

GENDER INEQUALITY IN INDIA - A STUDY

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Abstract

Gender inequality is a problem not only in India—all over the world there is a power gap between men and women. Women have less access to parliamentary and executive power; they are less educated, have fewer good jobs and are less wealthy than men. The underlying reasons for gender inequality can be found in the patriarchal structure of the cultural background of every ethnicity, nation or people. Also all religious communities, whether Jewish, Muslim, Hindu, traditional or Christian, give more power to men than to women. India adopted a democratic set up in order to establish society which is based on the principles of justice and equality. The inequalities in Indian society are marked on the bases of caste, sex, economy, creed, etc. It is important to take note of the variety of forms that gender inequality can take. The idea and principle of democracy cannot be divorced from the principle of equality. Moreover, political democracy cannot be the sufficient basis on ensuring social and economic equality in a condition of glaring inequality of status and position.. India adopted a democratic set up in order to establish society which is based on the principles of justice and equality.

Introduction

Gender equality is important and formidable challenge which has not been addressed properly. Women are subjected to numerous handicaps and discrimination in our specific societal context. Patriarchy and- gender discrimination cut across the caste, class, religion and ethnic boundaries. In fact, "the category of 'women' itself is a social construct leading to different interpretations of role and identity depending upon the contexts in which women find themselves. Relationship between democracy and equality; and Provisions in the Constitution regarding establishment of equality among various sections of Indian Society. The establishment of a democratic political order based on the principle of universal adult franchise was a major achievement for the post-colonial state in India as it ensured, at least in principle, equal participation of all individuals irrespective of caste, creed, sex and social origin in socio-economic and political life of the nation. The introduction of political democracy was conceived as a means of social and economic democracy. It aimed at inclusion of all the groups and communities in the mainstream of national life. As a corollary, the constitution of India not only created a democratic republic but also pledged to secure equality, liberty and justice to all its citizens'. The state was seen as an agent of socio-economic transformation in the democratic dispensation.

The Idea of Equality in Constitution

The founding fathers of the Indian constitution were quite conscious of the limitation of political democracy. This is amply clear from **Dr. B. R. Ambedkar's** final address to the Constituent Assembly of India on 25 November 1949. He maintained: 'On the social plane, we have in India a society based on the principles of graded inequality which means elevation of some and degradation of others. On the economic plane, we have a society in which there are some who have immense wealth as against many who live in an abject poverty. On the 26th January, 1950, we are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognizing the principle of one man one vote and one vote one value. In our social and economic life, we shall, by reason of our social and economic structure. Continue to deny the principle of one man one value. Along with the other leaders of the national movement and architects of the Constitution of India, Ambedkar was quite aware that the realization of the democratic ideals of equality, Liberty and fraternity were not possible without a strong constitutional backing. The interests and rights of the deprived and excluded cannot be safeguarded without constitutional mechanism. The simplistic principle of equality and equal opportunity would create a hiatus between political democracy and social and economic democracy. Therefore, harmony between the two appeared as requisites of democratic state and nation building in India.

➤ ***The Preamble***

The Preamble of the Constitution best reflects-the vision and intentions of its founding fathers as it establishes equality, justice and liberty as the cardinal /principles in regulating the society and state in India and maintaining the unity and integrity of the nation. It judiciously combines the two basic values of equality and justice. The nondiscrimination principle of citizenship rights included in the category of fundamental rights ensures equality before law and equal protection of law, equality of opportunity and equal liberty. The provision of protective discrimination combined with the clauses of group rights, affirmative action and preferential treatment establishes the values of social justice in favour of deprived groups and communities. The Constitution ensured equality of opportunity to all irrespective of caste, gender, religion, and one's social location. It provided opportunity to equal access in the public domain. It was a major achievement of the dispensation of democratic political order in independent India. However, the formal disjunction between one's social location and opening up of the opportunity structure in public political domain did not guarantee the equifinality and social justice to the deprived groups o society. In the case of Indian society, which is defined by s d quality , the social location of individuals and groups has a strong bearing on his/her circumstances and consequent unequal excess to opportunity structure of the public domain. Since social location of individuals has been a major source of privileges and deprivations and determinant of individual circumstances in India, the deliverance of social and economic justice cannot be based only on the principle of merit and equality of opportunity' in the public domain.

➤ ***Fundamental Rights and Directive Principles***

Women in India now participate in all activities such as education, politics, media, art and culture, service sectors, science and technology, etc. This logic of social, economic and

political life was well considered by the framers of the Constitution of India. And therefore, the Constitution of India made specific provisions for the socially and economically deprived sections of society along with the generic clauses of equality and liberty to every citizen in India. Whereas the Articles 14, 15 (1) and 16(1) of the Constitution exclusively establish the equality principle i.e. The Constitution of India guarantees to all Indian women equality (Article 14), no discrimination by the State (Article 15(1)), equality of opportunity (Article 16), equal pay for equal work (Article 39(d)), In addition, it allows special provisions to be made by the State in favour of women and children (Article 15(3)), renounces practices derogatory to the dignity of women (Article 51(A) (e)) Articles 15(4) and 16(4) incorporate the principle of social justice. If Article 14 proclaims equality before law and equal protection of law, Article 15(1) prohibits discrimination on grounds of race, caste, sex, religion or place of birth. The Article 16(1) further provides equality of opportunity to all. The protective discrimination clauses of Article 15(4) and 16(4) become decisive with regard to protection of rights of socially and economically deprived groups of the hierarchical system. These Articles follow the different principles leading to social justice. Article 15(4) says, "Nothing in this Article shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Schedule Caste and Scheduled Tribes". Article 16(4) makes provision that "Nothing in this Article shall prevent the State from making any special provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State is not adequately represented in the services under the State". Both the provisions in the Constitution, however limited in scope, provide condition for the constitutional protection of the rights of the socially and educationally backward classes and deprived sections of society.

Apart from these protective discrimination clauses in the Constitution, the Directive Principles of the State Policy may be considered as mechanism of realizing the goal of social justice and social transformation in the direction of just society. Articles 38 and 46 among others, specifically aim at securing social justice to the deprived sections of population. Article 38 reads that, (i) "the State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political shall inform all the institutions of the national life", (ii) "the State shall, in particular, strive to minimize the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst the groups of people residing in different areas or engaged in different vocations" article 46 clearly directs the State that "the State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular of the Scheduled castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation".

Apart from these two Articles of the Directive Principles of State Policy, other Articles of the Constitution which include Articles 330, 332, 335, 338, 340, 341 and 342 specifically advance the goal of realizing social justice in independent India. These constitutional provisions have been made after a thoughtful consideration by the members of the Constituent Assembly who were quite conscious and aware about the dynamics of socio-

economic order of Indian society. Since caste has been the major identity marker and a source of inequality, the constitutional goal of social justice has been channelized through the category of castes (barring tribes and other groups identified for the protective discrimination). The constitution has recognised the cumulative deprivation of large sections of the population who have been systematically discriminated against on the basis of caste distinction. The protective discrimination shield has, thus, been provided to the deprived groups who have either been excluded from the caste hierarchy of the Varna system or have been lowly placed. Their low placement has resulted into cumulative inequality. The protective discrimination policy aims at minimizing the inequality of socio-economic order and opportunities in public life.

Women's Representation in Decision-Making Reservation

➤ FEMALE PARTICIPATION

“Participation,” from the Latin participatio, means taking part. In another way it can be understood as taking part, as well as giving part. Political participation comprises all actions of people to influence the political system at the local, regional, national or international level. Participation could be conventional (in political parties, as voters); unconventional (in social movements or nongovernmental organizations); legal or illegal (non-violent as in demonstrations or civil disobedience, or violent as in terrorism). Generally women don't participate as much as men due to the aforementioned reasons. If they participate they use more non-conventional ways. They are more engaged in social movements and non-governmental organizations than in governments, parliaments or political parties. Political participation can also be measured by means of political representation. Representation means that legally authorised citizens should be elected to the parliament and form the government. Generally the parliament should be a mirror of the society. All groups should be represented equally. Female political participation or better representation can be shown by three indicators: what is the percentage of female members of parliament? How many women are in the government? And finally, which positions do women hold in governments or parliaments? Are they party leaders? Or do they lead any key ministries?

However, over the last fifty years of the working of the Constitution women as a category remains excluded, exploited and discriminated. No serious attempt has been made either by the governments in power or any political parties to address the problem of women in their own specificity. Their presence in political bodies and governmental structures has been articulated simply on the generic basis of citizenship rights. As a consequence they have very low representations in the parliament and state assemblies. The enclosed tables relating to their representation in the Parliament and State Legislatures reveal the state of their exclusion from the decision-making bodies of the state. But despite this situation of lower representation of women in the Parliament and State Legislatures; wide spread gender discrimination and violence against women, the arguments are advanced that any separate quota for women is not desirable. According to this argument women's interests as such cannot be isolated from economic, social and political interests of groups, strata and classes in the society. Though they have some real problems of their ' own, they share with men the problem of their groups, locality and community. This kind of argument emanates from the

holds of strong patriarchy on the one hand, and the fallacy of the socialistic understanding of women question on the other.

In fact, the other view-point believes that woman should get fair deal in the democratic dispensation of the political order. In this dispensation their presence cannot be ensured, wherein the male-dominated view persists even in the field of modern politics. A special quota for women-in this regard offers a substantive alternative. In fact a system of reservation for women would provide an impetus to both the women as well as to the political parties to give a fairer deal to nearly half the population in various units of government. The political power and electoral calculations in favour of the emerging dominant force of backward classes have compelled the successive governments to direct the policy of protective discrimination in their favour. But the women question in this category has not invited a serious attention of the political elites. The Constitution (eighty-first Amendment) Bill, 1996 is still pending. The passage of the Bill has been scuttled by the political parties on one pretext or the other. The basic issue, however, remains unaddressed.

The reality of gender inequality in India is very complex and diversified because it is present in many ways, many fields and many classes. Over the past decade, gender equality and women's empowerment have been explicitly recognized as a key to the social and economic development of the nation. Additionally, the promotion of gender equality and empowering of women was one of the eight Millennium Development Goals (MDG) to which India was a signatory. This article briefly provides details on the status of women from ancient times to the present century, the article in the constitution empowering women in the domain of governance and strategies for the advancement of women.

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➤ **Equality for Women**

Gender equality is another important and formidable challenge which has not been dressed properly. Women are subjected to numerous handicaps and discrimination in our specific societal context. Patriarchy and- gender discrimination cut across the caste, class, religion and ethnic boundaries. In fact, "the category of 'women' itself is a social construct leading to different interpretations of role and identity depending upon the contexts in which women find themselves. Women may have, therefore, their own interests than the men and men may not essentially represent the interest of the women. Women have been excluded from the political decision-making bodies to a large extent. Articulation of their interest and identity by men, who value, patriarchy appears to be impossibility. Exclusion of women h in the political decision-making bodies and governmental structure has reinforcing factors in gender based discrimination. In such cases political mechanisms appear to be requisite of social transformation. Therefore, if women enjoy their specific political rights as women that

may change the face of social conditioning of womanhood. From this perspective, the presence of women in political decision-making bodies becomes important.

➤ ***Why Women Need Special Rights***

For women the opportunities and quality of life are lesser than those of men. Globally two out of three illiterate people are women. In 1995, 24.5 percent of girls did not go to a school, compared with 16.4 percent of boys. In South Asia, especially in Pakistan, the situation is worse: there the school enrolment of girls is 50 percent less than that of boys. Of the 1.2 billion people in the world living in extreme poverty, 70 percent are female. As a result women's health condition is worse. Violence against women is another specific problem; especially in the private or family setting. Statistics say that every 9 seconds a woman is violated by her boyfriend or husband in the United States. In India around 10,000 female newborns are killed every year because their parents cannot afford the dowry.

These are some of the reasons why everyone should start to fight for women's rights. Political rights and political participation are one aspect of women's empowerment and increasing women's life quality. To put it the other way around, an increased life quality will empower more women to participate in politics.

➤ ***Why Gender Equality Is Needed In Politics***

First, the Universal Human Rights Declaration of 1948 (HRD) states in Article 2, "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status..." Equal dignity, rights, power, and possibilities for all human beings are written down in many international declarations, conventions and treaties. Also lots of national constitutions call for equality and especially gender equality. Every citizen of a liberal democracy should have human rights; like the right to freedom of opinion and expression (Art. 19 HRD), the right of peaceful assembly and association (Art. 20 HRD), and the right to take part in the government of her or his country, directly or through freely chosen representatives (Art. 21 HRD). Human rights like the right to work, the right to free choice of employment, the right to equal pay for equal work (Art. 23 HRD) and the right to education (Art. 26 HRD) are important requirements of society and pertain directly to the issue of gender equality.

➤ ***Quotas To Increase Female Participation***

1) The gender identity in the mind of the majority (women and men) is still that men are better in politics than women are. So if a woman runs for elections in the same electoral district as a man, the chance for the male candidate is higher. 2) Male candidates are often better equipped than female candidates. They are richer and have better networks to support them. That makes the majoritarian system more difficult for women, who generally get less support from their parties. 3) If a political party does not put enough women on its party-list, you can make the party responsible for the gender gap and put the party under pressure. The core idea of quotas is to increase the political participation of women or religious or ethnic or other minorities. Quotas are an instrument against under-representation and especially they are helpful to realise a critical minority instead of only a few token women in political life. Quotas could be laid down in constitutions and national legislation or by political parties on their own. They can exist only for a limited period of time to tear down the barriers of female

political participation. Once female participation is established there won't be any need for quotas anymore. Negative aspects are that politicians could be chosen only by gender criteria; or that voters cannot decide on the core idea of quotas is to increase the political participation of women or religious or ethnic or other minorities. Quotas are an instrument against under-representation and especially they are helpful to realise a critical minority instead of only a few token women in political life. Quotas could be laid down in constitutions and national legislation or by political parties on their own. They can exist only for a limited period of time to tear down the barriers of female political participation. Once female participation is established there won't be any need for quotas anymore. Negative aspects are that politicians could be chosen only by gender criteria; or that voters cannot decide on their own which politician they want to choose; or that the candidates are not equal anymore because there is a quota for women—and not for men. Positive aspects are the destruction of existing barriers, an increased participation of women and more equal gender representation. Some people argue that quotas are discriminatory. However in the end they are against discrimination as they result in more equal representation. Furthermore, a step forward could be a gender-neutral quota such as: “Males and females should each represent at least 40 percent of the parliament, the working group, the committee or the government.” This kind of quota ensures that themes are not female- or male-dominated. The problems with quotas are that they sometimes only increase the female representation and have no influence on female participation. For that, the political parties have to train their female candidates to get enough qualified candidates to fulfill quotas. Also, reaching a critical mass of women to influence political norms and culture is important. Women's political participation and representation is not democratic. The causality of the power gap between women and men is very difficult to explain. There are lots of reasons for female under-representation: family background, cultural and religious background, gender identity, education, age, job, income, and time budget, all these influence the political career of a woman. All the reasons for under-representation are the results of female under-representation as well. Women all over the world each fit into their own special context which is created by their religion, nation, ethnicity and economical situation. It is not only gender that defines identity. There is no general instrument to increase women's power in every society. The introduced example of quotas might be one instrument to increase the number of female parliamentarians. An increased participation of women will be helpful to change peoples' minds about their fitness to govern. But before that the political internal efficacy must be trained. Women have to be trained for political discourses and motivated to speak up for their rights or their political interests. Another important point is to show that the difference between women and men is just a result of their respective behaviours. Men as well as women have to learn that gender identities belong to history and that it is not the sole option for women to stay at home and take care of children. A higher political representation of women will also be helpful to break down this kind of stereotypes and reasons for inequality.

➤ ***Decision-making bodies becomes important***

Through the Panchayat Raj institutions, over a million women have actively entered political life in India As per the 73rd and 74th Constitutional Amendment Acts, all local elected bodies reserve one-third of their seats for women. Although the percentage of women in

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various levels of political activity has risen considerably, women are still under-represented in governance and decision making positions. On July 25, 2007 the country's ever first woman president Pratibha Patil sworn in. This is a greatest achievement in the History of India.

➤ **Women's Reservation Bill**

The Women's Reservation Bill has managed to evolve a consensus among the three perpetually bickering factions of Indian politics -- the Congress, the Bharatiya Janata Party and the Left front. The bill, which will reserve 33 per cent seats for women in Parliament and the legislative assemblies, was passed by the Rajya Sabha. The bill is expected to face a stormy reception in the Lok Sabha, with various regional parties determined to fight it tooth and nail. Incidentally, India, the largest democracy, lags much behind other countries including its neighbors Pakistan and Afghanistan, when it comes to the participation of the fair sex in politics. With only 10.8 per cent of women representation in the Lok Sabha and 9 per cent in the Rajya Sabha currently, India ranks 99th among 187 countries, according to the comparative data by the Inter-Parliamentary Union. The IPU is an international organisation that works for promoting democracy, peace and co-operation among people in the world. At present, India has only 59 women representatives out of 545 members in the Lok Sabha, while there are 21 female MPs in the 233-member Rajya Sabha. Which are the countries that rank better than India in terms of reserving seats for women in the Parliament and boast of a higher number of female lawmakers

The real test of democracy is the creation of equality of opportunity for the hitherto deprived sections of society. The idea of making a legal provision for reserving seats for women in the Parliament and State Assemblies came into being during Rajeev Gandhi's tenure as the Prime Minister of India when the Panchayati Raj Act, 1992 (73rd and 74th Constitutional Amendment) came into effect granting not less than 33% reservation to women in the Panchayati Raj Institutions or local bodies. The Bill in its Current form envisages reserving 181 seats (Out of 543 seats) in the Parliament for women. Securing 33% reservation for women in opening the doors of opportunity for political empowerment to almost 50% of our population has been a dream for many visionaries in India. If the bill gets cleared it will go a long way in ensuring political equality through active participation of woman from both urban and rural areas.

Conclusion

An analysis of women's representation across various sectors reveals that it hardly crosses double digits. The gender relations are central to the enduring project of achieving development and democracy in India is evidenced in several landmark governmental resolutions, declarations, and provisions on gender equality and empowerment. These have helped to narrow the differences between men and women in terms of their access to values resource such as employment, education, and health. However, despite the opportunities and female-headed governments, the alarming rate of violence against women, the sex ratio favoring men, and high rate of mortality of girl children indicate that gender identity continues to prove a constraint for women in India. The aim of this panel is to raise conceptual and empirical debates on the relationship between gender equality and democracy.

It will address questions such as what are the opportunities and constraints of women's representations in public-elected offices. Can democracy transform power relations between women and men? Alternatively, how can gender equality transform the face of democracy? Can a country's democratic credentials be judged by its record on gender equality? .from the above exposition we can say that democratic experiment in India during the last five decades has been a mix bag of success and failure. Whereas the procedural democracy has taken deep roots in terms of periodic elections, voter turnout and large scale participation of the people in electoral process, we have not been able to equalize the opportunity and condition of a democratic structure. Inter-group equality has not been established and there is still a vast gap between political democracy and social and economic democracy. Affirmative action of the state in favour of the deprived groups and communities has gone a long way towards creating a democratic conscious among the people. The recent decades of India are now seen as the decades of 'democratic upsurge'. Therefore, though democracy is still in search of equality in India it has paved a way for the democratic assertion from below. It can be concluded that democracy from above provided to the people at the time of independence is transforming itself in a democracy from below claimed by the people after over fifty Years of India's democratic republic.

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