equal citizenship. Since 1895, when New Zealand became the first country to give the vote to women, most countries<sup>4</sup> in the world (which have elected assemblies) recognise the right to universal adult franchise. Most states have also ratified the major international instruments relating to gender equality, such as the Convention on the Elimination of All Forms of Discrimination against Women. Fewer have ratified the Convention on the Political Rights of Women. Some countries have also formally referred the Beijing Platform for Action (1995) - which interprets women's rights as human rights - to parliament. Most democracies, and even some non-democracies, extend the same constitutional rights to men and women, and few legally discriminate between the sexes. Nevertheless, the formal existence

<sup>3</sup>*In Zaire, a woman cannot open a bank account without her husband's permission. In France, women obtained this freedom only in 1965. It was as recently as 2000 that Egypt made it possible for a woman to get a passport without her husband's written consent.*

<sup>4</sup>*Kuwait, the only country in the Gulf to have an elected assembly, has not yet given women the right to vote or to stand for election. The Amiri decree of May 1999, which proposed to give this right to women for the 2003 election, was rejected by a close vote in the new parliament in November 1999. (Tetreault and al-Mughni, 2000)*



of equal rights of citizenship is no guarantee of their equal availability in practice, or of their being realisable to anything like the same degree by different sections of society. In real terms, for instance, they may be available to those who are well-off but denied to the poor. Likewise, even as they are constitutionally available to both the sexes, men may enjoy the meaningful exercise of these rights while women may not. The fact that rights may be legally provided, but effectively unavailable or denied, has led some feminists to argue that the real problem lies not with rights but with participation. In modern western liberal democracies, for instance, it is argued that women have enough equal rights and the possibilities for their realisation; what they need is to use them. However, participation surely is premised on the prior existence of rights, whose foundational importance is therefore irrefutable.

Secondly, the meaningful exercise of rights is particularly difficult – for men and women alike - in contexts of extreme social and economic inequality. Cultural minorities - whether racial, religious or linguistic - or numerous but historically oppressed groups, like the *dalit* castes, are examples of subordinate social groups whose rights are honoured more often in the breach than in the observance. The situation of women belonging to these groups is decidedly worse. To be black, working-class and female, as Sheila Rowbotham once wrote, is to be at the lower-most rung of the social ladder whose top is occupied by the white, upper-class male. In India, the extreme burden of the exploitation and poverty that characterise the situation of landless agricultural labour fall on women. Thus, *adivasi* and *dalit* women account for the highest female work participation rates of 45 per cent and 38 per cent respectively, in comparison with only 30 per cent for the rural population as a whole. They are routinely subjected to violence and sexual abuse by upper castes, receive less than the officially prescribed minimum wage, and are, in economic terms, the mainstay of the household, within which disparities in the nutritional intake and educational opportunities of boy and girl children are marked. Likewise, women belonging to religious minorities are, in matters such as divorce, maintenance and inheritance, governed by religious (rather than civil) codes of law, which are frequently discriminatory in their social practices, and often even contravene the minimal standards of gender justice.



Likewise, basic civil and political liberties, such as the free exercise of the franchise or freedom of expression, might obtain in law, but be elusive in practical terms. Illiteracy, inadequate information, and a lack of awareness about rights, are common deterrents to women exercising their franchise, freely or at all. In Pakistan, women in some rural areas are reportedly prevented from casting their vote, on account of 'cultural' sanctions (Human Development in South Asia, 2000:149). More generally, the recent pre-eminence of the issue of reproductive rights correctly indicates the lack of control of women over their own bodies and reproductive decisions. This is clearly violative even of the classical liberal (natural rights) view of the individual as the owner of her/his person.

All the rights mentioned above could arguably be considered as a part of the so-called first generation of rights - civil and political - that were achieved in the course of the bourgeois revolution in the 18<sup>th</sup> century. In the latter part of the 19<sup>th</sup> century, working-class struggles in industrial societies saw the beginnings of demands for social and economic rights, in the form of minimum wages, decent conditions of work, and so forth. Many of these rights were, at least in the western world, secured by the welfare states of the mid-twentieth century. The assertions of cultural identity - by ethnic minorities, indigenous peoples and others - have, most recently, given rise to the demand for the third-generation of cultural rights.<sup>5</sup>

In many parts of the world today, the task of accomplishing all three generations of rights is necessarily telescoped into one single and simultaneous project. It is ironical that while the language of first-generation rights is today being extended even to species in nature, there are categories of human beings to whom these are formally available but substantially denied. The recognition that even the achievement of first-generation rights is an incomplete project for many women, suggests that an enabling vocabulary of

*<sup>5</sup>It has been suggested that the classification of rights in three generations - civil and political rights in the first, social and economic rights in the second, and cultural rights in the third - is a Cold War legacy, and as such flawed (UNRISD, 2000: 4). Apart from the fact that the ancestry of this conception can actually be traced back to T.H. Marshall's theory of citizenship, it is an analytically useful classification of the important phases in the evolution of rights practice. It has the additional merit of reminding us that every successive generation of rights was achieved through social struggle.*

rights is required, which covers the entire gamut of rights, from negative to positive and from freedom to entitlements.<sup>6</sup>

Human development too has increasingly, in recent years, come to be conceptualized in terms of human rights. A human rights approach to development is seen to possess greater moral force, than a needs-based one, because needs-based arguments project the poor as objects of charity and benevolence, or at best welfare, rather than as citizens with equal claims upon society. But rights can also be seen as a 'codification of needs' (UNRISD, 2000:5), such that from the recognition of basic needs as requiring redressal by public authority, it is but a short step to the articulation of these needs in the form of rights. However, the assertion of a moral or natural right is not as practically efficacious as the assertion of a legally enforceable right, and the superiority of rights lies in the fact that they carry with them the mandate of enforceability.

The advantages of a rights-based conception include the following:

- A rights- or entitlements-based approach places *obligations* upon government and society to protect and promote the realization of rights. The legal and constitutional availability of rights, along with provisions guaranteeing the rule of law and equality before the law, are principles which can be invoked in a court of law when a right is violated. Commissions on human rights, and offices such as those of the ombudsman, have been proliferating in recent years, as part of the effort to make the realisation of rights for the average citizen more effective.
- A rights-based approach mandates governments to provide *enabling conditions* within which existing rights may be

<sup>6</sup>Martha Nussbaum argues that rights language obscures many important questions relating to the basis of rights claims, the sources of rights, the pre-eminence of certain rights over others, the relationships of rights and duties and, above all, the question of what these are rights to. It is in clarifying this last question that Nussbaum's capabilities approach has greatest merit, because it specifies the capabilities which are sought to be enhanced. In the end, however, there appears to be some convergence between the capabilities approach and the idea of positive rights, and indeed Nussbaum identifies the particular features of rights language which have an important role to play in public discourse, a role which is complementary to the language of capabilities (Nussbaum, 2000: 96-100).

claimed, and potential rights-claims may be articulated and advanced. Thus, literacy and access to information may be viewed as enabling conditions for the meaningful exercise of political rights. Similarly, economic security may be seen as an enabling condition for the meaningful enjoyment of the right to choose one's conception of the good life.

- A rights-based view of governance encourages us to identify the *obstacles* which prevent the realization of rights, as a prelude to addressing and redressing these. The mere stipulation and codification of rights is manifestly insufficient, and any government which is cognisant of its responsibilities to protect and promote the rights of its citizens, can only do so by first identifying the social, economic and cultural factors that prevent the realization of rights for the disadvantaged.
- A rights-based approach engages with *both processes and outcomes* such that it is not enough simply for outcome to be equitable, but decision-making should be participatory as well. For instance, the policies formulated by a benevolent patriarch may be unexceptionably gender-equitable, but it would surely be appropriate to object to these on the grounds that the processes by which they were arrived at were undemocratic and excluded participation by women.<sup>7</sup> A purely needs-based approach, likewise, would be concerned only with the fulfilment of needs, regardless of the processes by which this is achieved, but only a rights-based approach to governance can insist on the importance of treating voice as a significant criterion of legitimacy in processes of policy-formulation.

<sup>7</sup>As mentioned in footnote 4, the issuance of an amiri decree conferring full political rights on Kuwaiti women was subsequently voted out by Parliament. Indeed, in Kuwait, secularists have opposed political rights for women on the grounds that Islamists have several wives and therefore enfranchising them would tilt the political balance in favour of the Islamists! In Iran, the post-revolutionary regime has introduced a law decree by which divorced women are entitled to not only alimony, but also a compensation for their housewifely functions. In India, feminists and Hindu fundamentalists found themselves taking uncomfortably similar positions on the Muslim Women (Protection of Rights in Divorce) Act in 1986, though from very different premises. There is reason, therefore, to be cautious about the varied political appropriations of issues of women's rights.

The next section surveys the extent to which the higher echelons of the major institutions in two domains of governance, viz. the state and market, have been engendered in a variety of country-contexts across the world. There are few surprises here, but it is surely instructive for intuition to be backed by statistics. It is, however, useful to bear in mind two caveats. The first of these is that the appointment, election or recruitment of women does not necessarily imply that an institution is engendered in any significant sense of the term. Institutional norms, practices, styles of functioning, systems of rewards and incentives, etc. may continue to be androcentric even where there is a reasonable presence of women. Engendering institutions in this sense is generally also inadequate because women's voices need to be heard not merely at elite levels of governance, but at every level and in all their diversity. Nevertheless, the extent to which women are at all present in leadership positions in politics and the state, in corporations and in civil society organizations are indicative of the progress made by a society in the direction of greater gender equality, and comparisons with the situation that obtained five or ten years earlier are also good measures of the usefulness of international instruments, and the effectiveness of the feminist movements, both within countries and across them.

The second caveat - in consonance with the newer definitions of governance - reminds us of the importance of addressing the *substance* of governance, as opposed to merely its *structures*. It cautions us, therefore, against training our eyes exclusively on the upper echelons of state, market and civil society, because while doing so has the undeniable merit of covering more spheres of governance than was traditionally done, it still says nothing about the substance of governance. To disengage the top from the bottom, and focus only on the first, can be misleading in situations where women are preponderant at the base of the pyramid, providing its backbone, but are alarmingly invisible in decision-making situations. The illustrative survey of state and market institutions that follows shows just such a numerical preponderance of women at lower levels of these structures, a preponderance that is not reflected either in the processes of decision-making, or in the policy outcomes in these spheres.

*Engendering State Institutions :*

Given the traditional equation between government and governance, the project of engendering governance has, more often than not, been interpreted in terms of the presence of women in positions of decision-making in political institutions. This has customarily included the representation of women in national legislatures, in the executive bodies of political parties and, above all, the number of women ministers and heads of government. An important corollary is the issue of women's representation in administrative positions in the structures of the state. While it is surely important to record the under-representation of women in decision-making positions in politics and government (and to grasp the obstacles that explain this), it is also worthwhile to remember that *such engendering of state institutions frequently represents no more than the gendering of state elites*. It is, therefore, no surprise that the presence of women among state elites does not invariably translate into gender-equitable policy initiatives.<sup>8</sup>

The under-representation of women in high offices in politics and government is well documented. While there have been some women heads of state or government (24 Presidents and 30 Prime Ministers from 1954 to 1999), and the number of women ministers across the world doubled between 1987 and 1996, this represented an increase from 3.4% to 6.8%, on no account an impressive figure. Moreover, 48 (out of 187) countries had no women in ministerial positions at all. In fact, in the Asia-Pacific region, and Eastern Europe, the proportion of women ministers has been under 5%. There is also an unmistakable pattern in the nature of portfolios held by women: in 1999, the most substantial concentration of women ministers worldwide was in ministries of social affairs, health, women's affairs, family/children/youth, culture and

<sup>8</sup>In Kuwait, for instance, though women are denied political rights, elite women are visible in many public arenas, such as universities, corporations and even government agencies (Tetrault and al-Mughni, 2000: 157-58). However, these elite women have tended to use their status to maintain their own class privileges, and such benefits have not trickled down to other Kuwaiti women.

heritage, education, environment and labour. Very few ministers held portfolios related to defence, finance and trade, and only one country had a woman minister of home affairs (IPU, 1999:50-52).

This bias is reinforced by a recent study of women in several levels of decision-making positions in politics in 27 industrialised societies, which found inequalities in the distribution of “political areas of responsibility: women are more prevalent in ‘social’ or ‘female’ issues” (Carrilho, 2000:75). If men were involved in policy areas such as internal affairs, economic affairs, fiscal policy, defence and international affairs, industrial policy and agriculture, women were involved in labour, health, education, welfare and family (Drew, 2000:56). Sometimes, when issues such as the “advancement” of women are mandated by the United Nations, and have to be accommodated in administrative arrangements, these are suitably structured to avoid politicising the question of women’s status. In Morocco, this has taken the form of allocating these agendas among one division, one service and two bureaux within four of the least prestigious, least politically influential and least funded ministries, viz. Agriculture, Labour and Social Affairs, Health and Youth and Sports (Naciri, 1998).

So far as the representation of women in national legislatures is concerned, only 8 countries have achieved the so-called ‘critical mass’ of 30%.<sup>9</sup> An assessment of “the Beijing Effect” on women’s representation in parliament suggests that the percentage of women parliamentarians worldwide increased from 11.3% in 1995 to 12.9% in 1999, a rather meagre increase of +1.6%. In the same period, the percentage of female presiding officers of a house of parliament registered a marginal decline (IPU, 1999:27). In the countries of Eastern Europe, the percentage of women in national parliaments has actually declined in the last decade<sup>10</sup>, partly as a backlash to the perception that participation under Communist regimes was forced. In terms of region, however, it is notable that female representation is lowest in the Arab countries, followed by the countries of South Asia (with the notable exception of Bangladesh) where such representation is even lower than in East Asia and sub-Saharan Africa (Human Development in South Asia, 2000:137).

<sup>9</sup>These are Sweden, Denmark, Finland, Norway, Iceland, Netherlands, Germany and South Africa. (UNIFEM, 2000)

<sup>10</sup>figures from Wolchik, pp.7-8.

It is in these regions also that women comprise only a small percentage of the membership of political parties. From Austria and Canada to Japan and Korea, between 30 and 50 per cent of members of political parties are reported to be women. In Pakistan, by contrast, women account for less than 5 per cent of the membership of any political party. Party leaderships reflect the same pattern. The Nordic countries, Australia, and Green Parties in Europe, have 40 to 50 per cent women in their governing bodies. Even Zimbabwe and Nicaragua report 20 to 30 per cent women party leaders. In India, women constitute only 9.1 per cent of the membership of executive bodies in the main political parties. It is hardly surprising then that the proportion of women candidates sponsored by political parties should be low. Only 6.5 per cent of the 4000 candidates who contested the 1999 parliamentary election in India were women. Of the 78 women who stood as independent candidates, only one was successful. This clearly suggests not only that party support is critical, but also that political parties have on the whole treated the issue of women's representation in a cavalier manner.

The main policy response to the under-representation of women in the formal structures of politics has been the attempt to enhance representation through quotas, whether in political parties or in legislatures. The case for quotas is often justified by an appeal to Anne Phillips' well-known argument that a politics of ideas (political choice between the policies and programmes of political parties, rather than on the basis of group concerns and interests) does not ensure adequate policy concern for groups which are marginalised or excluded. This suggests the importance of a politics of presence, in which women, ethnic minorities and other similarly excluded groups are guaranteed fair representation (Phillips, 1995).

The issue of quotas is contentious for at least two sets of reasons: the first relates to the lack of genuine commitment in the political parties to increasing women's representation. There are ways in which political parties may effectively circumvent the quota by, for instance, putting up candidates in constituencies where the party is weak and unlikely to win anyway; or treating the quota as a ceiling rather than a minimum to be improved upon; or nominating women candidates who would be pliable because dependent on the male party leadership. Of course there are



exceptions like the ANC in South Africa which adopted a self-administered quota of 30%, even if many of the women candidates were clustered at the bottom 15% of the list. Other parties in that country followed the ANC's example, with the result that women comprise 27% of the national legislature.

The second argument draws our attention to the fact that policy outcomes are not necessarily superior (in feminist terms) in countries where quotas have been implemented. The symbolic representation of women, it is argued, is no guarantee of a qualitatively better representation of women's interests. The evidence is clearly mixed, both across countries, as well as across levels of government (local or national). Thus, for instance, a Nordic woman politician laments that even where women account for 43% of parliamentary representation, politics is still led and shaped by men (IPU, 1999:71). The historical origins of the quota system also seem to matter. Where quotas have been successful, as in Scandinavia, two conditions have obtained. Quotas have been the result of pressure from strong women's sections within social-democratic political parties, and social democracy itself has attempted to change the public-private relationship through the institution of the welfare state, justifying intervention in the market on behalf of women (Razavi, 2000:42). On the other hand, the emphasis on formal equality in the erstwhile socialist states of Eastern Europe ensured greater representation for women, but did not succeed in policy terms, because it was largely symbolic. This is not dissimilar from the experience of Uganda, where affirmative action was imposed from above, rather than struggled for and wrested from the state, making women MPs reluctant to voice criticism or dissent of the government, to which they feel they owe their loyalty (ibid:20).

With or without quotas, then, the role of political parties appears to be critical to the issue of women's representation. Political parties (like the ANC or the social-democratic parties in Scandinavia) may proactively seek to ensure higher representation for women. Conversely, political parties may provide for symbolic representation without substance. In Czechoslovakia (before the split), the reasonable representation of women in the symbolic structures of power – such as governmental elites – was actually misleading, because they were seldom found in positions of real



power in the Communist Party hierarchy (Wolchik, 1994:4). Because they were less represented in the party hierarchy, they enjoyed little access to the policy-making process. In post-Communist societies, quotas are regarded with suspicion, as they are reminiscent of the politics of the communist past. Sometimes, political parties are also criticised for fragmenting the putative unity of women *qua* women, by their prior claims on the loyalty of their women candidates (as in Morocco).

On the whole, quotas appear to be more efficacious at the local level than the national. The Indian experience of 33% reservation for women in the new panchayati raj institutions is not unambiguously positive, but there are undoubtedly signs of a slow, but on the whole cheering, process of empowerment taking place. A cynical caveat is inserted by those who argue that men do not oppose women's representation in local-level institutions so long as women are kept out of national level institutions where real power is concentrated (Rai, 1999:96). However, the greater success that attends women's involvement in local politics may, in some social contexts, be unrelated to quotas. Thus, till 1980, the municipal councils in Turkey showed an increasing percentage of women because the routines of municipal politics fitted in better with their domestic duties, and because the women's sections of political parties (especially the ruling RPP) started becoming influential in election primaries. In 1980, when the activities of the women's sections of the political parties were closed down, the participation of women in even this limited sphere of institutional politics diminished, as women could henceforth participate only by directly competing with men (Gunes-Ayata, 1995:243). However, though fewer in number, those who entered politics by competing with men rather than as symbols, have tended to behave more independently and are often more sympathetic to women's issues (ibid.:248). In Israel, without quotas, the number of women participating in local politics has been steadily rising, even as the number of those taking part in national politics has remained stable. This is apparently because the parties believe that the inclusion of at least one woman on every local council is a political necessity (Chazan, 1997).

The phenomenon of under-representation in legislative bodies tends to be replicated in international and national bureaucracies.

A look at the gendered pattern of employment in international agencies (the United Nations, the World Bank and USAID also suggests the virtual invisibility of women from the top management of these organisations, and a preponderance - even over-representation - of women at the secretarial and clerical levels. Thus, women constitute 3.6 per cent of decision-making elites in the United Nations, but 85 per cent of the workers at the clerical and support staff levels (Peterson and Runyan, 1993:55-56).

National bureaucracies reproduce many of the biases of political institutions, especially the concentration of women employees at the bottom of the pyramid, and the confinement of even senior women officials to the 'softer' portfolios. It has been suggested that this is at least partly because salaries being lower in the public sector than the private, do not attract men. In Denmark, Finland, Sweden and the Philippines, women account for about 50 per cent of public sector employees, and for a sizeable proportion in many more countries. In Israel, for instance, almost 60 per cent of employees in the civil service and the public sector are women. But, while 92 per cent of the positions at the lower levels of the civil service are occupied by women, some of the top positions include no women at all. An Affirmative Action legislation, followed by a petition to the judiciary, succeeded in redressing this imbalance, resulting in the number of women departmental heads (in government ministries) increasing from 14% in 1984 to 30 per cent in 1995, and women directors of government corporations from 1.5 per cent to 19 per cent.

Some countries have experimented with quotas in the civil service, though with ambivalent results. In 1976, Bangladesh introduced a 10 per cent quota for women in government, but it took two decades for female participation to rise to this level, so that women are still concentrated at relatively lower-level positions. Sri Lanka institutionalised quotas which, over time, varied from 10 to 25 per cent, but were eventually abolished when the country became a signatory to CEDAW. The fact that women are making greater headway worldwide in the matter of parliamentary representation than in civil service recruitment may also be viewed as a matter of concern, as parliamentary power declines and that of technocrats increases.

It has further been observed that women in higher level administrative positions tend to be less receptive to the voice of women's movements. In the industrialised societies, this is partly so on account of the social (class) backgrounds of such women, and partly because they tend to adopt masculine characteristics and styles of behaviour.<sup>11</sup> In other contexts, notably where democratic transitions are underway, the state may co-opt women and their struggle. Women bureaucrats however are liable to either find themselves in a 'disabling' policy environment, or else are unable to formulate policies in the absence of effective pressure from the women's movement. The institutionalisation of women's issues in state institutions can adversely impact the feminist cause in at least two ways, both of which are illustrated by the example of Brazil: firstly, because the creation of separate spaces for women within the state apparatus tends to make autonomous feminist groups less energetic, and sometimes even complacent as they begin to see the state as collaborator rather than adversary; and, secondly, because the more ambitious project of feminism loses its radical edge as it is translated into official categories and policy prescriptions (Razavi, 2000:31).

A notable exception to the trend of women bureaucrats being coopted by state institutions may be the phenomenon of the 'femocrats', the Australian term invented to describe feminists recruited to fill women's policy positions in government. The femocratic model was self-consciously non-hierarchical. It was centered in the department of the Prime Minister and the Cabinet, with departmental units monitoring all policy initiatives for their gender equity implications. It claims to facilitate the necessary links between feminist bureaucrats and the wider feminist movement outside the government (Sawer, 1999:82-83), even though the feminist movement continues to attack femocrats for being corrupted by power and prestige. Nevertheless, the efforts of the femocrats have, over the last decade, borne fruit in the form of policy reforms, legislative changes, market policies, policies on childcare and the introduction of legislation for Equal Employment Opportunity (Watson, 1992:196). It has, above all, encouraged the

<sup>11</sup>*This argument is encountered in every arena of governance, from NGOs to markets and the state, and in many country-contexts.*

work of scrutinising budgets from the standpoint of women, and thereby provided an exemplar for other countries, such as South Africa.

Two significant areas which remain substantially male preserves are the judiciary and the military. The importance of these spheres is self-evident: the first is concerned with upholding and interpreting the law, while the second is an area traditionally closed to women on account of the gendered division of violence, stereotyping men as aggressive life-takers and women as peace-loving life-givers. In South Asia, women do not account for more than between 5 and 10 per cent of the judiciary, combining positions at the higher and subordinate levels. Though both Bangladesh and Pakistan have established quotas for women in the subordinate judiciary, neither has ever had a woman judge at the Supreme Court. Significantly, no woman has been appointed to the Federal Shariat Court in Pakistan. India has had precisely 3 women on the bench of the Supreme Court, and presently has about 15 women High Court judges. In Sri Lanka, the women judges are mainly concentrated at the lower levels, where almost 25 per cent of the judges are female. In Israel, where women's participation in politics has remained static (at about 7-9% of the 120-member Knesset), 3 women sit on the Supreme Court bench, one serves as State Comptroller and one as State Attorney. Half of the country's judges in the magistrate courts and district courts are also women.

Participation of women in national military forces has been increasing. In 1973, women accounted for only 2 per cent of the military in the United States, but by 1991, this had gone up to 11 per cent, with 35,000 women serving in the Gulf War. Now, 80 per cent of job categories in the military are open to women. In some countries today, women are actively deployed in battle, i.e. in roles other than the traditional ones of nursing and housekeeping. As women's enrolment in the armed forces has increased, so have incidents of sexual harassment and assault. It has been argued that this is partly because of the gendered nature of citizenship in the US, where first-class citizenship is equated with self-sacrifice, and the willingness to engage in violence and risk one's life as a duty to the state. Because women are seen as having been historically 'exempted' from this 'obligation' of citizenship, they are perceived as second-class citizens, with fewer rights (Sparks, 2000). Canada

and Israel also have comparatively high rates of female participation in the armed forces. By and large, as in state bureaucracies, the concentration of women is in the lower echelons of the armed forces (with sexual harassment of female soldiers being fairly common); or in defense contracting firms. The incorporation of women in the military is thus done in typically gendered ways, which reinforce instead of interrogating dichotomous gender stereotypes.

This section began with the claim that the engendering of state institutions of governance mostly represents little more than the gendering of state elites. This claim has been justified with reference to the legislature, executive, judiciary, bureaucracy, and military. In all these spheres, further, we observed a concentration of women at the lower levels of structures of governance, with however little impact on decision-making processes and outcomes.

It is, further, arguable that the engendering of state *personnel*, and the engendering of *policy*, should be, but rarely are, parallel processes. It is evident that even where the first (engendering of personnel) has been promoted by states - as, for instance, through quotas and reservations - it has resulted in personal empowerment, rather than in more generalised emancipatory outcomes. State responses to the second, viz. the engendering of policy, have been positive insofar as the gender dimensions of development have been emphasised, but far from adequate in areas which call for structural change. Thus, states and international agencies have willingly invested in micro-credit schemes, poverty alleviation programmes, income- and employment-generating projects, though - some would argue - on grounds that these have demonstrable economic returns or are linked to other developmental objectives (Jahan, 1995:125). However, where the redistribution of resources and power is at issue, as in giving women a voice in decision-making or bringing about gender equality in rights to land and property, institutional responses are much less forthcoming. Some engendering of *policy* - through, for example, institutionalizing gender concerns in policy-making departments or integrating gender into mainstream development planning (WID/GAD) - has, in this limited sense, taken place, and has generally been prioritised over the engendering of the personnel of the *institutions* themselves.

It is in situations where women themselves have wrested the initiative with regard to engendering policy, that more dramatic results are visible. Possibly the most effective of such attempts have been those in Australia and South Africa, showing that budgets are not the gender-neutral instruments they purport to be. The South African Women's Budget Initiative, which was inaugurated in 1995, drew upon the 15-year Australian experience of gender budget analyses. Gender budget analyses typically focus on gender-specific expenditures (e.g., economic empowerment for unemployed mothers); expenditures that promote gender equity within public services (e.g., affirmative action policies); and, above all, on mainstream expenditures from education to defence (Budlender, 2000:50). In India, the Economic Survey for 2001 has, for the first time (as a result of intense lobbying by women's groups) recognised that the impact of budgets is gender-differentiated.

### *Engendering the Private Sector*

In business organizations, women tend to be even more marginalized than they are in representative political bodies. The 2000 census of the 500 largest corporations in the United States (Fortune 500 companies) showed that women held just 12.5% of all corporate officer position, and 6.2 per cent of the most senior positions ('clout titles'), such as chairman, vice-chairman, presidents and chief executive officers. Women comprised 46.5% of the US labour force, but there were only two women CEOs in these companies. Nevertheless, these figures represent an advance over the situation in previous years. Thus, if women represented 3.3% of top earners in 1999, they were 4.1% of top earners in 2000. The number of board seats held by women was up from 23% in 1994, but while women were found to hold 11.1% of board seats, they represented only 1.1% of inside directors. Conversely, 90 of the Fortune 500 companies (18%) counted not a single woman among the ranks of their corporate officers. Women of colour were appreciably more disadvantaged. Of the 400 companies for which data is available, coloured women accounted for 1.3% of corporate officers, and only six corporate officers of this category were top earners.

A similar census of the 560 largest corporations in Canada found that women held 12 per cent of all corporate officer positions, and only 3 per cent of the highest positions, which included 12 presidents and CEOs. An ILO survey in Brazil presents a comparison between the 300 largest private corporations, in which 4% of top executives were women, and state-owned and foreign-owned companies where only 1% of top executive were women. In 1995, only 3% of members of the boards of directors of 300 companies in Britain were women. In the 70,000 largest companies in Germany, likewise, between 1 and 3% of top executive positions and board directorships were held by women. Even in Scandinavian societies, where women's representation in national legislatures reaches or crosses the so-called critical mass, women holders of elite positions are few.

These data indicate that women are largely excluded from positions of decision-making in business. Given that this is a domain in which immense power is concentrated, and given the considerable traffic between this and the domain of the state, such marginalisation is surely significant. In the media, likewise, women's share of media jobs nowhere exceeds 50%, and outside Europe is well below 30%. A study of 200 media organizations in 30 countries found that only 7 were headed by women, and another 7 had female deputy directors (Gallagher, 1995:4-5).

The phenomenon of women in positions of political and administrative leadership being given 'soft' portfolios, has historically had parallels in the private sector. Thus, a study of Swiss women in management in the 1980s found that the highest proportion of women managers were to be found in sectors like health and health care, social services, hotels and restaurants, and education, all considered female domains (Blochet-Bardet et al, 1988:159-61). Recent evidence from the US and the European Union, however, suggests that women's share of financial management has gone up slightly, though decision-making still remains male-dominated.

Can legislation and policy innovations change this? A study of the impact of the Japanese Equal Employment Opportunity (EEO) Law compared the position of women in the Seibu Department Stores in 1984 and 1988 (i.e., before and after the company policy changed in accordance with the new law). Though Seibu has a pro-



woman corporate image, and has actively initiated policies to promote women to senior positions, the study indicates that the career system remains 'male-oriented' and that management-initiated change programmes have limits. A small number of elite women have benefited from the changes, but the great expansion of women's employment has been in low paid, non-regular jobs (Lam, 1997:228-29).

This predisposition - seen even in reformed institutions, whether public or private, and extending to NGOs as well - has been called the deep structure of organizations. Case-studies of local government organisations in Britain have pointed to the gendered structures and cultures of these, reinforcing the argument that gender relations - like those of class and race - are embedded in state institutions, and do not only exist somewhere else in society, i.e., outside the state (Halford, 1992:160). Many organisational practices which appear to be gender-neutral in fact have different impacts on men and women. These include: formal procedures of job evaluation, work and family benefits, system of rewards and incentives, norms about when meetings are to be held, time spent at work (persons who have responsibilities outside work being systematically disadvantaged), etc. (Kolb and Meyerson, 1999:140-41).

Women generally occupy lower positions in the occupational hierarchy, and also tend to be concentrated in occupations which are typically low paid, have little security of employment, and fewer authority or career opportunities. Apart from the agricultural occupations, where the concentration of women is notoriously high, gender-based segregation is found even in non-agricultural occupations. Thus, there may be a preponderance of women among primary school teachers, but this is unlikely to be reflected in a corresponding preponderance among university teachers in the same country e.g., Finland. In factories, too, the change in the pattern of manufacturing - from heavy to light, assembly-type manufacture, and the growth in the information technology industry - has generated a great demand for women in jobs which are low paid, non-unionized and typically not adequately covered by safety and health regulations. Women workers in the export-processing zones, for instance, are overwhelmingly female, earn 20 to 50 per cent less than men who do comparable work, and are



subject to health hazards as a result of toxic chemicals and long hours of work e.g., Mexico (cited in Peterson and Runyan, 1993:100-01). It is hardly surprising, then, that women are the first victims of job loss when enterprises are forced to shut down.

In trade unions, women typically constitute a large percentage of the membership, but are largely excluded from decision-making roles. Thus, women account for less than 10% of trade union officials worldwide. It is notable that, even in countries where women have achieved the 'critical mass' in parliamentary representation, their participation in the leadership of trade unions lags. In Denmark and Sweden, for example, women held 30 per cent of parliamentary seats in 1990, but only 17 and 20 per cent respectively of leadership positions in trade unions. Though the first trade union in India was founded in 1917 by a woman, Anasuyaben Sarabhai, the number of women in the national offices of the major trade unions in the 1990s, ranged from 0 to 3. In Sri Lanka, women comprise less than 20 per cent of trade union members, but less than 1 per cent hold leadership positions in the unions. An important exception has been the Histadrut, the federation of labour unions in Israel, which has adopted a resolution stating that 30 per cent of its leadership must be women. Women already account for 19 per cent of the membership of its Executive Committee, and 25 per cent of its Deputy Chairpersons.

Men dominate leadership even in those unions – such as those of the tea plantation workers or secretaries, nurses and clerks – where the majority of workers are women. This domination is reflected in the reluctance of unions to highlight women's issues. Sometimes, this may lead women to organize independently. As the early experience of SEWA (vis-à-vis the Textile Labour Association from which it was expelled in 1981) in India testifies, women workers face strong opposition from men when they attempt to do so. In South Korea, similarly, the failure of trade unions to take up women's issues led to the establishment of the Korean Women Workers Association in 1987.

As in other spheres, cultural differences are relevant. Thus, a study of the banking sector in India shows that multinational banks, in contrast to nationalized banks, are eager to hire more women. Women comprise 35 per cent of the workforce in Grindlays Bank, but this, according to a union official, is because they are "more

submissive, overworked, and have less time for union work.” (Gothoskar, 1995:165). Women’s disinclination for union activities and the reluctance of unions to take up gender issues may frequently reinforce each other.

Even where women are employed in jobs at the same level as men, and despite the principle of equal pay for equal work being embodied in labour legislation in many countries, the earnings gap between men and women remains significant. In the United States, for every \$1.00 earned by white male managers, the earnings of various subgroups of managers was found to be as follows:

- White women : 59 cents
- Asian/Other women : 67 cents
- Asian/Other men : 91 cents
- African-American women : 58 cents
- African-American men : 65 cents
- Hispanic women : 48 cents
- Hispanic men : 65 cents.

*(catalystwomen.org : Factsheet : Women of Color in Corporate Management)*

This pattern is echoed in manufacturing and management alike, from Uruguay (where women managers in the banking and manufacturing sectors in 1995 earned 47% of what men did) to the United Kingdom (where women managers earned 27 per cent less than men).

As in state employment, the corporate sector also reflects the pyramidal structure of a small percentage of women in the higher echelons, and a preponderance of women at the base. Women are generally employed in lower-status jobs, if not gender-stereotyped ones. They are, almost regardless of the level of employment, paid less than men doing comparable work. Race and other cultural differentials also appear to be more marked in relation to women workers. It is therefore no surprise that women’s presence should

be overwhelming in the unorganised sector. The last two decades have seen an increase in the proportion of women in part-time employment, who sometimes account for as much as 80 per cent of all part-time workers. As is well-known, part-time work generally implies lower levels of pay, low professional status, and next to no career opportunities.

### *Engendering Governance Through Rights*

The first section of this paper argued that the recognition, in recent conceptualizations, of a plurality of domains of governance, constitutes an improvement upon earlier state-centric notions. However, it argued also that there is nothing inherently gender-friendly in this widening of the ambit of governance, because the focus, in these new definitions, on the essentially *public* institutions of state, market and civil society, implicitly endorses the divide between public and private institutions, keeping the latter firmly outside the realm of governance concerns. The second section of this paper focused attention on the two domains of state and market, and the extent to which higher levels of institutions in these arenas have been engendered. There is little that is surprising or unexpected in the conclusion that the proportion of women in the top echelons of state or business is small. However, the contrast between this small proportion at the top of the pyramid and the overwhelming preponderance of women employees at the lower levels in both state structures and corporations, is notable. It compels us to recognize that the engendering of institutions of governance is, more often than not, just the engendering of state elites, and that it tends to reproduce other social biases of class, race, etc. If, further, this preponderance of women at the lower levels of state and corporate institutions does not translate either into greater voice for women in decision-making processes, or into gender-equitable policy outcomes, this is surely a strong enough argument for interrogating the narrowness of this view of governance, and its emancipatory possibilities from the point of view of gender.

While it is difficult to posit a definitive criterion for judging the extent to which governance is gendered, it is arguable that the

engendering of institutions (especially state institutions) should be tested against the twin criteria of processes (participatory) and outcomes (gender-equitable). Molyneux's (1985) distinction between strategic and practical gender interests<sup>12</sup> may also be usefully employed here. The Indian experience of quotas for women in panchayats, for instance, would suggest that these provisions enable a larger number of women to participate in the deliberations and decision-making processes of the institutions of local self-government. The policy outcomes could be assessed in terms of the extent to which their practical gender interests are often advanced, even if their strategic gender interests are usually not.

A regime of positive rights has been suggested as a possible instrument of achieving these objectives. The challenge, before a rights-based view of governance, is that of ensuring all three generations of rights simultaneously : seeing them as interdependent and equally important to effectively accomplish. This would encompass not merely the formal structures of power in the three realms of governance, but the informal structures of power, and the family and household as well. A rights-based view of governance also implies, most crucially, that we forsake the top-down approach to governance which predisposes us to emphasise the greater representation of women in the hierarchical structures of the top institutions of governance. Contrary to this, we should treat as instructive the presence - and indeed the preponderance - of women at lower levels, in every arena of governance, to suggest forms of governance that are more participatory. A rights-based view of governance encourages this, as it endorses the making of claims, rather than the passive receiving of quotas/welfare.

<sup>12</sup>A useful discussion of such a differentiated view of women's interests may be found in Caroline O.N. Moser (1993).

*Paradoxes and Challenges*

**I. Democracy and Representation :**

Though state institutions have been sought to be engendered through enhanced representation for women in representative as well as executive bodies, several apparently intractable questions remain.

1. *Does better representation, with or without quotas, necessarily translate into gender equality?* How may we balance the legitimate claim to higher representation with the recognition that representation frequently accomplishes only the engendering of state elites which cannot adequately impact the profoundly gendered structures of power? What are the conditions under which women's representation - as process - and gender equality - as outcome - can be most optimally linked?
2. *Does engendering the state lead to the weakening of the women's movement?* The danger of the co-option by the state of the participants and the slogans of the women's movement. In the medium to long run, this could result in severing the link between women in the state and the grassroots movements which alone can supply the criticism and fresh ideas, and prevent the ossification of token feminist goals in the state apparatus. Do the models of the 'femocrats' in Australia and the 'state feminists' in Norway provide good and replicable exemplars?
3. *Is the feminist cause best advanced by non-party, non-institutional politics?* The evidence relating to political parties is fairly mixed, as parties are known to keep women out of internal decision-making mechanisms, put up women candidates in ways suggestive of tokenism, and even effect the fragmentation of a putatively united feminist movement. Thus, because the

Moroccan electoral system discourages independent candidates, women have to run for election under a party banner. This has resulted in the fragmentation of the women's movement which, instead of closing ranks for better female participation, tends to simply carry forward the quarrels of various political cliques. Also, as in Uganda, where the representation of women is perceived as a gift from the ruling party, there is reluctance to express dissent.

4. *Does democratization contribute to the advancement of gender equality?* Here again, the evidence is mixed, especially if only formal institutions of democracy are considered. Democratic transitions may provide a good opportunity because of the fluidity of state structures and the availability of spaces, but the links with democratic movements remain crucial. How do we reduce the contingency in the relationship between feminism and democratic governance? Can the empowerment of women be incorporated as a criterion/test of democratic governance? What kind of democratic politics are best suited for women's rights and gender equality/justice?
5. *What accounts for the decline in the political participation of women?* In Turkey, institutional change in the form of the banning of women's sections in political parties caused a decline in political participation by women. In Chile, right-wing women candidates who did not raise women's issues received greater support from women voters, while left-wing women candidates who did raise women's issues got more support from male than from female voters. The decline in the political participation of women in Eastern Europe is seen as a backlash to the communist past. In post-Communist Hungary, for instance, apart from the hardships caused by economic crisis, this is seen as part of the new questioning of the traditional equation between private=oppressive, and public=liberating/emancipatory. On the other hand, it has been argued that the social policies of the Communist period – such as free day care and long maternity leave with no loss of job prospects – actually enabled greater participation by women, while the labour market and political institutions in post-Soviet Russia,

for example, have been discriminatory against them. The fact that the benefits available to women under communist regimes could be so easily withdrawn leads to the inescapable conclusion that what is won through struggle is likely to be more enduring than state handouts.

## II. The Public and the Private : Historical and Social Contingency

A survey of country experiences from across the world suggests that the boundaries between the public and private spheres - as also the extent of their permeability - are historically and socially constructed and contingent. Advances in women's status at some historical moments are frequently reversed at other times. Similarly, cultural forces can be sources of oppression at one time, and resources of resistance at another.

1. *From Private to Public and Back Again* : Though women enter the public sphere (through nationalist struggles or revolutionary movements, for instance) and actively participate in it, there is nothing immutable about this. They frequently retreat back into the more cloistered private sphere - either because the state and the law force them to do so, or because patriarchal ideology in society reasserts itself. Three very different experiences validate this point. (1) In East Europe, as already mentioned, the communist project of gender equality was perceived as forced emancipation, while the democratic transition was perceived as providing freedom for women to retreat into the private sphere. Further, even where women want more time for child-rearing and family than a career permits, this is because the rules by which the public sphere is constituted are male-oriented : concepts of work, time and the usual indicators of these, e.g., late night meetings, long hours, etc. (2) In Iran, the modern secular – albeit elite - woman of the mid-20<sup>th</sup> century was transformed by the Islamic revolution into the modern militant Muslim woman. Women's employment came to be confined to those professions which were seen to be 'feminine' in

nature (such as teaching or nursing) or compatible with family responsibilities. A survey of government recruitment agencies in 1985 showed that only 6% of public sector jobs were open to women, and the remaining 94% were open exclusively to men (Paidar, 1995:331). (3) A study of women's politics in North Bihar, India, contrasts the role of women in politics in the 1930s with that in 1989. The participation of women in the freedom movement in the 1930s was critical (albeit in clandestine activities, because they were less likely to be searched by the police), but in 1989, a kind of 'political purdah' had come into being, so that women experienced and participated in local politics through a system outside the electoral arena (Singer, 1993). Hence, whether women move from active participation in an anti-colonial nationalist movement, or in an Islamic revolutionary movement, or indeed a post-Communist transition to democracy, the results appear not to be markedly different.

2. *Universalism or Historical and Cultural Specificity?* The variability of women's lives and experiences, depending upon history, cultural and social practices, and political trajectories, is well-known, as is the fact that patriarchy is experienced differently - depending upon and filtered through, caste, class, race and ethnicity. Is it, therefore, possible to have a conception of women's interests and strategies to advance these, which can be couched in universalistic terms? There are certain undeniable similarities in terms of both private and public patriarchies. (a) The sexual division of labour within the household suggests that private patriarchies are not irreducibly specific to cultural contexts. (b) There are broad similarities of public patriarchies, too, in terms of gender stereotypes of female politicians (either the ultra-feminine mother model or the masculine/androgynous model of leadership). Indeed, across all the three major domains of governance, we observe a concentration of women at the middle or bottom rungs, rather than at or near the top. (c) Even among the matrilineal tribes of Manipur in north-east India, for



instance, while women dominate in the sphere of material production and the economic life of the community, political decision-making is inevitably 'delegated' to men (Mahanta, 1999). (d) Across North and South, class, ethnicity, social, educational, economic and cultural background play a crucial role in determining women's representation (Vianello and Moore). How then do we balance our universalist goals with cultural particularity in the way in which we design and advance feminist agendas?

3. *Culture : Source of Oppression or Resource of Resistance ?* Culture, and especially religion, has been seen both as "a strategy of exclusion" and as "a strategy of resistance". In Morocco, women have used the Islamist movement in the latter sense, arguing that obedience to God frees them from the ascendancy of men, including husbands and fathers. Even the veil has been interpreted as a feminist gesture, because it conceals women's bodies from men, so that they are no longer perceived as objects, and gender loses its decisive role in negotiating the relations between men and women (Naciri, 1998).
4. *The impact of globalization and structural adjustment :* The implicit universalism of the project of globalization provokes the question of how relevant cultural specificity will be in the decades to come. Already, studies have shown that working-class women in the Third World bear a disproportionate share of the burden of structural adjustment policies, especially as these typically lead to cutbacks in welfare and social sector expenditure. In Eastern Europe, too, unemployment and price rises in the period of economic crisis have increased the burdens of family responsibility. However, it has been argued - in the context of Uganda, Mali, Chile, Morocco, Jamaica and Bangladesh - that rising male unemployment in urban areas following structural adjustment or the shocks in trade in the export of primary commodities, have undermined the model of the male bread-winner, and led to greater

#### Locating Gender in the Governance Discourse

visibility for women (Goetz,1995). The community kitchens of Lima, Peru, which grew in the economic crisis of the 1980s' actually facilitated and encouraged the participation of women, as they were linked in a loose federation, with elected representatives who could negotiate the provision of cheap food with government and NGOs. Many of the local leaders thrown up at this time came to stand for assembly and municipal elections.

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Amrita Basu, Yasmin Tambiah and Niraja Gopal Jayal, all notable scholars and strong proponents of a gendered vision of governance, have contributed thought-provoking papers that break new conceptual ground and add new dimensions to ongoing debates on key issues of governance.

Professor Martha Nussbaum, an active participant in the process of bringing a gender and human development perspective into global debates on governance, has written an insightful introduction.

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