

Report No. 37

**POLITICAL PARTICIPATION OF WOMEN IN BANGLADESH:
THE ISSUE OF CONSTITUTIONAL REPRESENTATION**

Centre for Policy Dialogue

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The Centre for Policy Dialogue (CPD), established in 1993, is an innovative initiative to promote an ongoing process of dialogue between the principal partners in the decision making and implementing process. The dialogues are designed to address important policy issues and to seek constructive solutions to these problems. The Centre has already organised a series of such major dialogues at local, regional and national levels. These dialogues have brought together ministers, opposition front benchers, MPs, business leaders, NGOs, donors, professionals and other functional groups in civil society within a non-confrontational environment to promote focused discussions. The expectation of the CPD is to create a national policy consciousness where members of civil society will be made aware of critical policy issues affecting their lives and will come together in support of particular policy agendas which they feel are conducive to the well being of the country. The CPD has also organised a number of South Asian bilateral and regional dialogues as well as some international dialogues.

*In support of the dialogue process the Centre is engaged in research programmes which are both serviced by and are intended to serve as inputs for particular dialogues organised by the Centre throughout the year. Some of the major research programmes of CPD include **The Independent Review of Bangladesh's Development (IRBD), Governance and Development, Population and Sustainable Development, Trade Policy Analysis and Multilateral Trading System and Leadership Programme for the Youth.** The CPD also carries out periodic public perception surveys on policy issues and developmental concerns.*

*As part of CPD's publication activities, a CPD Dialogue Report series is brought out in order to widely disseminate the summary of the discussions organised by the Centre. The present report contains the highlights of the dialogue organised by CPD, which was held at BRAC Centre, Dhaka on November 22, 1999 on the theme of **Political Participation of Women in Bangladesh: The Issue of Constitutional Representation.***

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Dialogue on

**POLITICAL PARTICIPATION OF WOMEN IN BANGLADESH:
THE ISSUE OF CONSTITUTIONAL REPRESENTATION**

I. The Dialogue

Centre for Policy Dialogue in collaboration with **South Asian Partnership** organised a dialogue on *“Political Participation of Women in Bangladesh: The Issue of Constitutional Representation”* on November 22, 1999 at BRAC Centre, Dhaka. Professor Rehman Sobhan, Chairman, Centre for Policy Dialogue, moderated the dialogue. The Honourable Minister of State for Law, Justice and Parliamentary Affairs, Mr Abdul Matin Khasru, was present as Chief Guest on the occasion. The dialogue brought together a wide range of participants, including political leaders, development activists, leaders of women’s organisations, academics and other eminent figures of the civil society.

Dr Zarina Rahman Khan, Professor of the Department of Public Administration of Dhaka University, presented the keynote paper, which covered various issues pertaining to current status of women in the society and policy of Bangladesh and the modalities for ensuring their active participation in political advancement.

Initiating the dialogue, Syed Nurul Alam, Executive Director of SAP-Bangladesh, welcomed the guests of the dialogue, and expressed his optimism that the country would be able to get some new and innovative ideas through this particular dialogue which will be helpful in designing appropriate policies in order for women to play an effective role in the political process of Bangladesh. He then invited Professor Rehman Sobhan to preside over the dialogue.

Initial Remarks by the Chairperson

Professor Rehman Sobhhan made a few remarks before setting the ball rolling. He focused on a number of problems which constrained effective political participation of women in the country. He made note of the fact that women had been providing leadership to the two major political parties of the country; and being female they had been facing many disadvantages. The bottomline was that the argument at the dialogue would be very gender sensitive.

Citing the Indian example, Professor Rehman Sobhan mentioned that a host of secondary issues such as caste system, problems of the minority et cetera, had been long-term political factors in the country. He pointed out that if a society wished to provide special representation for women in Parliament then from within the women's community one should recognise the special interests of the backward class. Very fortunately this kind of feature had been absent in Bangladesh, he noted.

Professor Sobhan stressed the idea that political participation of women had political importance across a broad range of constituency. Three out of five administrative years of the present government had already elapsed and not much time was left for concrete actions to be taken by the present government. He thought that party politics should not inform the discourse on this particular issue. He noted that those who wanted to deal with the issue as a serious component of the policy agenda had only two years to deliberate on it in the Parliament.

For credible legislation, he suggested that there be a broad collaboration amongst the various women's groups, which would in turn initiate a process with participation of political leaders, relevant ministers and the MPs. Subsequent to this, a major programme of public concern on this issue could be put before the nation. Professor Sobhan also analysed the issue from the perspective of economic dimensions. In Bangladesh, the textile sector, especially the garments component of it, consisted of 90 percent of women as the labour force. This was evidenced that the principal contributors towards the sustainability of the economy were women; and it could be argued that labour

contribution and income contribution to the economy by women were major factors in determining the rights of the women to be in Parliament and to represent themselves.

II. Keynote Presentation

In Professor Khan's keynote presentation, "*Constitutional Representation in Bangladesh: Women In Bangladesh*", the focus was on political empowerment and women's rights and equal status in society. The keynote speaker opined that all of these factors could be regarded as complementary properties. Keeping this in mind, she also mentioned that a number of socio-cultural and institutional factors acted as impediments to women's political engagement; constitutional representation would, therefore, be one significant way of ensuring their participation in Parliament.

Professor Khan maintained that an inadequacy of women's political participation was an important barrier to their empowerment; and for its removal the United Nations had progressively taken measures over a period of time. Bangladesh had made formal commitments to women's political participation by adopting important international strategy documents initiated by the UN. The recent amendments to the *Union Parishad Ordinance* (1997) relating to provisions for direct election of women to one-third of the reserved seats in the *Union Parishads* have changed the overall scenario of women's representation at the local level. However, the political participation of women in Parliament remains profoundly weak and the effectiveness of their participation is even weaker. The very small presence of women in the political party structures and in Parliament is indicative of the very low level of their involvement in the country's political arena as well as in legislative process.

Professor Zarina Rahman Khan pointed out that over 70 percent of women voted in the 1996 parliamentary elections, with women being actively engaged in the electoral process as voters and campaigners. Though political parties made commitments to women's advancement in their respective election manifestos, in reality the major political parties nominated very few female candidates in past elections. Women MPs sit on every standing committee but their effectiveness was not at all visible to the public.

Through Article 65 of the constitution, fifteen seats were constitutionally reserved for women in Parliament in the first elections held in 1973. In 1979 the quota was raised to thirty. The women's representatives filled the thirty reserved seats not through direct elections but by nomination of the three hundred elected representatives. The keynote paper made note of the fact that this constitutional provision would expire in 2001. More importantly, the experience of women's representation in Bangladesh's Parliament across the years in such numbers and with such a system of election had raised questions about the effectiveness of women's participation in the parliamentary process.

The keynote speaker emphasised her belief that the subordinate position of women required a quota reservation for ensuring their participation; however, under the existing system the thirty reserved seats for women were used to extract political advantage for whichever political party might be holding the majority in Parliament. The reserved seats played an important role in making constitutional amendments, and it has been seen that the women occupying the reserved seats could only play a subservient role with respect to the wishes of the ruling party. Professor Khan's opinion was that women parliamentarians had become voiceless tools at the hands of the major parties in Parliament.

Regarding more effective participation of women, Professor Khan mentioned that different alternatives such as direct election, proportional representation, et cetera could be considered by way of dealing with new ideas. In this context her opinion was that direct elections to reserved seats for women would be the most democratic way to ensure effective representation. In this system political parties would put up both male and female candidates and voters would cast two votes simultaneously. Such a method would result in a Parliament comprising of representatives who were all directly elected.

The second method, she thought, could be proportional representation based on an allocation of reserved seats in proportion to the votes obtained by the different parties. However, this system would not be able to provide a separate constituency for women.

As of now, several women's lobbies have come forth with various proposals pertaining to women's representation in the parliament. Khan's opinion was that since women were seeking equal status with men, they should compete on equal grounds in general seats. However, this would completely overlook the socio-cultural and political inequality which existed in the country. One women's group had recommended increasing the number of women's seats from thirty to sixty-four seats, with one representative from each of the sixty-four districts, whereas another group had suggested increasing the number to one hundred. However, in both cases constituencies for women would have to be demarcated so that one woman's constituency would cover two or more male constituencies.

In the context of strategising the means through which the cause of women's adequate representation in Parliament could be enhanced, different political groups have come forward with various demands. However, the effort of civil society activities would not be effective if the actors were unable to forge a common front to engage the state on this vital issue. Professor Khan thought that there were at least two areas of action to work out such strategies. First of all, it was important to table a unified demand reached by consensus of the various groups concerned. As of now, the list of demands and the respective positions taken by the different women's groups showed considerable dispersion both in respect of approaches as well as concrete actions needed to implement the proposals. Demand varied with respect of numbers of seats to be designated for women. One group insisted on limiting the ceiling of election finances to Taka 300,000. Another group left matters flexible with allowance for fixing a higher ceiling. Diversity of opinions as regards number of representatives, mode of elections and other supporting issues had seriously undermined the strength of a consensus-based demand.

Secondly, since constitutional amendments require a two-thirds majority vote in Parliament, the demand for electoral reform needs to be placed before all the parties involved. The desired constitutional changes could only be brought about on the basis of a consensus on the part of all the major parties having representations in the Parliament.

Finally, Professor Zarina Rahman Khan added that though different political parties and women's lobbies had realized the need for effective participation of women in the Parliament, they had not taken any concrete steps toward it. What was required was to devise a method of making political parties accept the demand and then go on to enact the appropriate law and implement it.

III. Discussion

Reserved Seats for Women: From 30 to 64 or 100?

The dialogue following the presentation of the keynote paper threw light on the fact that reserved seats for women needed to be increased. In this regard, Professor Rehman Sobhan pointed out that women's representation in the Parliament should be a democratic and effective one; as such, the number of seats for women, whether it is sixty-four or one hundred, should ensure effective representation. He also remarked that at the time the constitution was framed the country had a population of seventy five million and there were three hundred seats in the parliament; by 1999 the population had jumped to one hundred and twenty eight million. In view of this, the number of seats should be considerably increased. According to Professor Sobhan the number of seats to be allocated for women should be one hundred

Ms Maleka Begum, a leader of the women's movement mentioned that increasing the number of seats to one hundred would be an appropriate complement to the existing three hundred seats. The additional one hundred seats would only be for women while both men and women would be able to contest for the remaining three hundred general seats.

Ms Shirin Akhter, representing *Karmojibi Nari Jatiya Samajtantrik Dal*, called for allocating sixty four seats from sixty four districts while Ms Farida Rahman, a former MP belonging to the Bangladesh Nationalist Party (BNP), expressed her doubts about getting sixty four seats as long as the mode of election remained the same. As regards the issue of one hundred seats, Ms Farida Rahman was of the view that if the number of

parliamentary seats were increased taking into consideration the increased size of the population, then women's parliamentary representation should also be increased accordingly.

Abdul Matin, Treasurer of ADAB, voiced his opinion in favour of one hundred seats. He thought that if the number of seats was to be sixty-four, it would not conform to the needs arising out of the present size of the population of the country, number of general constituencies, et cetera.

Ms Khushi Kabir, Executive Director of *Nijera Kori*, also expressed her support in favour of the demand for a hundred seats. Kamrul Alam of BRAC on his part proposed sixty eight reserved seats, that is, sixty four from the sixty four districts and four from the four City Corporations.

Abdul Matin Khasru, MP, Minister for Law, Justice and Parliamentary Affairs, stated that the consensus of all political parties on an increase or retention of seats for women in Parliament should be considered as the most important point in the present context.

Mode of Election: Direct or Indirect

An issue which generated some heated discussion in the dialogue was that of selection of the women representatives in the parliament.

Professor Rehman Sobhan informed the participants that there was a proposal for extending the present constitutional provision for thirty reserved seats through indirect election. He also pointed out that there were some other suggestions which called for direct election to sixty-four parliamentary seats for women from the sixty-four districts of the country. Some have also called for increasing the number of seats to hundred. The other important issue which was entwined with the number of seats, was the method through which such representatives will be chosen and who their electorate would be.

Farida Rahman raised the issue of the credibility of direct elections. In that regard, she expressed her reservations about women contesting elections from sixty-four districts. In support of her position, she said that men were contesting the elections from one thana whereas there were eight to ten thanas in one district and a woman would have to contest from their vast constituency. Further, she thought that in the face of terrorism, black money, et cetera, women would not be able to contest in direct elections from ten thanas. She stressed the importance of the political party taking the decision relating to how many thanas a woman was capable of taking part in an election. She also brought up the example of 1954, when women contested direct elections which were, however, limited only within the periphery of municipal areas. Her fear was that if the government re-established that process then the grassroots women would be deprived of the opportunity of casting votes at the elections.

Shirin Akhter, thought that direct election to the reserved seats was a critically important demand which has been put forward by the women's lobbies. She emphasised building a consensus on this particular issue among all political parties.

Taking part in the dialogue, Professor Meghna Guhathakurta, Chairperson, Department of International Relations, Dhaka University, revealed the findings of a survey conducted by *Ain-O-Salish Kendra* and the *ICS*. The fact which emerged from the survey showed that people were attaching more importance to the matter of dignity that was to be gained from the direct election than merely the number of seats to be allocated for women.

Khushi Kabir thought that women's representation through reserved seats in the Parliament should be increased and at that women lawmakers should be directly elected. Rokeya Khatun of CIDA expressed her support for direct elections which, in her opinion, would bring deserving women to Parliament.

Political Participation of Women and Related Issues

Under the existing system a party having a simple majority in Parliament could make use of the thirty reserved seats to arrive at an absolute majority. In 1991, as Professor Zarina Rahman Khan recalled, the BNP formed a government with the support of the Jamaat-e-Islami and in return allocated two of the women's seats to the Jamaat. She also said that BNP would have been required to form a government in coalition with the other parties if there had been no such system. Maleka Begum, sought to correct the information provided by Professor Zarina Rahman Khan. She mentioned that it was not only the BNP but the present ruling party as well which had shared reserved women's seats as a way of gaining an absolute majority in Parliament.

Farida Rahman made the important point that having women representatives in Parliament elected by women, and raising the number of seats was perhaps unattainable at one go. She also argued in favour of fair play for women in political matters. She raised the issue of religious fundamentalism in the country and pointed out that in an environment where the concept of "Fatwa" still thrived, the issue of women's representation needs to be put in the perspective.

Rokhsana Khondokar, Advocate of Bangladesh Supreme Court and Executive Director of Khan Foundation, was of the opinion that the most important point was to ensure effective representation. Citing the example of the *Union Parishads* where women representatives often got frustrated since they had no effective control over resources or programmes, she suggested that irrespective of the numbers of seats to be allocated for women there should be a rational delimitation of constituencies where only women would contest and their rights and responsibilities should be clearly defined.

Abdul Matin placed importance on making political parties have a clear understanding about problems which inhibit effective participation of women in politics, since political parties usually nominated only those candidates who had a good chance of winning the elections.

A N Rasheda (?), thought that the women's movement should recognise the difference between the positive and negative aspects of politics in the concrete context of Bangladesh and take the side of the politics of national development and progress.

Role of the Parliament –Is it Really Functional?

Taking the view that the issue of political participation of women in Parliament was an issue of national importance Maleka Begum emphasised that it was the national Parliament which should take the lead in coming to a reasonable conclusion about the role of the women's representatives. She put forth the idea, that just as the Ministry of Local Government had taken the initiative to share the views and opinions of all concerned on making the local government institution effective the Law Minister should also go for a similar exercise. She also thought that the relevant *Parliamentary Standing Committee* should exchange views with the stakeholders regarding the matter of women's participation in the electoral process.

Abdul Matin Khasru, MP, Minister for Law, Justice and Parliamentary Affairs, thought that legislation was a secondary matter. As long as the opposition continued to boycott the Parliament, any decision concerning the parliamentary representation of the women would be difficult to reach. He suggested that the women's community should approach the opposition parties and induce them into returning to Parliament.

The debate also centered on the issue of placing of the bill before the Parliament. Shirin Akhter proposed that the ruling party should come forward with a bill having provisions for increasing the number of seats and also changing the mode of election of the women's representatives.

Minister Abdul Matin Khasru informed the participants that the bill would go to the *Parliamentary Standing Committee* first. The Committee would deliberate on the bill and it could be changed and modified on the basis of a consensus. He informed the participants that if the bill entailed any change in the constitution this would need to be done by a two-thirds majority in the Parliament.

One of the participants assured the Minister that if necessary the women's groups would ensure the two-thirds majority support in the Parliament by creating pressure on the political parties concerned.

Dr Debapriya Bhattachariya, Executive director of CPD, brought up a hypothetical point by saying that if the opposition party BNP would join the Parliament only for one day to endorse the bill, then the question to put forward would be : Was the government side ready to make all the preparations to place the bill before the particular session of the Parliament? The Minister assured the participants that such preparations would indeed be taken if and when this happens.

Maleka Begum, referring to the commitment of the Minister, mentioned that earlier when 'The Women and Children Repression' bill prepared by *Jatiyo Mahila Sangstha* had been placed in the House the Minister had said that he should be informed earlier about the course of action. Things did not turn up as they should have been. Ms Maleka Begum feared a repetition in case of the issue under discussion as well. She suggested that the Minister take adequate preparations on the bill so that it receives the support of the multistakeholders.

Concluding Remarks

Professor Rehman Sobhan, in his concluding remarks, suggested that since women's lobbies had considerable influence over the legislature, they should see to it that the issue of women's effective representation in the parliament is kept in the focus of public discourse. They should also keep pressure on the Prime Minister, the Leader of the opposition and the Law Minister. Though increasing the number of seats for women in the Parliament was a valid demand, he thought that no one should lose the perspective that the actual issue is the effective and meaningful participation of women in Bangladesh politics. According to Professor Sobhan the stakeholders should focus on the issue of the women in Parliament. He suggested that Maleka Begum take the initiative to identify three persons who would to then devote their time on this particular issue over the next three months. He held out the assurance that the CPD would always

be ready to provide all the support such an initiative may need in the interest of credible legislation favouring women.

Syed Nurul Alam, Executive Director of SAP-Bangladesh, concluded the deliberations through expressing the hope that forthcoming dialogues with stakeholders will build on what had been achieved so far, and would lead to concrete steps in favour of effective participation of women in the governance of the country.

List of Participants
(In alphabetical order)

1. *Dr Salehuddin Ahmed* Director, Program
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2. *Ms Shirin Akhter* President
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3. *Mr Kamrul Aman* BRAC Training Division
4. *Mr Syed Nurul Alam* Executive Director
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5. *Dr Debapriya Bhattacharya* Executive Director
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6. *Ms Maleka Begum* Women Activist & Researcher
7. *Ms Ayesha Banu* Coordinator
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8. *Ms Tawheeda Chowdhury* Intern
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9. *Dr Meghna Guhu Thakurta* Department of International
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10. *Ms Shamim Hamid* Principal Officer
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11. *Ms Shireen Huq* WID Advisor, DANIDA
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12. *Dr Humaira Islam* Executive Director
Shakti Foundation

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| 14. <i>Advocate Rokhsana Khondker</i> | Executive Director
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| 15. <i>Ms Hosne Ara Khan</i> | Executive Board Member, ADAB;
Executive Director, USHA and
Member Secretary, <i>Nari</i>
<i>Khamatayan Nagorik Adhikar</i> |
| 16. <i>Ms Rokeya Khatun</i> | Social & Gender Advisor, CIDA
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| 17. <i>Ms Khushi Kabir</i> | Executive Director
<i>Nijera Kori</i> |
| 18. <i>Advocate Elina Khan</i> | Director
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| 21. <i>Ms Nadira Mallik</i> | Programme Coordinator
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| 22. <i>Ms Rajni Palkiwala</i> | Department of Sociology
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| 23. <i>Ms Farida Rahman</i> | Former Member of Parliament
Vice-Chairperson, B.N.P. |
| 24. <i>Professor Mustafizur Rahman</i> | Research Director
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| 25. <i>Ms A N Rasheda</i> | Associate Professor
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| 26. <i>Ms Tania Sultana</i> | Research Assistant
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| 27. Professor Rehman Sobhan | Chairman
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| 28. <i>Mr Syed Shah Tariquzzaman</i> | Consultant
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| 1. <i>Mr Abul Kalam Azad</i> | The Daily Star |
| 2. <i>Mr Anis Alamgiri</i> | Ajker Kagoj |
| 3. <i>Ms Serene Ferdous</i> | Prothom Alo |
| 4. <i>Mr Mir Anwarul Islam</i> | The Banglar Bani |
| 5. <i>Mr Tapan Khan</i> | The Independent |
| 6. <i>Mr Mosaddeq Al Mahmood</i> | The Bangladesh Observer |
| 7. <i>Mr Altaf Parvez</i> | Anannaya |