Politics, Women and the Parliament

by Fawzia Tawheed

Background

In a male dominated society the women have long been the victim of oppression, superstition, bigotry, inequality and discrimination. The history of women in Bangladesh is a history of persecution and neglect for ages. In this country the merit and labour of women have been singled out for use in domestic area only. Women have never been blended or accepted in the leadership for spearheading development and reconstruction of our society and nation.

Since women constitute the majority of the poor and the underprivileged as well as 50% of the electorate, their effective participation and leadership in the arenas of eradication of poverty and balancing the impacts of globalisation, both of which adversely effect the women most, are vital in having good governance. Enabling situation should be created so that they can effectively participate in the formulation of policies, creating jobs, and engaging the state in a woman friendly way. They must be represented in all state apparatus so that they make sure that the rule of law is not practised at their expense, and initiate laws that are supportive. Having effective women’s representation in parliament, thus, constitutes one of the major component or building block in the formulation of a just and equitable society. In this context the role of the political parties can hardly be over emphasised.

The existing system, which has provision for indirect elections to 30 reserved seats for women in the parliament, has now assumed some urgency since from April 2001, the tenure of the present legislative arrangement will expire. But due to the absence of the opposition parties from the Jatyia Sangsad the fate of the bill hangs in balance. A new legislative arrangement is necessary if women are to find a place in the 8th Jatyia Sangsad to be elected in 2001.

Background Information on Women’s Representation in Parliament:

The Constitution of Bangladesh provides for formal political equality of men and women. Women are entitled to the same fundamental rights as men. Article 10 of the Constitution ensures the participation of women in all spheres of national life; Articles 28 (2) and 28 (4) declare that women shall have rights equal to men’s in all spheres of state and public life; 65 (3) provides for reserved seats for women in Jatyia Sangsad. Article 9 promotes the special representation of women in local government. The 1972 Constitution made a provision of 10, later increased to 15, reserved seats valid for ten years. In 1978, the number was raised to 30 and made valid for 15 years. The system was introduced to offset women’s poor representation in politics and in elected national and local bodies. The first provision of reserved seats for women was made as follows: Under clause (3) of article 65 of the Constitution, it was provided “Until the dissolution of parliament occurring after the expiration of the period of ten years from the commencement of this Constitution there shall be reserved 15 seats exclusively for women members who shall be elected according to law by the members aforesaid. The expression “the
members aforesaid” shall mean the members elected to parliament from 300 general seats by direct elections.

The period of reservation of seats for women in parliament expired on 16th December 1987. As a result, in the Fourth Parliament constituted following the mid-term general elections held on March 3, 1988 only four women members, namely Begum Monsura Mohiuddin, Begum Mamata Wahab, Begum Hasna Moudud and Qamrun Nahar Zafar were elected from general seats. This happened because there was no scope to amend the Constitution for extension of the period of reservation for the women members, as the parliament had already been dissolved.

However, in 1990, with the 10th Amendment to the Constitution, clause (3) to article 65 was re-inserted, which provided for 30 reserved seats for a further period of 10 years from the first sitting of the next parliament. Following the amendment, 30 women members were elected to reserved seats in the Fifth Parliament by the members elected on the 27th February 1991 from 300 general seats. The present provision of reserved seats will lapse in April 2001.

The economic vulnerability of women further aggravates the situation of women’s political empowerment. Women community is struggling with their demand for increasing reserved seats for women in parliament and for having direct election to these seats. The women’s organizations of Bangladesh are demanding both the increase of reserved seats for women mostly from 30 to 64, one from each district, as well as change in the mode of election i.e. from indirect to direct. The Fair Election Monitoring Alliance (FEMA) also recommended the same in its recently released recommendations on electoral law reform. But the most important parties that should be the key role player concerning the issue are the political parties specially those who have representation in the parliament have so far given a little attention to these agitating groups.

Proposals for women’s representation

Following are the proposals for enhancing Women’s representation and effective participation in National Parliament:

By: Party in Power

Bill submitted by the law Minister - main features:
- continuation of 30 reserved seats for women
- method of election-indirect election(nomination)
- for a period of next 10 years

By: The Opposition Party - BNP (Mannan Bhuiyan)
- continuation of 30 reserved seats for women
- method of election-indirect election(nomination)
Proposals put forward by others:

A. Proposal 1 by a section of the women’s movements

<table>
<thead>
<tr>
<th>Main Features</th>
<th>Arguments for</th>
<th>Difficulties</th>
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<tbody>
<tr>
<td>1. Direct Election</td>
<td>Direct Election</td>
<td>Size of the constituency-too large</td>
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<tr>
<td>2. Increase reserved seats from 30 to 64</td>
<td>Increase in number</td>
<td>campaigning difficulties</td>
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<tr>
<td>3. Number 64 based on administrative division of the country’s 64 Districts</td>
<td>No delimitation of constituencies required</td>
<td>status of women MPs unclear</td>
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<td>4.</td>
<td></td>
<td>Overlapping of roles and responsibilities with general MPs</td>
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<td>5.</td>
<td></td>
<td>Determination of developing resource allocation distribution for women MPs may cause contention/conflicts</td>
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B. Proposal 2 by a section of the women’s movements:

Private Members Bill by Barrister Rabeya Bhuiyan

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<tr>
<th>Main Features</th>
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<th>Difficulties</th>
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<tbody>
<tr>
<td>1. One-third reservation in Parliament for women - i.e. 100 seats out of the existing 300 general seats</td>
<td>Direct Election</td>
<td>Determination of constituencies an issue</td>
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<td>2.</td>
<td>Increase in women seats</td>
<td>Reducing the number of seats available to male MPs</td>
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<tr>
<td>3.</td>
<td>In keeping with the developments regarding women representation in local government</td>
<td>100 seats out of present 300 seats, it does not take into cognisance the increase in the population of Bangladesh-less scope of effective representative</td>
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C. Proposal 3 – Proposed draft bill of Bangladesh Mohila Parishad (proposed & presented by Barrister Tania Amir for & on behalf of Bangladesh Mohila Parishad)

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<th>Main Features</th>
<th>Arguments for</th>
<th>Difficulties</th>
</tr>
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<tbody>
<tr>
<td>1. Size of parliament increased to 450 seats</td>
<td>Direct Election</td>
<td>Overlapping of roles and responsibilities with MPs belonging to the general seats</td>
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<tr>
<td>2. 150 seats reserved for women</td>
<td>General seats kept intact</td>
<td>Status of Women MPs-not clear</td>
</tr>
<tr>
<td>3. Accommodated within the existing delimitation of constituency</td>
<td>Resource implication for the State</td>
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**Why Reserved Seats:**

The women seat is most precious to political parties today as the recent trend in election have been that no party achieves absolute majority or a big margin. The reserved seats therefore, are the deciding factors as to which party will form the government. The manifestos of the political parties did not explicitly deal with women and their issues or concerns in either of the election periods of 1991 and 1996, but had a small statement on women and development. The election manifestos of major political parties do not indicate any comprehensive programme for ensuring and encouraging women’s participation in politics. In both the 1991 and 1996 elections the major political parties gave ‘ticket’ to only 3 to 4 women candidates.

Political support stemmed from social mobilisation can ensure empowerment of women at all levels in the country. Parliament is the supreme body for framing laws but women representatives cannot play any effective role there because they are not elected by the people. If elected directly, they would be able to play a major role in country's politics which will help empowerment of the womenfolk. This will help stop use of black money in election and of terrorism in the society. Only 7 women MPs are directly elected at present. The others have all been nominated for the specified seats. At a time when women are fighting for their rights and trying to establish equality, the prospect of keeping aside seats for women does seem discriminatory against men. Terrorism and hooliganism still works as major obstacle in the process of unhindered grooming of democracy. Social resistance from all classes of people against terrorists is a key factor which could uproot terrorism from the political arena.

Nor is the environment fully conducive to women’s free participation in elections or for them to function properly as elected members. Consider the abominable treatment that some elected Union Parishad members have reportedly been subjected to at the hands of men in their own constituencies. Consider the relentless incidents of rape, repression and oppression of females in general, and the poor and powerless in particular, to appreciate the stand taken by the women’s groups. The time has not yet come to cancel the provision for reserved seats in parliament.

**Some recommendations**

As such the women’s organisation of Bangladesh are demanding both the increase of reserved seats for women from 30 to 64, one from each district, as well as in the mode of election i.e. from indirect to direct election. In 1997 Fair Election Monitoring Alliance (FEMA) in collaboration with Study and Research Group (SRG) organised an International Workshop on October 16-17, 1997. After having discussions with women’s groups and holding workshops with women’s organisations, and made the following recommendations:
1. that provision should be made in the proposed Political Parties Act requiring each Political Party to nominate at least 30% of women candidates in general seats when the reserved seats for women in the Parliament shall cease to exist;
2. that the reservation of seats for women in Parliament continue at least for another two terms;
3. that the number of reserved seats for women should be increased to a reasonable limit, if possible up to 100; and
4. that direct election in the reserved seats be introduced in consultation with the Political Parties (FEMA: 1997)

These proposals were subsequently discussed elaborately and examined by the participants in the workshops and discussion meetings with the representatives of the political parties and professional groups. The following emerged from the discussion:
1. the participants almost unanimously held that the reserved seats in Parliament should be filled in through election;
2. vast majority of the participants held that the number of reserved seats should be increased from 30 to 64 i.e. one seat to each district;
3. the majority endorsed the recommendation that the reserved seats for women should continue for another two terms
4. each political party should nominate at least 25% women out of the total candidates for national elections (FEMA: 2000)

In a seminar on "Women and Political Parties" organized by FEMA (Fair Election Monitoring Alliance) in April 2000, Dr. Dilara Chowdhury forwarded some recommendations as remedy from the existing illness, thoughts and practice. According to her there should be increased efforts to close the gap between the statements and the resolutions and actual conditions on the ground. The awareness level of the political parties should be raised through holding of seminars, symposiums and orientation sessions involving MPs, party leaders and party workers both male and female. She emphasised on making efforts to include women in different party positions and to place issues related to women and development in party manifestos. She also underscored the need for making 25% of the party nomination to women mandatory in order to bring women into mainstream parliamentary election. Some other recommendations are given below extracted from a recently organised seminar:
• mass media should be used to create favourable public opinion for enacting pro-women legislation in the national parliament.
• there is also a great need for the formation of women’s political organisations, which should aim at achieving representation of women in parliament and political positions.
• we need to ensure women’s equal right to politics in order to introduce a healthy and peaceful way of doing politics.
• women's organisations must emerge as a pressure group to have their demands implemented.
• registration of political parties is necessary for bringing about transparency and accountability in their activities.
• formation of a political party specially for and with women. The leaders of women’s organisations should contest national elections to broaden their role in politics.
• FEMA recommended increase of women’s representation in the highest legislative body of the country from 30 to 64, one from each district and demanded change in the mode of election to these seats from indirect to direct
• specific duties for elected women members of Union Parishad to be demarcated.

In a recently organised meeting in The British Council on 17 July 2000 on ‘Women in National Politics’ following are the recommendations:
• Direct Election
• Fixed nominations by all political parties
• Increase reserved seats for women for an agreed duration
• Float a women’s party to contest the next election.

Conclusion

Women are coming out of their seclusion and participating in the economic and social life. Compared with many countries in Asia and Africa, the potential merit of women empowerment in Bangladesh is not at all bleak. Fourteen hundred 'semi-literate' elected women in Union Parishads have been struggling hard to involve themselves in the mainstream of local governance and development interventions. They could still perform better with systematic judicial and legislative supports from the government. Politics can play a pivotal role to greatly contribute to women empowerment in Bangladesh, but ironically such political moves seem not to be forthcoming automatically. Individual women activists, entrenched woman leadership, militant NGOs spearheaded by women, woman intelligentsia associated with teaching, research and journalism, and such other interests should press hard to make wider rooms for them in formal political process.

Women are capable of working relentlessly. A ‘woman friendly’ electoral process should be created by taking positive measures to ensure gender balance in the composition of election management bodies and the appointment of senior staff. To increase women’s participation each political party should nominate at least a certain number of women participants during elections. At the same time the voters should be made aware of their rights to choose their representatives (MPs) who are paid from public exchequer and who should be accountable to them directly. Thus with impressive, forceful action programs and wise negotiations, women could be successfully brought to the parliament of Bangladesh where they can play a vital role for the interest of social advancement and make them fully accountable to their electorate and promote their self-confidence and pride.

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