

Womens' Rights to Vote and Laws Against Gender Discrimination: The Makeup for Gender
Equality and Women's Empowerment

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Abstract

According to the Economist Intelligence Unit (EIU), which measures the state of democracies in countries, there are currently a total of 113 countries that are considered full, flawed, or hybrid democratic regimes (Democracy Index 2019). These democratic regimes are measured by and uphold civil rights and equalities to certain degrees, are key characteristics and indicators for a country to be considered as a democracy. However, not all of these democracies started as full democracies as some countries had to struggle more than others to gain rights and equalities for certain groups of people. Specifically, gender equality for women. Historically women in several countries did not enjoy the same benefits or rights as men always did. In some countries, such as the United States, women had to march and protest to reform laws so that they could have the right to vote. In Norway, which is considered one of the most democratic countries in the world today, women had to fight for the right to vote, earn the same wages as men, and to run for public office (EIU Democracy Index 2019). It was so difficult that it took them over 100 years to get where they are today (Gundersen, 2020). These are only two of the several nations that have made great strides towards strengthening their democracies and achieving equality. With all their efforts, countries began to reform laws that upheld gender equality and rights. Laws that allow women to vote and acts that uphold gender equality are the most effective ways in contributing towards gender equality and women's empowerment in elected office.

Keywords: gender equality, women's empowerment, rights, democracy

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Core Debate in Literature

Despite the advocacy and efforts to create such laws, some argue that these two types of legal reformations have not contributed all that much to empower women or achieve gender equality. A Pew Research Study finds that only 17% of Americans trust in their government and America is also among the few developed countries which have lower voter turnout (2019 National Election Study). This means that although everyone has the right to vote, there is still a lack of trust and participation in the government. This also means that people, including women, are not voting or participating equally.

In addition, there is also the Global Gender Gap Report, which is published annually by the World Economic Forum, reveals gender equality in countries. The most recent publication (Global Gender Gap Report 2020) tracks the health, educational, economic, and political gaps between men and women. It demonstrates that although the countries measured have anti-gender discrimination laws, there is still a 25% gap in their Political Empowerment Index. The Global Gender Gap Index shows that there is a 69% gender gap. Moreover, developed and more developed countries such as Italy, Japan, Netherlands, Spain, and Sweden have also never had a woman in powerful leadership positions in office or in government (pg. 11, 2020). Another thing to note is that these countries also have anti-gender discrimination laws in place as well as the right to vote for men and women. These statistics demonstrate that laws and policies won't always determine gender equality or women empowerment in elected office.

There is also the belief that just because some countries identify as democracies and have democratic laws (such as anti-gender discrimination laws), that doesn't mean governments will make every effort to uphold or defend and strengthen them. This belief argues that sometimes countries may add these laws to their constitution just to appear democratic and to make it seem as if they are fighting the same fight against gender inequality. India is a prime example of this type of situation when it comes to gender equality and women empowerment in politics.

India is currently the largest democracy in the world with a democracy index score of 7.81, according to the EIU's Democracy Index 2019 (Wood, 2017). India's Constitution has explicit laws that are against gender discrimination. For example, it explicitly states that both men and women have "equal pay for equal work" (Pg. 21, Part 4, Para. 39, Section A and D). Part 4A, Section E also renounces any practices or acts that are dishonoring or offensive towards the "dignity of women". The next part (*Part IX. The Panchayats. Arts. 243C-243D*) of this constitution has dedicated sections entirely for women that require a set amount of seats to be reserved specifically for women at the local, state, and national levels. India, like all democracies, prohibits discrimination against women and has even created a space and opportunities for women to hold elected positions.

Despite all this, the statistics prove otherwise. India ranks at 122 out of 162 countries for gender equality, according to The Human Development Report of 2019's gender social norms index. It also reveals that women empowerment in India is not supported and bias against gender equality has grown. Furthermore, the Gender Inequality Index shows that only 11.7% of seats in parliament are occupied by women. When it comes to girls' education and creating such opportunities for women, 63.5% of men have completed secondary education, whereas only 39%

of adult women have achieved the same level of education. Any country can identify as a democracy and create very detailed and lengthy laws that are in favor of advancing and upholding gender equality and encouraging women to hold political positions. However, they won't always guarantee any movement towards true gender equality or empowerment.

And then some argue in favor of social form over legal reform entirely. A study done by UN Women and Promundo, a nonprofit organization that works to promote gender justice, surveyed 10,000 men in Egypt, Morocco, Lebanon, and Palestine to find out their opinions about gender equality and masculinity. The survey found that in Egypt, "men are resistant to women working outside the home, and to their participation in aspects of political and public life" (Chapter 3, pg. 42). In Morocco, "a majority of men hold patriarchal views on many aspects of male and female rights and relations" (Chapter 4, pg. 92). Clearly, there is still work that needs to be done in the fight for gender equality and women empowerment, and the work needs to focus on changing how men think rather than how women think. This is because a majority of political and domestic leadership roles belong to men. Because more men are in positions of power, they will have a greater amount of influence on society. The study supports the argument that adopting anti-gender discrimination laws and policies alone are not nearly enough to help achieve true gender equality and help empower women. Instead, it argues that nations need to do more to encourage men to fight against gender discrimination. In Lebanon, there is still widespread inequality among men and women when it comes to domestic work (Chapter 5, pg. 146). Men need to be the ones to break biases and stereotypes in order to help create pathways and opportunities for women so that work expectations for men and women don't differ on the basis of gender. Furthermore, men also need to be the ones to break gender roles and norms,

which are the reason why women aren't afforded the same rights as men in some countries. This can be seen in countries such as Palestine where, "80% of men and 60% of women agree that a woman's most important role is to take care of the home" (Chapter 6, pg. 198).

It wouldn't matter how many anti-gender discrimination laws get established. Because if there is no expectation for women to be in certain places, then there is also no opportunity or any form of encouragement for women to fulfill such spaces. Once again, men must be at the forefront to help fight against gender inequality biases and perceptions. In this way, once men start to change their perceptions, the rest of society will too. Ultimately, we should be fighting to change attitudes rather than changing laws, as the study suggests.

Existing Evidence

Although the current debate surrounding this issue questions these legal reforms, there is ongoing research that proves otherwise. Existing literature suggests that legal reforms, such as giving women the right to vote, have significantly contributed towards achieving gender equality. According to a 2020 study done by the Pew Research Center, the right to vote for women "has been the most important milestone in advancing the position of women" (Horowitz and Igielnik). The right to vote was pushed by social movements, such as the Women's Suffrage as well as the feminist movements. Although they began over a century ago, they helped create the foundation for new laws and social reformation.

After the Nineteenth Amendment of the U.S. Constitution was ratified in 1920, women became more prominent members of society as they began to hold positions in elected office. For example, shortly after in 1925, Nellie Tayloe Ross became the first female governor of Wyoming. In 1932, Hattie Wyatt Caraway became the first female to serve a full term as a

Senator in Congress. Even today, the effects of this law and the women's suffrage movement can be recognized as the state of Nevada became the first to have a majority of legislative seats belonging to women in 1919 (Britannica.com, 2020). It was because women pushed for legal reform that society saw a sociopolitical change. This is what helped the U.S., and other countries, get one step further towards achieving true gender equality.

Anti-gender discrimination laws have contributed the most towards improving women's lives so that they can enjoy the same freedoms as men. Without these laws and rights, there would be less economic and political participation. The Women Business, and the Law 2019: A Decade of Reform research study supports this. The study found that certain anti-gender discrimination laws that allowed women to take on the same roles as men had, such as getting a job, buying a house, or getting paid, have not only empowered more women, but also empowered countries to make the same legal reformations as "131 economies made 274 legal changes towards gender equality". According to their Women, Business and the Law Index for 2009-2018, "the world moved toward gender equality over the past decade" due to these gender equality laws. Moreover, this also helped increase the average global score for gender equality by 4.65 points. Regional trends have also changed after these legal reforms were made as six countries now have a perfect score of 100. Men and women in these countries are completely equal under the law which is a significant improvement from where the world was decades ago. Such advances towards gender equality were accomplished due to laws that promoted gender equality and are anti-gender discriminatory.

There are more examples of legal reforms that have helped advance gender equality in countries. The UN Women, a United Nations group, has worked with and encouraged several

different regions and countries to adopt and implement gender equality and anti-discriminatory laws. For example, Morocco ratified their Constitution and incorporated gender equality principles, one of which doubled parliamentary seats for women. In return, the percent of women in Morocco's Parliament increased from 10% to 17% (unwomen.org). Montenegro is another example of a nation the UN Women group worked with to reform their Labour Law. After the change, they made gender equality training a requirement for workplaces.

In the country of Rwanda, women's political participation and women holding positions in their government is at an all-time high right now. In fact, Rwanda's government has more female members in their parliament with a total political party score of 70. The political party score measures the amount of female representation in a government. Their cabinet is made up of 54% of women and their national legislature is made up of 56% of women. As for Rwanda's local legislatures, there is a total of 44% of women that hold elected seats (Council on Foreign Relations, Women's Power Index 2020). In addition to this, it also has a government institution called the Ministry of Gender and Family Promotion or MIGEPROF whose vision is, "creating a conducive environment for the family stability, gender equality and child protection towards sustainable development" (migeprof.gov.rw).

The reason as to how and why Rwanda made the farthest stride towards achieving gender equality and how they were able to get so many women to participate in their government is due to the Rwanda Genocide which occurred in 1994. Political leaders used mass rape and gender violence against Rwandan women and children as their weapons to carry out the genocide (Human Rights Watch, 1996). Because of the devastating impact the genocide had not only on women and their families, Rwanda's economy and education suffered as well. It wasn't until a

referendum in 2003 where Rwanda's Constitution added new laws that condemned genocide and was against any form of gender discrimination and violence that Rwanda saw real change (Rwanda Constitution, Preamble, para. 7 and Article 16, para. 2). Then in 2004, Rwanda's government created the MIGEPROF and began taking initiatives to improve education for girls. These initiatives helped create the Girls' Education Task Force (GETF), which helped implement the Girls' Education Action Plan, all of which began the year after the new Rwandan Constitution was adopted (United Nations Girls' Education Initiative). The successful case of Rwanda serves as an example of how anti-gender discrimination laws and practices helped achieve gender equality and empower women to hold positions in their governments.

Conclusion

Legal reforms such as voting rights and anti-gender discrimination laws have been the most effective in helping achieve gender equality. Advocacy and social movements laid the groundwork for these laws to be set in place. These legal reforms have not only made countries more democratic on scales, but also helped to empower women to continue making strides in society, but most importantly in their governments.

Implications

Thanks to countries adopting and ratifying their national laws that now uphold anti-gender discrimination, femal empowerment in politics is reaching record numbers all over the globe and is expected to grow in the coming years. After countries pushed for legal reform on gender equality, many countries began to see positive socio political and socioeconomic effects.

Research conducted by UN Women found that women are the key to closing gender gaps and achieving sustainable development goals. According to their estimates, "gender gaps cost the

economy some 15% of GDP” (2018). Countries such as Sweden, for example, can also significantly increase their GDP by 6 trillion (USD). Economic growth is just one implication of gender equality laws. There is also a positive correlation with the number of women in elected office and health. Researchers from the World Economic Forum found that “women in government do in fact advance population health” because women tend to focus more on health and education (Muntaner and Ng, 2009). Women not only bring diversity and participation, but also help encourage others to take part in their government and help grow economies.

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