
UNIT 3 LOCATING GENDER IN GOVERNANCE DISCOURSE

Structure

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3.1 INTRODUCTION

In the preceding unit you have understood the impact of gender inequality on various dimensions of governance. By now, you are familiar with the basic concepts relating to gender. The idea of gender is integral to the modern imagination of human diversity. While ‘sex’ may be understood as biological determinant, ‘gender’ is socially and culturally constructed. For long period of human history, the dominant gender discourse remained restricted to what may be called as male-female binary to an extent of even denying the possible existence of any other gender types. Of late, there has been a growing recognition of other gender identities which collectively corresponds to LGBTQI+ (Lesbian, gay, bisexual, transgender, queer, intersex etc. But the ideas of masculinity and patriarchy remain dominant. The notion of patriarchy does not simply mean acceptance of male superiority, rather it entails conceding to the superiority of male values and hence the popular dictums emerging out of such values like ‘boys don’t cry’ or ‘be a man’. Such usage has huge psychological role in shaping up of a public sphere with a patriarchal worldview. Therefore, it has become much more important than ever before that the notion of gender is integrated with the changing discourse of governance. In this unit, we will study about how gender inequality prevalent in structures of various institutions both public and private. What are the possible ways to have a debate around egalitarian notions of gender justice be initiated. How we should further understand the linkages between gender and larger discourse of governance.

3.2 LEARNING OUTCOMES

After reading this Unit you should be able to:

- Gender inequality prevalent in structures of various institutions both public and private.
- Know how debates around egalitarian notions of gender justice be initiated.
- Know the linkages between gender and larger discourse of governance.

3.3 CONTEXTUALISING GENDER

In the unit 1, we have already studied about gender and governance partly. In this unit we will further elaborate on gender and governance as a conceptual category. The dominating patriarchal values manifests in myriad forms of violence. While covert violence may amount to verbal abuses which are sexiest in nature; the overt violence includes sexual violence targeted against women and the ‘so-called’ weaker genders. This necessarily may include man too; along with children belonging to those genders beyond the binary of female and male. They become victims of such violence mostly resulting out of valorisation of masculine bodies. So much so, the descent and inheritance of parent’s properties is also decided by a patriarchal law and rule. It is needless to mention that most of the property all over the world is held by family patriarchs who are mostly male members of the family. These find legitimacy from the women folks too, since they become so accustomed to the everydayness of patriarchal sensibilities and such commonsense created thereof.

Thus, despite feminist claim of ‘personal is political’ we realise the deep entrenched tentacles of patriarchy. Both private and public spaces are largely dominated by patriarchal values. The governmental and non-governmental institutions too, operate under such patriarchal regimes. In recent past, the discourse of inclusion has gained an unprecedented attention and hence it advocates for a common minimum representation of all the diverse groups that exists around the world. The traditional notion of governance itself has transformed manifold. While during the colonial times it was mostly a relationship between the governor and the governed, in the post-colonial period that the idea of self-governance has gained unprecedented attention.

The world of political philosophy too, has largely been dominated by men since ancient times. A noted philosopher like Aristotle whose ideas are taught all over the world, his opinions about women being inferior to men is a subject of serious scrutiny and has rightly become matter of ridicule in recent scholarships (Chaudhury, 2018). We do find instances of modern classic like *Rights of a Man* by Thomas Paine written during the aftermath of French Revolution. It is fairly understood and rightly believed so that the French Revolution brought about and validated the notion of liberty, equality and fraternity for the first time during modern times. One wonders, however, why Paine’s title ironically referred to Man’s right only. In retrospect one

may realise that it might not have been intended but the gender bias against other genders that exists certainly reflected in Paine's title.

If one takes a stock of the modern political philosophy; it was John Stuart Mill, who perhaps for the first time spoke of individual rights and hence he can be credited to be endorsing the idea of rights for individual which obviously included womenfolk too. During colonial rule in India, it was William Benetict a British administrator who initiated to reform the conservative and regressive practices like, sati, child marriage, prohibition on widow re-marriage and prohibition for education too for girl child more specifically belonging to the OBC, SC and ST background. It is intriguing to note here that even in the United States of America, once the Civil-War (1860-65) ended; it was the Afro-American men who got the right to franchise but not the Afro-American women.

Check Your Progress-1

1) *Write your understanding on the concept of governance.*

3.4 UNDERSTANDING GOVERNANCE: CONCEPT

A rudimentary definition as per the Oxford Dictionary, of governance may literally, "an act of governing a country or controlling a company or an organisation; the way in which a country is governed or a company or institution is controlled." However, in broader context, governance is an umbrella term which entails both macro and micro management of state of affairs from an informal unit as family to a formal unit like state or government. A modern utilitarian conception of governance presupposes a symbiotic convergence of three separate units: state, civil society and market. All these three units are major domains of social action (Jayal, 2003, p.96). All these three coordinates the new model of governance. With the advent of the new liberal economic policies across the world barring very limited miniscule number of states being run under socialistic pattern of governance, this pattern is becoming all encompassing.

The domain of governance has also diversified itself in myriad ways in its structures as well as manifestations. The newer dimensions of governance entails being more inclusive by bringing in the excluded groups to the mainstream which necessarily includes women and other excluded genders who constitutes close to half of the world population but their representation is hardly anywhere closer to their proportion. The attempt of mainstreaming too, therefore ironically seen by some the radical feminists as 'male-stream' and not 'mainstream'. Hence, in order to locate gender in the larger

governance the following steps may be considered.

3.5 CHANGING PARADIGMS OF GOVERNANCE

With the disintegration of Soviet block and push for laissez faire, opened up the market that led to the uni-directional march of the capitalistic market economy which was primarily based on profit maximization and labour minimization. This is evident from the labour laws that have been enacted or reformulated or amended in different country specific circumstances. The global financial institutions like World Bank, International Monetary Fund (IMF), World Trade Organisation (WTO) started playing central role in disbursing to the developing and underdeveloped nations. It was only towards 1989 informs, it was in the third world countries, that the notion of governance was problematised in a World Bank document keeping in view, the Sub-Saharan region of Africa which remains one of the poorest regions of the world even today (Jayal, 2003, p.98). It is fairly understood that the role of state started diminishing or rather the stakes of the private parties started increasing in setting the agendas of governance. Initially, it seemed that the private players are shouldering their responsibilities to share the burden of governance.

Thus, a newer emphasis on the participation, decentralisation, accountability and responsive governance emerged. In this context, it becomes even more prudent to include or situate the core components of gender justice in the whole ambit of governance discourse. This critical turn in the way we look at governance are propelled by new dimensions brought in by scholars like Amartya Sen, Mahbub-ul-Haq, Jean Dreze etc. whose intervention made us believe that the development does not simply achieve its desired results unless it is blended with notion of social justice and equity. The notion of engendering primarily means adopting the ways to bridge the Gender gap. Now a days, we do have Global Gender Gap Index. The World Economic Forum during recent years have revealed that even though women work force is participating in the work force but they are hardly contributing to the GDP of various nation states.

3.6 ENGENDERING CURRICULUM

Our understanding of gender is built over a period of time that includes our intergenerational learning about woman-man relationship and even third gender which is replica of half female-half male mythical character like *ardhnarishwar* (half female god) in certain religious- cultural contexts. Such relationship is more of complementary in nature rather than being contradictory or one dominating over other. It is intriguing, however, why standardized pedagogies of school learning teach woman and man being antonym of each other. Another startling fact is that the boys and girls are often dubbed as contradictory owing to societal determined behaviours and family induced gendered roles. For instance, while teaching synonym-antonym, girls are taught to be antonym of boys, however, they need to be

portrayed as complementary to each other.

The courses and curriculum at offer across the school, colleges and universities have deeply remained patriarchal and it undermines the contribution of women folks in the process of nation building. The preference of male child over female child remains general trend as it is usually assumed that the girl child once grown up, will get married and move to their bridegroom or in-laws' house and hence investments made on their education will not bring back to their household. On the contrary, the boys will earn for their own family. These prejudiced views have largely influenced the way people think about gender relations and these need serious rethinking for a more gendered and just perspectives about intra-human relationships and shared roles in the society which we live in. it also requires serious reorientation about gendered-roles taught to our children.

3.7 ENGENDERING PRIVATE SECTOR

The private sector institutions mostly have their own governing and management bodies which many a times fail to adhere with the government regulations about equity or parity. It is at most, in the formal corporate sector that we may witness some degree of gender parity. But a large arena of informal sectors like agriculture, manufacturing units of micro, small, medium units of productions like fireworks of Shivkashi in Tamilnadu, the brassware factories in Moradabad, or bangle work factories in Firozabad to name a few, do account for women and children workforce. But the terms and conditions of work in these sectors are mostly based on adhoc-ism and they are so informal in nature. Hence, there are gross violations in terms of minimum wages and other benefits like maternity or child care leave etc for womenfolk. On the contrary, the unorganised sector has a substantive contribution in the economy.

In India, for instance, close to some 55% women workforce is involved in agriculture. Since most of them consider it as part of their family or household duty for which neither they are paid nor do they expect a wage or entitlement of any kind. This workforce may include small fraction of womenfolk belonging to the so-called privileged castes or general category too but most of them belong to Adivasi, Dalit or Shudra-OBC categories. It is startling that more than 80% of them get lesser than what is officially prescribed as minimum wage. It is surprising that even in the sectors where there is substantive presence of women in trade union like tea plantations or nursing industry etc. there are male members in the leadership of such unions. However, things are changing fast and we do have exceptional instances of women organising themselves independently like SEWA (Self Employed Working Women's Association) in Gujarat.

The female presence in the private sector industries like nursing and housekeeping are rampant. Mostly in the health and hospitality businesses like hospitals, hotels and restaurants they have a visible presence. The tourism and airlines business too have presence of the women folks but their too, their roles are mostly gendered be it the air-hostesses or receptionists. A

gendered perspective, therefore, must become integral to new imagination of governance. Since markets do not automatically provide easy access to women or so-called weaker gender, the role of the state apparatus becomes even more important for such redressal. Poverty too, is gendered as their representation is skewed in the formal sector employment and while they have some presence in the informal sector, most often there are instances of unequal pay for the women workforce. However, the next section deals with engendering civil society.

3.8 ENGENDERING CIVIL SOCIETY

The civil society spaces are largely hierarchical based on race, caste and gender. Recently Centre for Sustainable Employment, Azim Premji University conducted a study on India's labour market across various sectors and published a report titled, *State of Working India 2018*. As per this report, close to 92% of women workers get less than Rs. 10,000/- per month. It further endorses that the gender wage gap in organised manufacturing is definitely high but has been declining. This report also reveals caste-gender intersectionality present in our society. For instance, women constitute about 16% of total workforce but close to 60% of them are domestic workers alone. While people belonging to SC and ST categories are over-represented in poorly paid occupations; the so-called privileged castes or those belonging to general category are over-represented in well-paid jobs. While analysing labour market with respect to gender, this report underlines two specific problems. One, there is overall less participation of women in paid workforce and two, industrial and service sector are highly segregated. The agrarian sector on the contrary is being further feminised which only reiterates that their lower wage share (*State of Working India, 2018, p.143*). The data of various kinds reveal that there is lesser incidence of domestic violence only if the women are financially independent and do possess the right to own property. The insecurity owing to the nature of job restrict the women members to raise even the genuine grievances relating to sexual harassment at work place or differential treatment in terms of package and perks when compared to their male counterparts. Many a civil society organisation in India are religio-cultural and political in nature. They surprisingly reflect a patriarchal and conservative outlook particularly those of which propagate rightwing ideologies like *Durga Vahini* etc. which despite claiming to be organisations devoted to women's liberation; end up as agency of patriarchy where an emphasis is given on militarisation of women for the sake of religious solidarity and mobilisation. On the other hand, we have organisations which like Jamiat-Ulma-i-Hind or *Jamat-i-Islami* which put too much emphasis on *burkha* or *hijab*. Women belonging to religious minorities too face such discriminatory practices. Three important Supreme Court judgements may be mentioned here are: (a) Mohd. Ahmed Khan v/s Shah Bano Begum, 1985, (b) Shayara Banu v/s Union of India, 2017 popularly known as Triple Talaq case, (c) Indian Young Lawyers Association v/s The State of Kerala, 2018 popularly known as Sabrimala case.

Check your progress-2

1) Evaluate the role of civil society in the context of gender.

3.9 ENGENDERING PUBLIC SECTOR AND POLITY

Anne Philips is credited to have forwarded the philosophical or ideological push for quota which she calls ‘politics of presence’ (Phillips, 1995). Such out of the box thinking may definitely make the politics more inclusive. And a gendered view of governance may become even more robust when it is approached from a rights-based perspective. There always exists a gap between what is promised by the state and state authorities as rights and what is realised by the citizenry as those rights. Therefore, the capability approach as propounded by scholars like Amartya Sen and Martha Nussbaum have been realised to be a tool of great help. Usually, the initiatives towards engendering of the institutions may lead to ensuring better representation of women in state structure and machinery. The under-representation of women on high positions is quite visible and appalling. Martha Nussbaum’s insightful intervention ascertains that providing rights as constitutional provisions are not enough rather the state shall be held responsible or at least the onus be fixed on the state to protect and promote such rights. She has further endorsed that it is incumbent on elected government to provide enabling conditions for the promised rights to be realised. And hence basic literacy and access to information are integral tool to achieve the political rights (Jayal, 2003, pp.106-107). The notion of engendering governance be viewed as a larger project of deep-rooted structural transformation rather than just providing a lip service with representations in some leadership positions be it at the level of state, civil society or non-governmental organisations. Thus, their representations at lower echelons too make an entirely different push in terms of decision making. It is extremely important to locate as in how many ways the so-called weaker gender be it women or transgender etc. face discrimination, exclusion, oppression or exploitation of various kinds and how these processes linger from domestic affairs to the public affairs. It may generally be assumed that a woman in leadership position will be more sensitive and empathetic towards women related demands or grievances. However, there are instances where women who have once occupied higher positions in the bureaucracy and other avenues, themselves tend to be less receptive towards the demands raised by women’s movement or feminist organisations. It may be quite possible that the women on top positions become co-opted by the larger structure of patriarchy and they themselves become state-quoist and block the larger transformation. Thus, we do have instances where women may act contrary to the assertion of women’s rights. One such instance may cite here. The Nagpur bench of Bombay High Court acquitted a man of sexual assault on the grounds that pressing the breasts of a

child over her clothes without direct “skin to skin” physical contact does not constitute “sexual assault” under the Protection of Children from Sexual Offences (POCSO) Act. A single bench headed by a Justice Pushpa V. Ganediwala wrote in her verdict, “The pressing of breast of the child aged 12 years in the absence of any specific details as to whether he inserted his hand inside top and pressed her breast, would not fall in the definition of sexual assault” (Vivek Deshpande, *Indian Express*, 27 January 2021). Finally, the Supreme Court bench comprising Justices U. U. Lalit, S. Ravindra Bhat and Bela M. Trivedi overturned the aforementioned verdict clarifying that the ‘sexual-intent’ and not ‘skin to skin contact’ was essential to be booked under POCSO Act.

The policies like reservation and affirmative action for women and so-called weaker gender has had its own success stories which will be scripted in time to come. The ‘equality of opportunity’ has gathered legitimacy on moral and ethical terms. It is high time that their share in contribution to society and economy is recognised. Thus, the presence of female body and mind does make a difference. Niraja Gopal Jayal brings in two contentious issues with regard to implementation of the quota. One, that political party in order to pay lip service may field some female candidates where the party has weaker support base. Two, the quota so arrived at may be considered as a ceiling point rather than starting point to pave a way for democratisation through larger representation (Jayal, 2003, p.111). The Indian experiment with 73rd and 74th Amendments (1992) promised 33% reservation for women in local bodies. There are now, innumerable success stories of women leadership at the grass-root levels with these legislations at Gram-Panchayat and Ziala Parishad levels. But the Women Reservation Bill seeking 33% leadership in state assemblies and parliament is still piled in the cold storage. Though, it was passed in the Rajya Sabha in 2008, it was blocked in the Lok Sabha due to demand for the quota within quota for the marginalised sections of the society be it women belonging SC, ST, OBC or religious minorities.

The prominent political parties raising these issues belonged to socialist factions like Samajwadi Party, Rashtriya Janta Dal and Janta Dal United or Ambedkarite party like Bahujan Samaj Party who rallied support on the question of social justice. It is surprising, however, that none of these parties till now have come forward to even provide a lip service by giving space more women in their party organisations and other allied formal political structures even while they were in power. What is even more intriguing is the fact that no faction of Communist Parties in India be it CPI, CPI(M) or various factions of CPI(ML) took a clear stand on the question of quota within quota.

What has been dubbed as the biggest hurdle that did not let the Women Reservation Bill even in its current form (i.e. without the caveat of quota within quota) become a law is that no political party had majority of its own since last thirty years at least since when the bill was conceptualised. Now that the BJP as ruling party has the magic mark since last 8 years, not even once was the bill tabled on the floor of the parliament. But considering the intersectionality of caste, religion and gender the quota within quota makes a

3.10 LET US SUM UP

Thus, in this unit, we have studied about how patriarchy operates at every level which underline the fault lines of gender inequality prevalent in structures of various institutions both public and private. We also learnt that how debates around more equalitarian and egalitarian notions of gender justice can be initiated. By reading it, we also invoked critically the nuanced understanding of gender. At the same time understood now linkages between gender and larger discourse of governance.

3.11 UNIT END QUESTIONS

1. Write a critique on governance from gendered perspectives.
2. Evaluate the changing paradigms of governance in the condemnatory context.
3. Discuss what is engendering curriculum and related with any suitable example that you have come across in the society in day-to-day experience.

3.12 REFERENCES

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3.13 SUGGESTED READINGS

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