

Securing Women's Rights and Welfare: A Proposed Framework for Engendering Governance

A. The Case for Engendering Governance Reforms

Globalization and its processes have produced two paradoxical phenomenon. On the one hand, it ushered in the notion of global governance as a mechanism to ensure the regulation of trade and the flow of capital. Global governance institutions such as the World Trade Organization (WTO) and the meetings of world leaders and economic ministers have become familiar faces of the global economy. Consequently, governance principles are harmonized in national development planning and policymaking.

On the other hand, globalization also paved the way for the growth of global social movements that have found wide reach and mobility through advanced transportation and communications technology. Suddenly, these groups have characterized the world's discontent with the efforts of global governance institutions to rule the global economy. Indeed, if any, the Battle of Seattle became the milestone event that gave face to this said paradox. To this day, this story continues.

With this background, it is not surprising that governance reform initiatives in the country are stand alone projects that hardly incorporate the gender dimension in their design and implementation. To the extent that these projects reflect a wide array of governance reforms and directions for future activities, then it can be said that indeed gender and governance reforms in the country are moving in separate directions. Hence, critical engagement with governance is imperative to ensure that both its results and processes are engendered.

Integrating gender in governance reforms will strengthen efforts to guarantee the right to equality of women and ensure that both the processes as well as the goals of such initiatives secure and improve the welfare of women. Specifically, it recognizes the differential impact of governance reforms between men and women. For instance, sustained marketization of governance (Taylor, 2000) as a result of liberalization and deregulation initiatives, have resulted in changes in the economic structure that produced 'poverty inducing' policies thereby further magnifying women's vulnerabilities in the home, workplace and in society in general (Moghadan, 2005). Likewise, by making governance sensitive to gender needs, it is compelled to take into account of the social and

cultural norms that impinge on women's rights, access to resources, property and meaningful participation in public life.

At the same time, engendering governance will make its institutions and dynamics more democratic, participatory, effective and accountable. Empirical evidence has supported this argument. For instance, a World Bank study using data across countries found that women are "particularly effective in promoting honest government" (Dollar et.al.:1999). It also showed that an increase in women's representation in parliament is correlated with a decreased incidence of corruption (ibid.) Moreover, the success of the *panchayat*¹ experience in India has demonstrated that women who are able to form a critical mass, are able to articulate women's concerns in the realm of governance. Notably, this has resulted in a more participatory electoral system as significant increase voter turn-out among women has since been observed in India (Sridharan, 2005).

B. Redefining Governance, its Institutional Milieu and the Role of Women

At a fundamental level, engendering governance interrogates the key assumptions upon which traditional governance conceptions are founded such as its definition, its spheres and the role of women. At the core of this critique is a rejection of the way current governance discourse is presented as being gender-neutral. As had been mentioned above, empirical evidence indicate that governance reforms and processes have differential effect on men and women. Therefore, the dynamics of governance should indeed take into consideration the gender dimension. Given the feminist critique, engendering the definition of governance necessitates a more inclusive conceptualization. One definition that comes close to this is the Amartya Sen-inspired conceptualization of governance espoused by the United Nations Development Program (UNDP):

... "the exercise of economic, political and administrative authority to manage a country's affairs at all levels. It comprises the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations, and mediate their differences." (1997)

¹ India has reserved thirty (30) percent of the seats in their local councils (*panchayat*) to women.

Aside from the definition, the institutional stakeholders in the governance agenda that this framework proposes include those that are outside the state. It has been argued that for governance to be engendered, it needs to incorporate spheres outside the state such as civil society, the private sector and the family. It is argued that state-centric accounts of governance perpetuate the notion that the government should not intervene in private or family matters. Feminist scholarship dismisses this notion since discrimination against women brought about by cultural beliefs usually occur in the private sphere. Usually, women are helpless in seeking redress since the state hide under the cloak of the public-private divide.

If governance is to serve the interest of women and achieve gender equality, it must transcend the public sphere. The consensus that emerges is one that broadens the political space for contestation. This includes the *public sector*, the *private sector* or *the market*, the *civil society* and the *family* or the *household*.

Nonetheless, the state still represents a viable arena where women can contest and demand for their rights (Nussbaum, 2003). As the primary institution that sets the parameters of legal norms on family life its potential to transform embedded patriarchy and the cultural milieu that exploits women is still recognized (Ibid.). Moreover, as the actor that allots resources in society, the welfare of women depends to a large extent on its allocative powers.

At the core of this proposed framework is the thesis that women can in fact be agents of change and not mere recipients of welfare, an argument first articulated by Amartya Sen in advancing the human development framework. As such, while it is a widely held view that since the adoption of the Convention on the Elimination of Discrimination Against Women (CEDAW), women have advanced in terms of political participation, the approach of this proposed framework in engendering governance goes beyond the discourse on participation of women in governance and politics. This is supported by feminist literature which posits that a focus on participation of women in governance will not engender it since this merely reinforces long-standing elite and class divisions in society. Persistent socio-cultural discrimination and exclusionary economic and political processes and structures continue to prevent women from entering the political arena. What is needed is a focus on those who belong to the lower echelons who can form a critical mass and really make a difference and address "long histories of exclusion, marginalization and invisibility" (Joyal, 2003: 102). Therefore, women need

to have the necessary tools and wherewithal to be able to “interrogate their oppression in all these spheres, from the family to the state” (Ibid.).

C. Key Elements of Engendering Governance

To realize the goal of engendering governance, this framework makes obligations on the state, government and society and family to secure women’s human rights and welfare. It emphasizes not just the gendered outcomes but also ensures that women are participants to the processes that produced such outcomes. For this to happen, this framework proposes programmatic interventions that seeks to *eliminate discriminatory attitudes and practices against women, guarantee political equality and democratization and secure public investment in anti-poverty and the care economy.*

Political equality and democratization: The post-EDSA Constitution ushered in the Philippines’ transition to democracy. However, the country faces severe challenges in democratic consolidation. Specifically, the elite capture of the state that promotes personalistic and parochial ‘politics’ continue to hamper political and economic development goals. This also affects women’s entry in the political sphere. Indeed, while there has been a marked improvement in terms of participation of women in governance and politics, it acknowledged that women are far from gaining a critical mass to be able to make a difference. Local feminist scholars attribute this to the male-oriented and money politics nature of traditional politics that still dominate the country’s political system (Hontiveros-Baraquiel, 2005). Likewise, the ‘personality-oriented’ nature of political parties in the country and its ‘revolving door membership’ practically makes the measurement of women membership impossible (Hega, 2003).

To overcome this challenge, this proposed framework seeks to ensure that women and men across the various social groups are genuinely and equitably represented in political institutions; these institutions are fully accountable to all people; and all people participate in the debates and decisions that shape their lives. Interventions that will increase the capacity and skills of women politicians in shaping the development agenda should be considered. Programmatic activities in the form of trainings, assessments and studies that aim to engender political party and electoral reforms are also proposed. The development of materials for political awareness and civic education campaign for grassroots women should also be part of these interventions.

Public investment in anti-poverty and the care economy. In the 2004 report to the United Nations on the implementation of CEDAW, the Philippine government acknowledged some of the remaining issues and obstacles confronting Filipino women, are poverty and inequitable distribution of resources, dire consequences of globalization and limited government resources. Indeed, for decades, the government has deprioritized social services in budgetary allocation in favor of debt service. This has resulted in women bearing the brunt of poor health and education services. Worse, economic and statistical data continue to turn a blind eye in their work as providers of care. This results in the undervaluation of women's contribution to the economy. Moreover, in the absence of accurate data, planning and policymaking is not responsive to the plight of women. Cognizant of this, this framework proposes that public expenditure policies give priority to anti-poverty programs, education and health services for the poor including the indigenous peoples as well as services that will reduce women's unpaid work in the care economy. In pursuit of this, interventions in the form of research, capability-building and resource mobilization should be explored. Specifically, a gender analysis of past economic laws enacted by the Philippine Congress is in order so as to determine its impact on Filipino women. Resource allocation trends may also be examined to find out the extent to which the budget has made a difference in women's lives. Continued advocacy for the sex-disaggregation of data and a gendered view of the country's data-generating systems and institutions specifically with regard to women's underpaid work should likewise be pursued.

Elimination of discriminatory attitudes and practices: Feminist scholars have pointed out the continued prevalence of discriminatory attitudes and practices that put women in subordinate status to men in the family and community, and prevent them from gaining equal access with men to economic resources and opportunities in the social and political spheres. Elimination of discrimination against indigenous peoples and other marginalized social groups must also be pursued.

As a participant to various international conferences on women and signatory to their outcome documents, the Philippine government has made significant strides in enacting legislation that ensure the rights of women in recent years. More significantly, the Philippines has signed and ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which is considered the universal magna carta

for women's rights. However, it must be pointed out that the country's legal framework is still replete with discriminatory provisions that are founded on cultural and traditional beliefs. These continue to constrain women's full access to social, economic and political opportunities.

Toward this end, this framework finds Eleanor Conda's work on strengthening of the implementation of the CEDAW in the country as a viable take-off point for engendering governance, particularly on the provision of 'substantive equality'² between men and women (2005). However, the CEDAW framework should be complemented by other key documents that are not binding on the Philippine government as they are not treaties in themselves but are equally important in advancing the rights of women in sexual and reproductive rights and improved standard of living such as the Beijing Platform for Action (BPFA) and the International Conference on Population and Development (ICPD). These international instruments should be used for project design and implementation that aims to engender governance in all its spheres. Trainings, capability-building and awareness campaigns for key national and local officials on these instruments and how they can be incorporated in planning and policymaking can be significant interventions.

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² There is current advocacy to incorporate 'substantive equality' in the implementation of CEDAW in the Philippines (Conda, 2005:8). It is said that the framework of 'formal equality' has actually disadvantaged women on two counts. The first can be seen in 'equality laws' that pay lip service to equal treatment between men and women but actually do not specify gender -roles. Secondly, 'the difference approach' which can be seen in policies that provide special treatment for women due to their traditional role in society or those laws that purport to protect women (ibid). Conda explains that on both counts, women are paradoxically further denied of their rights.

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