

# The Politics of Inclusion and Equality in India: A Gender Perspective

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## Abstract

The Post independent policy making and implementation in India has focused on the issue of inclusive development as a major area of concern. This has resulted in considerable progress in the domain of social inclusion and democratic values based on principles of Equality and social justice. Equality is related to the development of democratic principles. Gender equality includes an equivalent treatment of both the sexes or treatment that is dissimilar but is considered equivalent in terms of benefits, rights, obligations, opportunities and responsibilities. The authors have tried to explore the effects of current policy making and implementation and the politics of inclusion and equality in India through a gender perspective and suggested certain measures to be followed so as to make it more inclusive.

**Key terms:** inclusive development; political equality; marginalized people; gender discrimination; affirmative action; gender inclusive policy.

## Introduction

Politics as a concept is sometimes described in some narrow sense as the participation in electoral process within a democracy. Politics is often referred as a game of power involving its acquisition, concentration and demonstration. Power is the most important deciding factor in shaping and moulding relations within a society. The role played by a particular individual and the extent of her/his participation in the politics is very essential in determining her/his position in and contribution to a particular society.

The post independent policy making and implementation in India has focused on the issue of inclusive development as a major area of concern. This has resulted in considerable progress and movement forward in the domain of social inclusion and democratic values and norms based on the principles of equality and social justice. The constitution of India which was adopted in 1950 after a long and continuous struggle for National freedom against the British

imperial rule has clearly demarcated in the parts III and IV on the notion of equality and social inclusion. Throughout the provisions of the constitution of India, a philosophy which projects and extends equal benefits to all the disadvantaged and marginal sections of society including women has been advocated and incorporated.

## Concept of Equality

Equality as a concept is one of the more confusing aspect of political philosophy as it is related to all other concepts within the realm of political philosophy such as justice, rights, liberty, property etc. The concept of equality is one of the modern and progressive principles and forms the core value of democracy. It is an essential feature for the development of democratic politics within a society. In order to understand equality in a better way the existence of some forms of inequalities within a society serve as the necessary bench marks for realizing the importance of prevalence of equality. Human societies are generally characterized by the

existence of some forms of social inequalities based on class, power, status and gender. The advent of democracy across the globe called for equality in the political sphere which is right of every citizen to participate in the political process irrespective of their caste, colour, sex, religion, language, culture etc. The principle of equality is expressed by ordinary citizens in the form of right to vote, to hold public offices, right to stand for elections and an end to discrimination on the basis of caste, religion, colour, sex, language, culture etc.

### **Equality and gender**

Gender equality, between the two sexes is based on the idea that all individuals both men and women are free to make choices, and develop their personal abilities without the limitation set by rigid gender role, stereotypes and socio-political prejudices. It implies that the different behavior, needs and aspirations of men and women are valued, considered, and favoured equally within a particular society. This concept does not mean that there has to have an absolute equality between the two, but their responsibilities, rights and opportunities must not depend on their birth as male or female. It implies fairness of treatment of both the genders according to their needs and requirements. It may include an equivalent treatment of both the sexes or treatment that is dissimilar but is considered equivalent in terms of benefits, rights, obligations, opportunities and responsibilities.

### **Inclusion and equality in constitution of India**

The Indian Constitution is one of the most rights based constitutions of the world. It has a detailed chapter on the fundamental rights (part III) which are protected by the highest court (Supreme Court) of the land. The Constitution of India was framed around the same time as the Universal Declaration of Human Rights by the UN (1948). The Constitution of India is the outcome of a large and popular freedom struggle against a colonial regime that constantly denied and violated the political, civil, social, economic and cultural rights of the populace of India. The National Movement of India was enthusiastically supported and supplemented by many social reform movements against discriminatory and

oppressive social norms and practices like child marriage, Sati, widow remarriage untouchability etc. The Indian National Congress which was one of the main political organizations steering the National Movement of India had strongly advocated and adopted most of the political and civil rights in its agenda by mid-1920.

Though most of the civil and political rights including the rights of the marginalized people such as women, Dalits and Adivasi had found a notable expression in the Constitution of India, the newly independent state in India under the able leadership headed by the first Prime Minister Jawaharlal Nehru adopted many proactive and progressive steps. Though the Indian state followed a welfare model but its police and bureaucracy retained the colonial legacy in their approach while dealing with and exerting control and power over citizens. The Indian polity characterized by many unwanted features like caste discrimination, feudal mindset of people and communalism coupled with the presence of a colonial type of bureaucracy weighed against the gains of National Movement and dampened the very spirit of constitutional guarantees of freedom, rights and affirmative action for the ordinary people of India. This resulted in the growth of disenchantment with the Indian state in many parts of the country. This growing disenchantment was later on demonstrated in the shape of several mass movements and political formations in late 60's and early 70's. The Indira Gandhi led government did not tolerate these movements and suppressed all forms of dissent with brute force besides suspending majority of civil and political rights during the Emergency period (1975 – 77). In India during the last two decades many movements for civil and political rights especially those of the marginalized sections of the society like the women, Dalits, Adivasi has become much more coherent and wide spread.

### **Women Equality in Democratic India**

The Indian parliament and the State Legislatures within the federal political structure of India have enacted several laws for the promotion of welfare and empowerment of women over the years. These legislations have focused on the removal of bottlenecks and

obstacles in the path of women's progress and development. Some of the important legislations in this regard are:-

1. Minimum Wages Act, 1948
2. Special Marriages Act, 1954
3. Hindu Succession Act, 1955
4. Hindu Succession Act, 1956
5. Immoral Trade Prevention Act, 1956
6. Hindu Minority and Guardianship Act, 1956
7. Maternity Relief Act, 1961
8. Dowry Prohibition Act, 1966
9. Christian Marriage Dissolution Act, 1966
10. Foreign Marriages Act, 1969
11. Medical Abortion Act, 1974
12. Equal Wages Act, 1976
13. Bonded Labour System ( Eradication ) Act, 1976
14. Family Court Act, 1984
15. Women Obscene Exposure ( Prohibition ) Act, 1986
16. Sati ( Prevention ) Act, 1987
17. National Women Commission Act, 1990
18. Baby Milk Substitution, Milk Feeding Bottles and Baby Food ( Regulation, Production, Supply and Distribution ) Act, 1992
19. Pre- Natal Cure Technique (Regulation and Prevention of Misuse ) Act, 1994
20. The Protection of Women from Domestic Violence Act, 2005
21. The Sexual Harassment of Women at Work Place ( Prevention, Prohibition and Redressal) Act, 2013

The constitutional seventy third and seventy fourth Amendment Acts, 1992 is one of the landmark legislations for empowerment of women in India which gave them thirty three percent reservation in rural and urban local bodies. There is provision of reservation for the post of chairperson of these local bodies for women as well. Because of this legislation in more than two lac fifty thousand local bodies there are nearly 1.3 million women representatives serving as members and chairpersons of these bodies.

Thus it is evident from the above legislations that men and women enjoy legal equality in India

on theoretical basis. Many laws have been enacted by the state in India that have given women an equal status within the society. Several policies have been framed from time to time for ensuring all-round development of women's personality besides providing them an equal opportunity in all spheres of life, dignity and rights in social, economic and political spheres. However, in practice a huge gulf exists between theory and practice in the sphere of women's rights in India.

### **Representation of Women in Legislative Bodies in India**

Women have been traditionally underrepresented in legislative bodies in India. This underrepresentation of Indian women in politics has raised a concern from all spheres be it media commentators, feminist scholars and political activists during the recent times. Scholars interested in determining influence of the women on the policy process have shown that women who serve in the legislatures do exhibit unique policy priorities particularly in the areas concerning that of women's issues. During these studies it has been found that women legislators are more liberal in their policy attitudes and exhibit a greater commitment for fulfilling feminist initiatives and legislations than their men counterparts. The women also exhibit a proactive role in the pursuit of legislations that incorporate issues of traditional concern to women like those concerning to education, health and welfare of children.

### **Table 1 Representation of women in Lok Sabha (House of people/ Lower House)**

**Source:** Election Commission of India

\* Elections were not held in 12 constituencies in Assam and in Meghalaya.

\*\* Elections were not held in Punjab and Jammu and Kashmir.

From the above table it is clear that during the last 70 years the percentage participation of women in Lok Sabha has shown an increase from 2.8 percent in first Lok Sabha to 14.3 percent in the current Lok Sabha. Women who constitute half of the total population of India are yet to achieve a representation level in proportionate to their numerical strength in the population. The representation of women is very less than the target. It clearly shows that the Indian women possess very less opportunities of public influence or the chance to enter active

politics. The women in India lack the necessary opportunities for moving within the social hierarchies without the assistance and patronage of male political leaders or mentors. Though in India all the major political parties have dedicated women's wings. The women's wings of these political parties may have given visibility to women in the form of a platform of participation but their integration into central power structures is yet to be achieved. The Indian women also lack the necessary access and control over the resources more so on financial resources to enter and compete in the contemporary political arena. India has achieved a remarkable growth in indicators of social development during the recent decades, but these developments have not automatically transformed them into easing of women's access to political power or improving their political participation and representation.

Term of Lok Sabha	Total Seats	No. of women representatives	Percentage
1952 - 57	489	14	2.8
1957 - 62	494	18	3.6
1962 - 67	494	30	6.0
1967 - 71	520	31	5.9
1971 - 77	520	20	3.8
1977 - 80	542	19	3.5
1980 - 84 *	529	28	5.3
1984 - 89	542	42	7.7
1989 - 91 **	523	23	4.4
1991 - 96	536	39	7.2
1996 - 99	543	35	6.4
1998	543	43	7.7
1999 - 2004	543	49	9.0
2004 - 09	543	45	8.2
2009 - 14	543	59	10.8
2014 - 19	543	66	12.1
2019 - 24	543	78	14.3

### Conclusion

In India the post independent policy making and implementation has focused on the issue of inclusive development as a major area of concern. The Constitution of India as an embodiment of social transformation has clearly demarcated in its parts III and IV on the

challenges of equality and inclusion. The democratic politics in India has ensured that all forms of equality including political equality is enjoyed by all irrespective of their caste, color, sex, religion, language, culture etc. Gender equality laws have been framed by the Parliament of India and State Legislatures over the years

which have propagated an overall development of women's personality and provided them an equal opportunity to development, besides promoting dignity and respect and bestowing rights in social, economic and political spheres. But in practice, in the sphere of women's rights in India a huge gulf exists between theory and practice. The women representation in legislative bodies in India is far from being proportionate to their population. During the 70 years of India's democratic politics post-independence, the percentage participation of women in Lok Sabha has shown an increase from 2.8 percent in first Lok Sabha to 14.3 percent in the current Lok Sabha. The women politicians in India are finding it very difficult to contribute and participate in an effective manner in electoral politics of the Indian state. Many domestic responsibilities, inability to control financial resources and exert financial independence, growing political criminalization and the threats of character assassination have all added to the difficulties of women and made inclusive and equal participation of women in political framework very difficult. It is high time that necessary policy intervention is devised to change the socio-economic condition of Indian women which include providing greater opportunities to women for their economic independence besides giving women a share proportionate to their population in all legislative bodies.

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