

MILLENNIUM DEVELOPMENT GOAL-3 AND WOMEN EMPOWERMENT IN INDIA - AN EVALUATION

Mythri Prabhakar*

Abstract

As per Census 2011, at all India level women constitute 48.2% of the population¹. Therefore it is natural to expect women to share 50% of overall entitlements. However, there is a glaring disparity between men and women in terms of the privileges enjoyed by them. Amartya Sen and Jean Dreze in their book 'An Uncertain Glory' point out that despite cries of the Great Indian Growth the nation ranks 11th in female literacy and 13th in Sanitation among the 16 poorest countries in the World. The heavy bias towards men has led to the demand for steps to bring about equity between men and women. The Millennium Development Goals passed by the UN in 2000 have taken up Women Empowerment as a prime area of focus. In the background of MDGs countries have set up their own targets. Secretary General Kofi Anan had said that it is not in the UN that Millennium Development Goals will be achieved; they have to be achieved by each country by the joint efforts of governments and the people. The present Paper aims at discussing gender related issues especially with regard to the various measures undertaken by India against Millennium Development Goals to evaluate the performance of India in the accomplishment of Women Empowerment. The Legal, Economic and Social aspects pertaining to the subject are discussed by way of the available data through secondary sources.

Keywords: Women Empowerment, MDG-3

Introduction

The United Nations Entity for Gender Equality and Empowerment of Women defines Gender as "The social attributes and opportunities associated with being male and female". These attributes, opportunities and relationships are socially constructed and are learned through

* VII Semester B.B.A., LL.B., JSS Law College, Autonomous, Mysore. The paper was presented at The World Law dialogue, Dharwad

¹ World Bank Statistics

<http://www.tradingeconomics.com/india/population-female-percent-of-total-wb-data.html>

socialization. The UNEGEEW also defines Gender Equality as “The equal rights, responsibilities and opportunities of women and men. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing their diversity.” Equality between women and men is seen both as a human rights issue and as a precondition for, and indicator of, sustainable people-centered development. The National Policy for Empowerment of Women (2001) which is an attempt to institutionalize the gains of women's movements across the country taking the Constitution as its point of departure by framing the landmark "Status of Women" documents in the country - Towards Equality and Shramshakti² defines Women Empowerment as the state of affairs that “Ensures Women their rightful place in the society by empowering them as agents of socio-economic change and development”

Gender and Legal Perspective

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favor of women. These are specific provisions in the Constitution of India which address gender and gender related issues³

- Equality before law for all persons (Article 14)
- Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth [Article 15(1)]; however special provisions may be made by the state in favor of women and children Article 15(3)

² The Hindu: Sunday, August 26, 2001

³ D D Basu: Introduction to the Constitution of India (Volume 9) 8th Edition

- Equality of opportunity for all citizens relating to employment or appointment to any office under the state (Article 16)
- State policy to be directed to securing for men and women equally the right to an adequate means of livelihood [Article 39(a)]
- Equal pay for equal work for both men and women [Article 39(d)]
- Provisions to be made by the state for securing just and human conditions of work and maternity relief (Article 42)
- Promotion of harmony by every citizen of India and renouncement of such practices which are derogatory to the dignity of women Article [51(A)(e)]
- Reservation of not less than one-third of total seats for women in direct election to local bodies, i.e. Panchayats and Municipalities [Article 343(d) and 343 (T)]
- The 73rd and 74th Amendments (1993) to the Indian Constitution have served as a breakthrough towards ensuring equal access and increased participation in political power structure for women. The Panchayath Raj Institutions play a central role in the process of enhancing women's participation in public life.

The parliament has passed a number of legislations in connection to gender and women's rights. They are listed below ⁴

- Commission of Sati (Prevention) Act, 1987
- Dowry Prohibition Act, 1961
- Indecent Representation of Women (Prohibition) Act, 1986

⁴ **National Commission of Women**
<http://ncw.nic.in/frmlLawsRelatedtoWomen.aspx>

- National Commission for Women Act, 1990
- Protection of Women from Domestic Violence Act, 2005
- Protection of Women against Sexual Harassment Bill, 2007
- Immoral Traffic (Prevention) Act, 1956

Laws Relating To Working Women

- Equal Remuneration Act, 1976
- Maternity Benefit Act, 1961

Laws Relating To Abortion

- Medical Termination of Pregnancy Act, 1971
- Pre-Natal Diagnostic Techniques (Regulation & Prevention of Misuse) Act, 1994
- Pre-Natal Diagnostic Techniques (Regulation & Prevention of Misuse) Amendment Act, 2001
- Pre-Natal Diagnostic Techniques (Regulation & Prevention of Misuse) Amendment Act, 2002

Laws Relating To Property, Succession, Inheritance, Guardianship & Adoption

- Guardians & Wards Act, 1890
- Hindu Adoptions & Maintenance Act, 1956
- Hindu Inheritance (Removal of Disabilities) Act, 1928
- Hindu Minority & Guardianship Act, 1956
- Hindu Succession Act, 1956
- Hindu Succession (Amendment) Act, 2005

- Indian Succession Act, 1925
- Indian Succession (Amendment) Act, 2002
- Married Women's Property Act, 1874
- Married Women's Property (Extension) Act, 1959

Laws Relating To Maintenance

- The Code of Criminal Procedure, 1973
- Order for maintenance of wives, children and parents under section 125
- Procedure to be followed under section 125
- Alteration in allowance under section 125
- Enforcement of the order of maintenance

Laws Relating To Marriage & Divorce

- Foreign Marriage Act, 1969
- Hindu Marriage Act, 1955
- Hindu Marriages (Validation of Proceedings) Act, 1960
- Indian Divorce Amendment Bill, 2001
- Indian Matrimonial Causes (War Marriages) Act, 1948
- Marriage Laws (Amendment) Act, 2001
- Muslim Women (Protection of Rights on Divorce) Act, 1986
- Parsi Marriage & Divorce Act, 1936
- Special Marriages Act, 1954

A good society is judged not by the number of laws and enactments but by their effective implementation. As far as gender equality is concerned the above mentioned legal provisions are expected to protect women and their rights and there by empower them. Dispensing justice is most important and is the sole purpose of passing the above legislations. Over 24,000 cases related to rape and sexual harassment are pending in the Supreme Court and various High Courts of the country, with Uttar Pradesh leading the tally with 8,215 cases.⁵ Nearly 50,000 cases of crime against women are pending in the city courts alone.⁶ The country has adequate laws but problems arise when they are not implemented in letter and spirit⁷

International Conventions

India has also ratified various international conventions and human rights instruments committing to secure equal rights of women. Some of them are cited below⁸

- Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) in 1993 which provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in education, health, employment, as well as political and public life
- In 1993, the Declaration on the Elimination of Violence Against Women was adopted ratifying to take specific measures against violence against women.
- The Mexico Plan of Action (1975), the Nairobi Forward Looking Strategies (1985), the Beijing Declaration as well as the Platform for Action (1995) and the Outcome Document adopted by the UNGA Session on Gender Equality and Development & Peace

⁵ The Indian Express: Tue Mar 05 2013

⁶ The Times of India : Jul 15, 2013

⁷ The Times of India: Sunday, Apr 1, 2012

⁸ www.un.org

<http://www.ipu.org/wmn-e/law.htm>

for the 21st century, titled "Further actions and initiatives to implement the Beijing Declaration and the Platform for Action" have been unreservedly endorsed by India for appropriate follow up.

- Resolution 1325 (2000) Adopted by the Security Council at its 4213th meeting Reaffirming the important role of women in the prevention and resolution of and in peace-building, and stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution.

Millennium Declaration, 2000

The eight development goals, set forth by the Millennium Declaration that was adopted by 189 nations and signed by 147 heads of state during the Millennium Summit in September 2000, are by far the most comprehensive, universal and strategic set of actions formulated by the United Nations .The greatness of the Millennium Development Goals is that they are based in a broader understanding of the human development challenges, articulated with a vision and mission and have clear time-bound targets by which progress can be measured. Ever since the UN adopted the MDG framework, it has become the main frame of reference for all global discussions on development. The MDGs have also been very helpful in focusing international attention on the challenges of poverty reduction. Atkinson (2005) points out that while Official Development Assistance from the developed countries was stagnating during the 1990s, it started increasing significantly post 2000, following the adoption of the MDGs. Women Empowerment is the prime focus area of MDG 3

STATUS OF WOMEN EMPOWERMENT IN INDIA

A study by the National Institute for Rural Development (2004) in 15 states of India laid down the following yard sticks to measure Women Empowerment.

1. Degree Of Economic Independence

Women comprise the majority of the population below the poverty line and are very often in situations of extreme poverty, given the harsh realities of intra-household and social discrimination, macroeconomic policies and poverty eradication programmes specifically address the needs and problems of such women. Steps are taken for mobilization of poor women and convergence of services, by offering them a range of economic and social options, along with necessary support measures to enhance their capabilities. **Micro Credit** helps to overcome economic deprivation and undertake income generation. 76.36% of members of Self Help Groups are women⁹. In order 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 institutions is undertaken so that the outreach of credit is enhanced.

2. Decision Making At The House Hold

C.K Prahalad has observed that even though women constitute 50% of the world's demographic population, they control 2% of the world's resources¹⁰. Socio-demographic factors influence women's autonomy in decision making on health care including purchasing goods and visiting family and relatives. Women's autonomy in decision making is positively associated with their age, employment and number of living children and is ensured by implementing specific

⁹ Self Help Groups in India: A study of the lights and shades

¹⁰ C K Prahalad: Fortune at the Bottom of the Pyramid

empowerment programmes. As per NFHS-3, (2005-06), at all India level, 52.5% of currently married women participate in household decisions.

3. Self Perception

Women Empowerment should mean that women can look beyond socially economically reproductively bound second rate human existence. Education, health and nutrition play a vital part in boosting self perception

3.1 Education

Equal access to education for women and girls is ensured by taking special measures to eliminate discrimination, universalize education, eradicate illiteracy, create a gender-sensitive educational system, increase enrolment and retention rates of girls and improve the quality of education to facilitate life-long learning as well as development of occupation/vocation/technical skills by women. Reducing the gender gap in secondary and higher education is a focus area.

3.2 Health

A holistic approach to women's health which includes both nutrition and health services is adopted and attention is given to the needs of women and the girl at all stages of the life cycle. The reduction of infant mortality and maternal mortality, which are sensitive indicators of human development, is made a priority. The national demographic goals for Infant Mortality Rate (IMR), Maternal Mortality Rate (MMR) set out in the National Population Policy 2000 are to be reached. Women should have access to comprehensive, affordable and quality health care. The National Population Policy (2000) recognizes the critical need of men and women to have access

to safe, effective and affordable methods of family planning of their choice and the need to suitably address the issues of early marriages and spacing of children.

3.3 Nutrition

In view of the high risk of malnutrition and disease that women face at all the three critical stages: infancy and childhood, adolescent and reproductive phase, focused attention is paid to meeting the nutritional needs of women at all stages of the life cycle. This is also important in view of the critical link between the health of adolescent girls, pregnant and lactating women with the health of infant and young children. Special efforts are made to tackle the problem of macro and micro nutrient deficiencies especially amongst pregnant and lactating women as it leads to various diseases and disabilities. Widespread use of nutrition education will address the issues of intra-household imbalances in nutrition

Only the following states were found to be leading in Women Empowerment¹¹

STATE	% OF PROGRESS
Andra Pradesh	68
Assam	73
Kerala	78
Mizoram	68
Tamil Nadu	77
West Bengal	72

GOAL EVALUATION

¹¹ Study by the NIRD

MDG 3 gives due recognition to the fact that Gender Equality and Women Empowerment is the only way for realizing a “world in which mothers and children have a greater chance of survival, and where girls and boys have the same opportunities”¹² MDG 3 in effect consolidated previous agreements, including those on women rights, women empowerment and gender equality into a set of core goals, targets and bench marks. “Gender Equality and Women Empowerment is both a goal in itself and a condition for achieving other goals.”¹³

Indicators

- Ratio of girls to boys in primary, secondary and tertiary education
- Ration of literate women to men,15-24 years old
- Share of women in wage employment in the non-agricultural sector
- Proportion of seats held in the National Parliament

As per Census 2011, the total female population of all ages is 49.6 crores which constitute 48.26 % of the country’s total population .The woman and child population is 66.69 % of the total population. Of the 49.6 crores females, 36.09 crores live in rural areas.

Education

As per Census 2011, in the total literate population 71.91% female literates are below secondary. In the total rural population, 38.33 % of the total rural female population is literates. In the total urban female population, 63.32 % are literates. Female literacy rates in the total population was 53.7% while the Gender Gap in literacy (7+ age group) was 21.6 ¹⁴

- **Ratio of Girls to Boys in Primary, Secondary and Tertiary Education**

¹² UN Millennium Summit 2000

¹³ K.V. Prabhakara And Others: India And Millennium Development Goals-An Evaluation(2012)

¹⁴ Ministry of Human Resources Development

Gender Parity Index (GPI)

By the measure of Gender Parity Index (GPI) in enrolment at primary, secondary and tertiary levels, the female-male disparity in all the three grades of education has been steadily diminishing over the years. In primary education, the GPI ratio has gone up from 0.76 in 1990-91 to 0.98 in 2007-08 showing 29% increase, in secondary education the increase is from 0.60 in 1990-91 to 0.85 in 2007-08 thereby showing 42% increase, and in higher education, it has increased from 0.54 in 1990-91 to 0.7 in 2007-08 registering an increase of 30%. The target for eliminating gender disparity in primary and secondary enrolment by 2005 has not been achieved in India as per the available data for Gender parity Index for Enrolment, in the sense that though almost perfect parity was attained in the primary level of enrolment, it was not so in secondary level. However, by the cut –off line for achievement as internationally recognized, the target has been achieved for primary grade by 2007-08. The rates of increase in GPI signify India’s on –the –track progress to achieving Gender parity in enrolment by 2015, even for Secondary grade. ¹⁵

Gender Parity Index-All India

	1990-91	2004-05	2005-06	2006-07	2007-08
Primary	0.76	0.95	0.94	0.94	0.98
Secondary	0.60	0.79	0.80	0.82	0.85
Tertiary	0.54	0.71	0.69	0.69	0.70

Source: Ministry of Human Resources Development

As Easterly points out, elimination of gender disparity in primary education is a redundant target since Goal 2, achieving universal primary education, also ensures elimination of gender disparity in primary education. But it is an effective additional target for secondary level education. India did not achieve this target by 2005, but is set to achieve it by 2015. Gender parity will also be

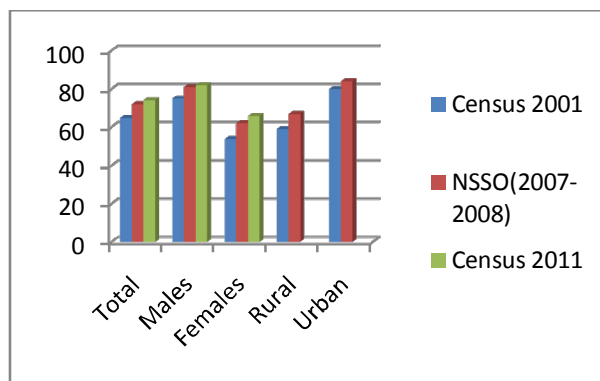
¹⁵ Report by National Institute of Public Finance and Policy New Delhi

achieved in literacy by 2015; however it is projected to remain well below parity at the tertiary level.¹⁶

- **Ratio of Literate Women To Men (15-24 Years)**

The Female: Male literacy rate for 15-24 years increased to 0.80 in 2001 from 0.67 in 1991. NSS (2007-08) results show that, literates in the age group 15-24 years at all India level is 86% with 91% males and 80% females. Thus the ratio of literate women to men in the age group 15-24 years stands at 0.88 in 2007-08. The ratio of literate women to men in the age group 15-24 years tends to exceed 1 by 2015, implying reaching a state of gender disparity against male youths in literacy by 2015.¹⁷

GROWTH OF LITERACY IN INDIA OVER THE LAST DECADE



Source: NSS¹⁸ (2007-2008)

The female male literacy rate for 15-24 years increased to 0.8 in 2001 from 0.67 in 1991. NSS(2007-08) results show that, literates in the age group of 15-24 years at all India level constitute 86% with 91% among males and 80% among females. It is unfortunate to note that even though there is a percentage of progress; India is slipping behind its poorer South Asian

¹⁶ Sudipto Mundle: Millenium Development Goals: How is India Doing?

¹⁷ Millennium Development Goals India Country Report 2011

¹⁸ National Sample Survey

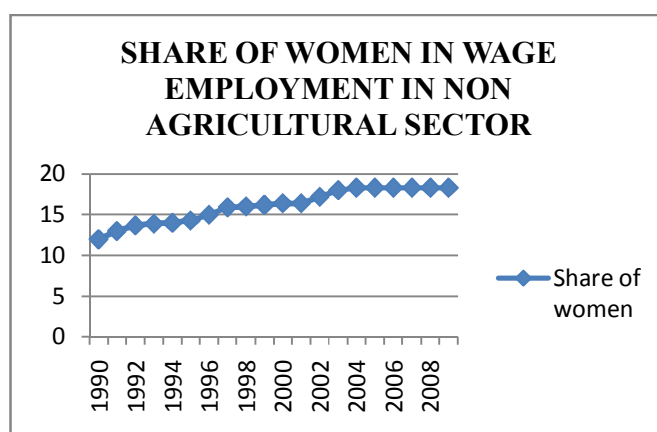
Neighbors. Only 88% of India's female population is literate, where as Vietnam (97%) and Myanmar (96%) boast better percentages¹⁹

- **Share Of Women In Wage Employment**

As per Census 2011, 10.35 % households are female headed and the average size of female headed households is 4.00 whereas the average household size for male headed households is 5.4. Out of every 1000 households, currently married males head a vast majority of households i.e. 835. The rate of change over time in India in respect of the share of women in wage employment in the non-agricultural sector is rather slow. As per NSS 66th round on Employment and unemployment during 2009-10, the percentage share of females in wage employment in the non- agricultural sector, stood at 18.6%. The share of women in wage employment for Rural areas was 19.6% and for Urban 17.6% in 2009-10. The 61st round NSS results had estimated the percentage share of females in wage employment in the non- agricultural sector as 18.6 % with rural 17.9% and urban 19.2% during 2004-05. It is projected that at this rate of progression, the share of women in wage employment can at best reach a level of about 23.1% by 2015. Labor markets in industry and services sectors in India are heavily male dominated and a fairness embodied equality ensuring situation for men and women is too ideal to be true given the market dynamics and existing socio-cultural framework. The share of women in nonagricultural wage employment is expected to remain below 25 percent even in 2015²⁰

¹⁹ Unequal India: India Today, 15 July, 2013

²⁰ Central Statistical Organization, Ministry of Statistics and Programme Implementation, Government of India



Source: NSSO²¹

- **Proportion Of Seats Held By Women In National Parliament**

India has witnessed 15 general elections to the Lok Sabha of Nation’s parliament. As on November 2011, India, the world’s largest democracy, has only 60 women representatives out of 544 members in Lok Sabha, while there are 26 female MPs in the 241- member Rajya Sabha. India ranks 98 in the World for proportion of National Parliament seats held by Women.²²

Proportion of seats held by women in National parliament

Reference Year	Lok Sabha	Rajya Sabha	Total	Percentage
1991			77 of 789	9.7
1999	52 of 544			9.6
2004	45 of 544	28 of 250	73 of 794	9.2
2007	47 of 544	25 of 250	72 of 794	9.1
2009	59 of 545	21 of 234	80 of 779	10.3
2011	60 of 544	26 of 241	86 of 785	10.96

Source: NSSO(2010-11)²³

²¹ National Sample Survey Office (NSSO)

²² Inter parliamentary union (IPU)

As on 9/1/2007, women members constitute only 9.07% of the National Parliament. In 2004, 47.95% of the total electors were females. While percentage of electors (male & female) participating in the elections showed an increasing trend during the 10th to 12th Lok Sabha (Lower House of Parliament) elections, it showed a decreasing trend from 12th to 14th Lok Sabha elections. Women's share of seats in the National Parliament is only around 10 percent at present.²⁴ However In the 16th Lok Sabha, 61 women leaders have made their way to the Parliament. This is the highest ever number of Lok Sabha seats won by women and constitutes 11.23 per cent of the total 543 Parliamentary seats.²⁵

Conclusion: Swami Vivekananda pointed out that the nation cannot grow without the emancipation of women²⁶. The foregone analysis brings forth the performance of India pitched against the goals laid down by itself. As the MDG term fast approaches closure what is achieved is much less than what is still to be achieved. According to the MDG Report 2011,²⁷ India falls under the area of concern for achieving gender equality in primary, secondary and tertiary education. Globally, the share of women in wage employment in the non-agricultural sector increased from 35% in 1990 to almost 40% in 2009 where as India still stands at 18.6%.The world average of women parliamentarians was 19.3% by the end of January 2011, compared with 11.6% in 1995 however India stands at 10%. It is unfortunate that India has wasted a historic opportunity to make substantial progress in achieving women empowerment and draw levels with the best performances of the world.

²⁴ National Sample Survey Office (NSSO)

²⁴ Central Statistical Organization, Ministry of Statistics and Programme Implementation

²⁵ India's election website

<http://www.elections.in/political-corner/women-members-of-parliament-in-india/>

²⁶ Swami Vivekananda-A bird cannot fly with one wing

²⁷ The Millennium Development Goals 2011 Report