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Gender Policies and Development of Women in India

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I. INTRODUCTION

"All men and women are created equal endowed with the same inalienable rights".

- Elizabeth Candy Stanton, Feminist activist, Writer.

Women are the wealth of India; they have contributed in almost every field and made the country feel proud on every occasion. They are in the front, leading the country, creating milestones and acting as a source of inspiration for many. However, another reality of Indian society is that there is systematic discrimination and neglect of women in India, which could be in terms of inadequate nutrition, denial or limited access to education, health and property rights, child labour, and domestic violence and so on. The fear of sexual violence has been a powerful factor in restricting women's behaviour and sense of freedom. The struggle against violence is actually the struggle against the unequal distribution of power, both physical and economic, between sexes. Women issues have been addressed through formulation of sectoral policies and programmes, and enactment of laws.

Under Article 15(3), the Constitution of India allows for positive discrimination in favour of women. The Article, under Right to Equality, states: "*Nothing in this Article shall prevent the State from making any special provision for women and children.*" In addition, Article 39(a) of the Directive Principles of State Policy states that "*the State shall, in particular, direct its policy towards securing that the citizens, men and women equally, have the right to an adequate means of livelihood*". Successive governments have been attempting to improve the status of women by initiating welfare and empowerment policies. Thereby, our womenfolk are getting benefited to a certain extent, but not as fully as desired.

We all know that women empowerment is necessary for democracy, which is directly related to national development. In western countries, empowerment of women started long ago. But in India, it began at a later stage. Earlier, women's welfare was a part of government programmes to improve the status of women. In recent years, the government has made women empowerment as one of the objectives of the plan programmes of the government.

It was only in the Sixth Five Year Plan the development of women had been considered a separate issue. Until then they were provided welfare services along with other weaker and handicapped sections. It was, for the first time that a chapter on women and development had been documented in the Sixth Plan. According to the document four strategies namely- (i) Economic independence, (ii) Educational advance, (iii) Access to health care and family planning and (iv) Income supplementing of tribal women were emphasized.

The Eighth Five Year Plan strategy for women's development covers new thrust areas such as improving women's education, database, enumeration of women workers, and provision of supportive services, encouraging women's organizations and stepping up social security measures. The government has also initiated certain programmes for women. They are social welfare, nutrition service, supplement income generation, girls education, equal remuneration for equal work, hostels for working women and crèches for children, functional and legal literacy, family, promotion and strengthening of self-employment, review and streamlining laws concerning women etc.,

II. CHALLENGES FACING GENDER EQUALITY AND EQUITY IN INDIA

Although the socio-cultural situation of women is different among social classes and ethnic groups, women, irrespective of their culture and race, face systemic and structural discriminatory practices. In most socio-cultural communities in India, women's human rights are limited by religious, cultural and traditional practices that are based on patriarchal norms. Issues of culture, religion, ethnic and other forms of identity have become highly politicised due to rising religious fundamentalism that reinforces control over women, keeps them confined to roles that perpetuate their subordination and prevents them from full enjoyment of their human rights.

The Constitution of India provides specifically for human rights, gender equality, affirmative action, freedom and security of the person and socio-economic rights. It grants equality to women and empowers the State to adopt measures of positive

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discrimination in favour of women. The State has passed many laws to prevent violation of the rights of women. Despite those efforts, overt and covert manifestations of gender inequality persist.

A. In spite of all constitutional guarantees and legislative promises since independence, the gender gap in India seems unfathomable. The Global Gender Gap Index 2014 ranked India as 114 out of 142 countries. Apart from social sensitization, the situation demands significant gender specific policy.

B. The sex ratio of India is 933 women per 1000 men (2001 census). Male preference leads to elimination of the female foetus and female infanticide. Total population of women in the country as per 2005 estimates, is 531.9 million.[1]

C. Literacy rate of women is 65% as against 80% of men.[2]

D. Women's work is undervalued and unrecognised.[3] They work for longer hours and are paid less than men for the same work.

E. There are fewer women in the organised work force than men and there are more unemployed women than unemployed men. One indicator of the same is that only 41% females are economically active above the age of 15 vis-à-vis 86% Males.[4].

F. Women generally earn a far lower wage than men for doing the same work. They are paid only 75% of the wage of men.

G. Women are underrepresented in governance and decision making positions. Only 9% of Parliament seats, less than 6% in Cabinet positions, less than 4% of seats in High Courts and the Supreme Court and less than 3% of administrative and managerial positions are with women. Women do get elected to positions of power in the grassroots governance institutions due largely to reservations, but are mostly proxy candidates and the husbands, sons or other elite men actually continue to perform as leaders.

H. The caste/class systems, cultural and traditional practices place women in lower status in all aspects.[5]

I. Denial of Rights/Entitlements to women is quite common.

J. Atrocities against women, domestic violence, trafficking, rape and dowry-related violence are other visible oppressive trends against women.

K. Research shows that the increasing access to internet can also result in an increased exploitation of women. Releasing personal information on websites has put some women's personal safety at risk. In 2010, working to Halt Online abuse stated that 73 per cent of women were victimized through such sites. Types of victimization include cyber stalking, harassment, online pornography and flaming.[6]

The process of globalization and lop-sided developmental models within the country has increased the incidents of structural discrimination against women. Women bear the brunt of the structural adjustment policies and are burdened with the responsibility of meeting the essential needs of the family in the face of increasing economic hardship and displacement from their lands and communities.

The high levels of militarization, as manifested in military and arms expenditure and the upsurge of armed conflicts, has made the socio-economic and political climate gravely insecure. Women are disproportionately affected by this situation. Women from vulnerable groups such as Dalits, Adivasis, Tribal and Backward Castes face further discrimination based on their gender, caste and ethnicity.

Violence against women is the most universal and unpunished crime of all. It is linked to the status of women and perpetuated by systematic gender discrimination and societal norms that devalue women. Solving the problem of violence requires solving the problem of gender inequality. Thus elimination of violence against women demands coordinated and sustained effort at all levels.

The culture of domination, marginalization and exclusion which embody ideas, beliefs, values, traditions, rules, norms, perspectives (ideologies) that prefer males/sons has been styled in the culture of patriarchy. Through dominating social structures men own, control and manage financial, intellectual and ideological resources as well as the labour, fertility and

[1] .Women of the World - 2005 Population Reference Bureau.
[2] .Percent Literate in the ages of 15-24 for 2000/2004 as per "Women of the World - 2005 Population Reference Bureau."
[3] .Women's paid work in non-farm agricultural sector remained low at 17.5% in 2002 (World Development Indicator, 2005)
[4] .Ibid.
[5].India with GDI value of 0.574 ranks 103rd in the World (UNDP Human Development Indicators 2003).
[6] Neelamegam and Dhanshekar, *Emerging trends in Women Empowerment,(New Delhi:* DHP.Pvt.Ltd,(2015), pp.289-290.

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sexuality of women, and thus perpetuate gender discrimination. Such a culture produces stereotyped notions of how a woman or man should behave (in words and actions), whereby they themselves become transmitters of the above value system.

Consequently women also become both victims and victimizers. The underlying causes of gender inequality are related to social and economic structures, which in turn are based on informal and formal norms and practices. For example, the process of globalization which is market-centered and profit-driven, leads to further exploitation of women as cheap labour resulting in their increasing pauperisation and increased human trafficking where again women become the most affected.

Fundamentalism and communalism reinforce the subjugation of women to men, suppress women's movements by dividing women along religious lines and intensify violence against women.

III. EXISTING POLICY FRAMEWORK OF GOVERNMENT OF INDIA

Ministry of Women and Child Development presents the policy for most powerful yet neglected section of our society.

National Policy for Women Empowerment (2001)

The goal of the National Policy for Women Empowerment (2001) is to bring about the advancement, development and empowerment of women. Specifically, the objectives of this Policy include -

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

Therefore, National Policy for Empowerment of Women (2001) made concrete suggestions towards the introduction of a gender perspective in the budgeting process. Specifically, it promised.

- Developing "Gender Development Indices" (GDI), by networking with specialized agencies.
- Undertaking "Gender auditing and development of evaluation mechanisms"
- Undertaking the collection of "Gender-disaggregated data" by all primary data collecting agencies of the Central and State Governments as well as research and academic institutions in the Public and Private Sectors.[7]

Nearly a decade and half has passed since the **National Policy for Empowerment of Women, 2001** was formulated. Since then significant strides in global technology and information systems have placed the Indian economy on a trajectory of higher growth impacting the general populace and women, in particular in unique and different ways. The discourse on women's empowerment has been gradually evolving over the last few decades, wherein paradigm shifts have occurred –from seeing women as mere recipients of welfare benefits to mainstreaming gender concerns and engaging them in the development process of the country. These changes have brought forth fresh opportunities and possibilities for women's empowerment while at the same time presenting new and emerging challenges which along with persisting socio-economic problems continue to hinder gender equality and holistic empowerment of women.

The policy envisions a society in which, women attain their full potential and are able to participate as equal partners in all spheres of life. It also emphasises the role of an effective framework to enable the process of developing policies, programmes and practices which will ensure equal rights and opportunities for women.

The broad objective of the policy is to create a conducive socio-cultural, economic and political environment to enable women enjoy de jure and de facto fundamental rights and realize their full potential.

These are, no doubt, significant steps forward in such a large, plural, democracy. However, the patriarchal mindset which results in denial of equal opportunities to women in various spheres such as nutrition, education and employment and also result

[7] http://www.nmew.gov.in/index1.php

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in violence against women continues to be a challenge. The effort is to work towards consolidation of the processes already initiated. The strategy to empower women is an ongoing effort and has been proposed in the new National Policy for Women(2016). Seven priority areas including health, education, economy, governance and decision making, violence against women, enabling environment in terms of housing and infrastructure, safe drinking water and sanitation, mass media and sports, social security and support services. The key features of the Draft National Policy for Women 2016 include:

- The policy is roughly based on the Pam Rajput Committee report set up by the MWCD in 2012which submitted its recommendations in 2016, including a suggested national policy for women and an action plan to end violence against women.
- Maternal and prenatal mortality will remain a priority area, focusing on a coordinated referral transport system for safe deliveries and emergency obstetric care to be made available in difficult, remote and isolated areas.
- It aims to implement "a gender transformative health strategy" which shifts the focus of family planning efforts from female sterilisation to male sterilisation.
- It focuses on prioritising the nutrition of women of all ages and strengthening geriatric services to address women aged above 60, who form 8.4% of the population.
- It tries to addresses the problem of navigating the distance from home to school by suggesting "innovative transportation models" such as "cluster pooling of minibuses." to enrol more girls in secondary schools and retain current girl students.
- The policy talks about engaging men and boys through advocacy, awareness generation programmes and community programmes to instil respect for women in men from a young age.
- It also takes note of more women taking recourse to artificial reproductive techniques. It proposes efforts to ensure the rights of surrogate mothers, commissioning mothers along with those of the children born through surrogacy.
- It mentions designing "a comprehensive social protection mechanism" to address the vulnerabilities of widows, single, deserted, separated and divorced women and create opportunities for them such as building a 1000-room shelter for widows and other vulnerable women in Vrindavan.
- Another area of concern the policy focuses on is the trafficking of women. The draft policy features efforts to develop a compatible and comprehensive database on violence against women, strict monitoring of the response of (law) enforcement agencies to violence against women, the time-bound trial of heinous crimes against women, strengthening naari adalats and family courts, etc.
- It also focuses on increased participation of women in workforce and politics (through need-based training), narrowing the gender-based wage gap, creating entrepreneurial opportunities for women (through schemes like E-haats), recognising women's unpaid work (at home) in terms of economic and societal value, achieving gender equity in agriculture, effective implementation of the legal provisions to ensure rights of women to immovable properties as well as the skill development of women in traditional, new and emerging areas.
- The policy aims at bettering security environments with initiatives, such as one stop centres, women helplines, mahila police volunteers, reservation of women in the police force, creating immediate response mechanism through panic buttons in mobile phones, public and private transport and surveillance mechanisms in public places.
- Judicial Legal Systems– Legal-judicial system will be made more responsive and gender sensitive to women's needs, especially in cases of domestic violence and personal assault.
- Decision Making- Women's equality in power sharing and active participation in decision making, including decision making in political process at all levels will be ensured for the achievement of the goals of empowerment.
- Mainstreaming a Gender Perspective in the Development Process– Policies, programmes and systems will be established to ensure mainstreaming of women's perspectives in all developmental processes, as catalysts, participants and recipients.
- Economic Empowerment of women.
- Poverty Eradication
- Micro Credit– to enhance women's access to credit for consumption and production, the establishment of new, and strengthening of existing micro-credit mechanisms and micro-finance institution will be undertaken so that the outreach of credit is enhanced.
- Women and Economy– Women's perspectives will be included in designing and implementing macroeconomic and social policies by institutionalizing their participation in such processes.
- Globalization– Globalization has presented new challenges for the realization of the goal of women's equality, the gender impact of which has not been systematically evaluated fully.
- Women and Agriculture

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- Women and Industry
- Support Services– The provision of support services for women, like child care facilities, including crèches at work places and educational institutions, homes for the aged and the disabled will be expanded and improved to create an enabling environment and to ensure their full cooperation in social, political and economic life.
- Social Empowerment of Women
- Education- Equal access to education for women and girls will be ensured.
- Health- A holistic approach to women's health which includes both nutrition and health services will be adopted and special attention will be given to the needs of women and the girl at all stages of the life cycle.
- Nutrition– In view of the high risk of malnutrition and disease that women face at all the three critical stages viz., infancy and childhood, adolescent and reproductive phase, focussed attention would be paid to meeting the nutritional needs of women at all stages of the life cycle.
- Drinking Water and Sanitation- Special attention will be given to the needs of women in the provision of safe drinking water, sewage disposal, toilet facilities and sanitation within accessible reach of households, especially in rural areas and urban slums.
- Housing and Shelter– Women's perspectives will be included in housing policies, planning of housing colonies and provision of shelter both in rural and urban areas.
- Environment– Women will be involved and their perspectives reflected in the policies and programmes for environment, conservation and restoration.
- Science and Technology – Programmes will be strengthened to bring about a greater involvement of women in science and technology.
- Women in Difficult Circumstances
- Mass Media– Media will be used to portray images consistent with human dignity of girls and women.
- Rights of the Girl Child– All forms of discrimination against the girl child and violation of her rights shall be eliminated by undertaking strong measures both preventive and punitive within and outside the family.
- Gender Sensitization[8]

Emerging Areas

1. Making cyber space safe place for women
2. Review constitutional provisions to enable equitable and uniform entitlements for women irrespective of caste, community or religion.
3. Protection of surrogates mothers, commissioning mother along with children born.
4. Redistribution of gender roles for reducing unpaid care work to maintain balance between work and family roles
5. A comprehensive social protection to address vulnerabilities of single women.

Government acknowledges the emerging issues such as making cyber spaces safe place for women, redistribution of gender roles for reducing unpaid care work, review of personal and customary laws in accordance with the constitutional provisions, ensuring the rights of women adopting artificial reproductive techniques, recognizing the needs of single women and creating an enabling environment for women to participate in entrepreneurial activities and is committed to address these challenges.

IV. LIMITATIONS IN THE EXISTING POLICY FRAMEWORK OF THE GOVERNMENT OF INDIA

Fifteen years after the last National Policy for Empowerment of Women in 2001, it was expected that the draft of the new policy circulated in 2016 would have new elements and greater insights. Instead, it appears to be a repeat of the old and a listing of new areas without enough to convince people that this is more than just a list of intentions.

- Critics have been grumbling that the draft policy is nothing but high sounding verbiage, describing it as a regurgitation of standard issue goals for the uplift of women, with no clear roadmap for implementing them.
- There is, for example, that old promise of 33% reservation of women in Parliament, a promise every government likes to make, but none delivers on.
- The draft policy offered a chance to jettison this preposterous argument. But clearly, the government continues to turn a deaf ear to the cries of women who face this intolerable violence in their homes.

[8] https://www.theindianiris.com/national-policy-for-empowerment-women-2016/

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- Though the policy aims at women empowerment and tries to take into consideration the interests of the women, it is silent about the issue of marital rape. The WCD Minister stated that Indian society was not ready to criminalise marital rape.
- In addition to more traditional women's empowerment programmes, the policy claims to recognise complexities in gender roles brought about by "the new millennium, and the dynamics of a rapidly changing global and national scenario".

However, making legislations alone is not sufficient. There is a need for ushering in changes in the societal attitude towards women and usher in behavioural changes involving men and boys and institutions of family and women's organizations. Only then, we can go ahead in the direction of making women have equal rights and provisions as men.

Issues of gender policy encompass more than one domain and involve a multiplicity of actors and considerations. Resolution of conflicts and interdepartmental coordination are important in arriving at major policy decisions. In this process, the role of the Chief Secretary at the bureaucratic level and the Chief Minister at political level becomes crucial. Ideal policy making is rare in democratic politics. Ideas and interests compete and compromises are inevitable. As Woodrow Wilson observed: "Do we not in all dealings in public life adjust views, compound differences and placate antagonisms?"

On One hand, good policy making process and its effective functional design and execution needs a stable government for fixed term. On the other hand, in spite of good policies and good intentions, owing to poor execution, the intentions may remain only on paper. The Government departments do not have new set of staff to implement new policy. Lack of mission mode approach, entangles with procedure delays, inadequate professional strengths etc.

Two years ago, a new scheme was launched by the central government Beti Bacha Beti Padhao with much fanfare, with an overall budgeting of 100 crores. In states like Haryana, which has had a long standing low child sex ratio in several districts, this scheme is very visible in the form of huge hoardings across towns and on main highways, on the backs of buses, and in frequent pronouncements by state functionaries. However well intentioned, this scheme represents a set back from the conditional cash transfer schemes, with all their limitations. This is because all money is being utilised as a communication campaign, as though the problem were simply and primarily one of the wrong 'mindset' of the people who are engaging in sex determination testing or not educating their daughters sufficiently. But people are not suffering from traditional mindsets in the first place.[9]

V. APPROPRIATE POLICY REFORM MEASURES

Gender Policy is bound to have severe implications of critical interventions for women and girls. It is often seen that policies which meet practical gender needs predominate over strategies to promote strategic gender needs. To mitigate gender gap in the country, gender policy must follow:

A. *(Section 3) Mission*

- Section 3, Mission (page 3) need to be broader and not only specify it to "family, community, workplace and in governance". These words should be replaced by "all spheres of life".

B. *(Section I) Health including food and nutrition*

- Ensuring access to contraceptive services is an important issue, especially considering the repeated episodes of women's deaths due to mass unsafe sterilisation in camps. In addition to another important issue would be the violence and disrespect experienced by women in accessing these services.
- There is no mention of abortion services in the Policy. Discourses around women's right to safe and respectable abortion should be encouraged.
- The front line health workers (ASHA, ANMs, Anganwadi workers) are women. Hence, their safety and security should be prioratised. They should be provided with adequate financial resources (timely payment, minimum salary) and also support systems to function effectively.

C. *(Section II) Education*

- The Central Advisory Board of Education Committee on Education has recommended the extension of Right to Education (RTE) from pre-primary to secondary education. This draft includes the pre-primary, but not considering the secondary. However, we would like to recommend its extension up to higher secondary.
- It is not possible to monitor the status of the education for each girl child to know whether they are in the system, without engaging 'Panchayats'. As per Panchayati Raj Act, 1992 every panchayat has to maintain a register of all children in the villages. They can maintain the list and monitor the status of children, especially girls.

[9]. Mary John, "Balancing Gender Gap", *Yojana* (Sep.2016}:.28-29.

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- Point 'IV' should also include residential hostels under different schemes, e.g. Kasturba Gandhi Balika Vidhyalaya, Ashramshala etc. The cases of sexual violations are high and unreported in these institutions, which must be addressed.
- There should be clear provisions for education for girls and women living in institutions, under child protection mechanisms.
- Point 'IX' should include the facilitation of existing provisions of providing transport or escort facilities under RTE.

D. Domestic Violence

- Speeding the processes for the rolling out of the universal helpline number for women.
- The State Governments should ensure appointment of full time independent Protection Officers at the block level with a bench mark qualification; list, notify and create public awareness of the service providers and shelter homes (Government and Private) through State Women and Child Departments; improve the provisioning of physical infrastructure and ensure the safety and security of women survivors and their children in One Stop Crisis Centres.
- One Stop Crisis Centres should be set up in each district.
- Shelter Homes should be provided with adequate and safe facilities for survivors of domestic violence and their children. In order to ensure more safe spaces for women facing domestic violence, it is important that the number of shelter homes is increased across the country.

E. Child Marriage

Through the Beti Bachao Beti Padhao campaign and the implementation of other legislations like the RTE Act, efforts should be made to prevent drop outs of girls from school. A limited educational opportunity for girls, especially in rural areas, also increases vulnerability to child marriage.[10]

F. General Recommendations:

- Identification of gender impact of policies/interventions viewed as gender neutral. Micro studies to identify need for affirmative action in favour of women towards correcting gender imbalances.
- Indicating the extent to which women are engaged in decision making process at various levels within the sector and in the organizations and initiating action to correct gender biases and imbalances.
- Institutionalizing the generation and collection of gender disaggregated data. Government departments must be sensitized about the visibility of women in statistics and indicators.
- It should draw upon civil society and academia for support and assistance in the more research-oriented aspects, and apply to local levels of government, where it is more relevant.
- It should address specific and identifiable goals (such as reducing the inequality in educational attainment) that have clear benefits and that can be measured, even with somewhat crude tools and data.
- Implementation of gender Audit of policies of the Government's monetary, fiscal, trade policies at Centre and State levels.

VI. CONCLUSION

A gender-based policy frame work does not seek to add women to existing policy planning traditions, nor does it seek to establish a distinct and separate policy planning approach based on differences in gender role and needs. Instead, it attempts to *re-conceptulize* existing policy approaches, concepts and tools from a gender perspective, in order to reveal their biases and limitations, and to discard, modify and transform them in the interests of achieving development with gender equity: the goal, therefore, is gender-aware policy and planning.

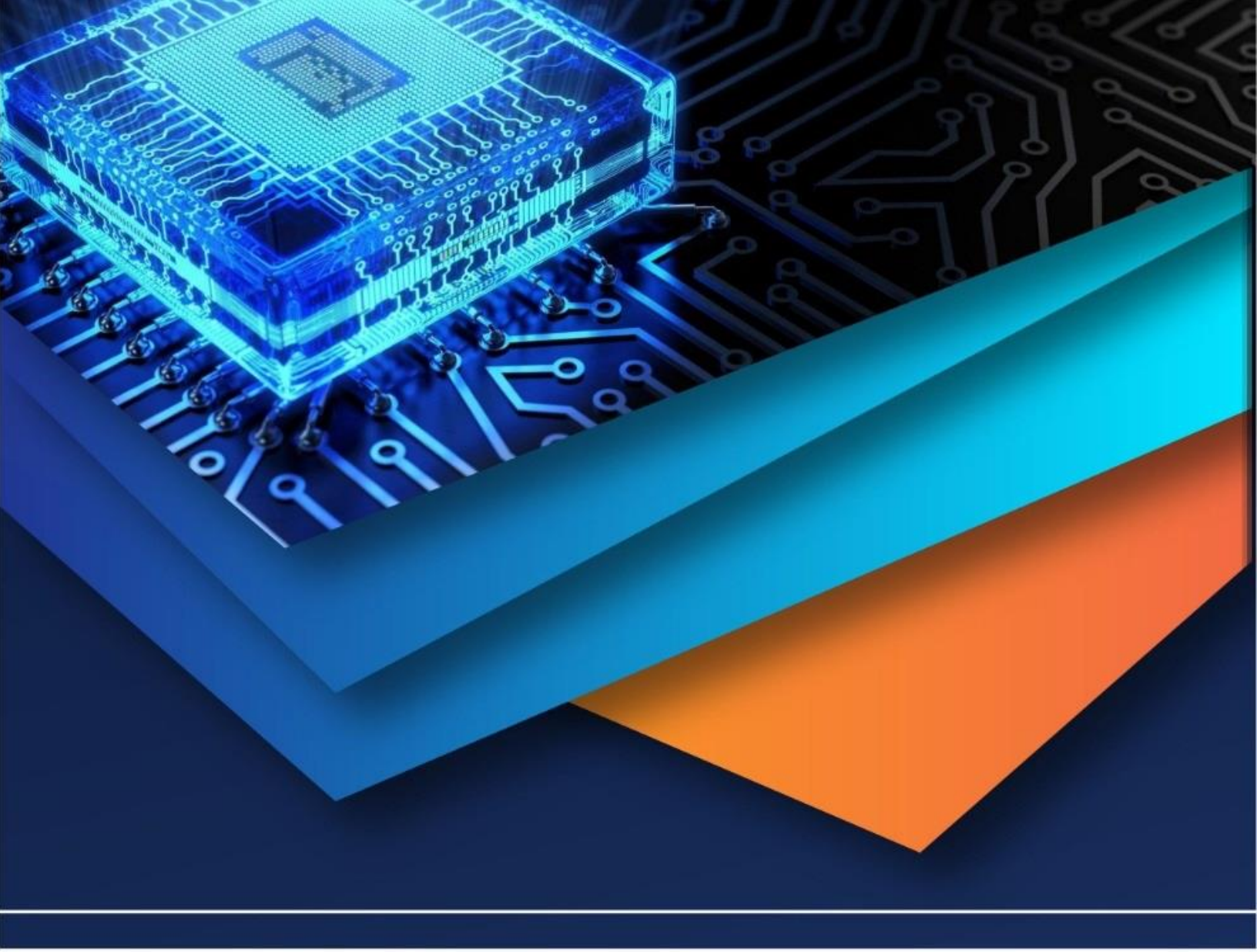
This requires the carving out of an autonomous space for women in the policy planning process, which allows them to be perceived as actors competent to interpret their own needs rather than as merely recipients of official largesse. As Naila Kabeer points out, it reminds us that there are certain gender 'needs' that are unlikely to be given any status within bureaucratic planning processes, unless women empower themselves to identify an establish their legitimacy as a policy concern. However, for this to happen, they must have access to the enabling resources of space and time. Women's practical gender needs, and the ways in which they are met, thus become interrelated dimensions of strategic interests: needs point in the direction of satisfying choices, while interests refer to expanding control over the interpretation of needs and the conditions of choice.[11]

[10] **India's Recommendations for National Policy for Women,** May 18, 2017
< https://www.oxfamindia.org/blog/1926/oxfam-india-recommendations-national-policy-women>(15January 2018)
[11] Susheela Subrahmanya et al., *Women in Nation Building,* (Bangalore: Southern Economist).pp.315-316.

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The Draft National Policy for Women is a step in the right direction providing backing hand to those Indian women who have been breaching one constricting social norm after another. In recent weeks and months the courts have struck down the bar on women's entry into certain places of worship and upheld a single woman's right to not have to reveal the name of her child's father in a passport application. Change is in the air, slowly chipping away at patriarchy's stranglehold on society. At a time like this, a 360 degree policy framework for women would not only consolidate the momentum of change, but also power it ahead. The policy gives hope to bridge the gap between 'what is' and 'what ought to be'. But in order to make this reality, the central Government as well as state and civil society would need to work together. Every citizen of this country has a role to play in making it successful.

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