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## Women's Rights as Human Rights – The Paradox of Mauritian Democracy

Given the reputation of the pluriethnic small island State of Mauritius regarding its economic performance, social cohesion and “democracy,” one would expect all its citizens, irrespective of gender, to be enjoying equal rights and equitable citizenship. The constitution of Mauritius states that all citizens, irrespective of race, ethnicity, sex, class and religion hold equal rights, but the reality is that many of these rights are infringed, particularly those of women. Patriarchy is so embedded in the structures of Mauritian society that it renders the interplay of interrelated factors such as social, economic, cultural and political factors even more complex when it comes to their application and impact on women's lives.

Mauritius has adopted a number of gender-sensitive legislations such as the *Domestic Violence Act*, the *Sexual Harassment Act* and the depenalisation of the criminal code for abortion in specific cases, to name but a few. This paper argues that laws are necessary but not sufficient for the full enjoyment and protection of women's rights as human rights. One of the ways to improve women's condition and allow the advancement and consolidation of a gender-equitable democracy is to ensure a better representation of women in Parliament. This is not simply a question of numbers but rather about a policy of ideas and transformations. Mauritian women should therefore be provided with an enabling environment for the enhancement of their participation in the political life of their country and, in turn, assist in the promotion of women's rights. This does not mean that there is necessarily a correlation between women's numbers in parliament and the advancement of women on the ground, but research shows that the chances for a more equitable citizenship are better when there are more women in the legislature (Loven-duski: 1993; Bunwaree: 2010).

Therefore, this paper first explores the reasons for the persistent low participation of women in the Mauritian political arena and the implications of this poor representation on women's rights. The second part discusses a few of the gender sensitive pieces of legislation that have been passed since independence and highlights the disjunction that exists between legislation and the reality on the ground. The latter is discussed by exploring women's condition in contemporary Mauritius. Mauritius has signed and ratified the

*Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW), but there are often subtle discriminatory practices at work which prevent the full blossoming of women's rights as human rights. The third part of the paper highlights the absence of a correlation between Mauritian women's high level of education and their empowerment. Empowerment, the paper argues, is not only about education and political participation but rather about women knowing their rights, the ability to make independent choices and take full control of their lives.

#### **PERSISTENT LOW PARTICIPATION OF WOMEN IN POLITICS AND IMPLICATIONS ON WOMEN'S RIGHTS**

Mauritius tops the list on the Mo Ibrahim Index of governance but suffers from a big democratic deficit—that of women's under-representation in politics (Sachs: 2002). More importantly, what such a deficit means for governance is not sufficiently discussed. Many people who write about Mauritius's successful cohesion and its politics of representation tend to omit the gender dimension altogether.

Brautigam (1999), Srebnik (2002), Mukonoweshuro (1991) and Alladin (1993) have praised the relative stability of Mauritian politics, attributing this stability largely to the way the country accommodates diversity through its "best loser" system, but these conceptions of diversity are rather gender blind. Mukonoweshuro (1991) explains that the politicians have woven a political spoils system which has ensured that each ethnic group has an established stake in the system, thus ensuring its legitimacy in the eyes of all ethno-religious communities, at least in principle. Its interpretation of representation did not extend so as to include women as a social category, with interests and concerns of their own. This myopia is indeed a serious dent in Mauritian democracy, often praised for its regular elections by ballot, its lively civic culture, vibrant free press and relatively impressive economic growth.

Bunwaree (2008) notes that the term "diversity" should not be restricted to ethnicity, caste and religion alone, as is often the case in the Mauritian context. He argues that the term "diversity" refers in fact to a whole range of people including the disabled, *i.e.* those who are physically challenged in one way or another, people of different sexual orientations, *i.e.* gays and lesbians, youth and senior citizens, and different genders, *i.e.* men and women. These different groups constitute the Mauritian mosaic.

Gunganah *et al.* (1997) also note that gender has never been an important variable in Mauritius's political representation because ethnicity and communal interests have always been given priority. Considering the Hindu ma-

majority within Mauritian pluriethnic space, the tendency has always been to select a Hindu Prime Minister. As, in 2002, for the first time in its history, the country has had a non-Hindu as Prime Minister in the person of Paul Berenger (a white Franco-Mauritian), one was tempted to ask whether diversity has begun to be appreciated with more objective eyes.

Some people spoke of a new era being ushered in and referred to these new circumstances as the maturing of Mauritian democracy. Questions such as “Can and will the new PM rise to this noble challenge and seize this unique opportunity to rid our constitution of blatant communalism and racism?” (Sithanen, 2003) were raised but very few asked how to get rid of the pervasive gender inequalities, and in doing so, work towards the consolidation of women’s rights as humans’ rights. While the “maturing of Mauritian democracy” was evoked, no one saw how and why “the *deepening* of Mauritian democracy” (my emphasis) requires a better gender representation. Ethnopolitics continues to dominate, while gender politics remains on the periphery. The UNDP report 1995 states that the political space belongs to all citizens, but men monopolise it. Mauritius is no exception: here too, the political arena is largely dominated by men.

### **WOMEN VOTERS BUT NOT LEGISLATORS**

Women in Mauritius could not participate in politics at all between 1886 and 1947. The first legislative elections were held under British rule in January 1886 after Mauritius had obtained a legislative council in 1885. However, the right to vote was reserved only to men who met high property qualifications. The Labour Party had made relentless efforts to extend the vote to all those who could pass a simple literacy test and its efforts came to fruition in 1947. However, this time, only women who belonged to the elite and who could pass the literacy test could vote. It was not until 1956 that the British Government conceded universal adult suffrage to Mauritians. Consequently, all men and women over the age of 21 obtained the right to vote. The age limit was lowered from 21 to 18 in 1976.

Although women were given the right to stand for election in 1956, they had been totally absent from Parliament until three women were elected to the National Assembly in 1976 (Inter-Parliamentary Union 1995, 178). Women have for very long been voters in large numbers, but very few are legislators. The table below shows how gender representation has evolved in the national legislature over the years.

Table 1: Number of members in the National Legislative Assembly by Year and Gender

	National Assembly Election											
	1959	1963	1967	1976	1982	1983	1987	1991	1995	2000	2005	2010
Number of elected candidates	40	40	62	62	62	62	62	62	62	62	62	62
Male	40	40	62	59	58	60	57	60	56	58	51	52
Female	0	0	0	3	4	2	5	2	6	4	11	10
Number of parliamentarians	...	....	69	70	66	70	70	66	66	70	70	69
Male	...	....	69	67	61	66	65	64	60	66	58	56
Female	...	....	0	3	5	4	5	2	6	4	12	13
Proportion of seats held by women in the National Assembly	...	....	0	4.3	7.6	5.7	7.1	3.0	9.1	5.7	17.1	18.8

Source: Central Statistics Office, 2010

Tables 2 and 3 show women's representation in the municipal and district councils, *i.e.* in local government.

Table 2: Number of Members in Municipal Councils by Year of Election and Sex

Year	2001		2005		2012	
	Number	%	Number	%	Number	%
Men	109	86.5	110	87.3	57	63.3
Women	17	13.5	16	12.7	33	36.7
Total	126	100.0	126	100.0	90	100.0

Source: Gender Digest, 2012

Table 3: Elected members at the Village Council Elections, 1997, 2005 and 2012

Year	1997		2005		2012	
	Number	%	Number	%	Number	%
Men	1,435	97.2	1,390	94.2	873	74.6
Women	41	2.8	86	5.8	297	25.4
Total	1,476	100.0	1,476	100.0	1170	100.0

Source: Gender Digest, 2012

The increase in the representation of women is much more significant for the village council elections; the share of women among elected mem-

bers is 25.4% in 2012, compared to 5.8% in 2005 and only 2.8% in 1997. This is due to the recently amended *Local Government Act* which increased the number of women running for office in local government by requiring that at least one candidate of the three running in each ward or village be of a different gender. While it is a good thing to have more women in local government, the fundamentals regarding women's rights lay with the legislators in central government. Budgetary allocations and macroeconomic policy-making (often gender-blind) are determined by central government.

Interviews carried out with parliamentarians – both male and female – in the context of a study I undertook a few years ago, indicated that unless women brought up the issues regarding women's lives, men would hardly ever consider them (Bunwaree: 2010). Male respondents, however, added that once the issue was brought to the surface and if they believed that it was one that would improve society, they would tend to support it. Nevertheless, determining what is or not useful to society still depends on male biases or fundamentalism, which can be counterproductive to women's rights.

The next section examines the obstacles to women's entry into the political arena. These include patriarchy, socialisation and education, marginal positions in the labour market and limited resources, the role and structures of political parties, the formation of alliances and coalitions, men's chauvinistic and biased attitudes, the weaknesses of civil society, and the divergences of opinion on quotas. Getting rid of these obstacles and having greater numbers of women participate in politics can also impact on women's rights.

### **PATRIARCHY, SOCIALIZATION AND EDUCATION**

Writing about Africa in general, Tamale (1999) notes that the socialisation process has not been kind to women who have been brought to perceive their roles as subordinates and remain dependent on men. This artificial consciousness of women's inferiority to men often compels them to accept the *status quo*. In Mauritius too, patriarchy has largely contributed to keeping women in the private sphere thus making of Mauritius a highly gender-stratified society.

Simone de Beauvoir (1949) aptly observed that women are not born women but that they become women. In other words, socialisation patterns have a very strong influence on the way in which gender dynamics play themselves out. Children, both boys and girls, are subjected to stereotypes which persists even in adult life, making people believe they are meant for particularly defined roles: hence the sexual division of labour that persists in

many parts of the world, Mauritius among them. Women continue to be socialised according to gender norms and therefore often identify their gender with domesticity. As a result, they are reluctant to enter public life, mainly because of their family obligations (Gunganah *et al.*: 1997 30). They “tend to self-impose limits to their professional aspirations” (Dommen & Dommen: 1999 67). Hawoldar *et al.* (2004 3) note that “the patriarchal concrete had hardened into the cells and marrow of our womenfolk themselves.” Socialisation through institutions such as family and education has, in some ways, contributed to this “patriarchal concrete.” Religion too has had its impact. Mauritius is home to multiple religions – Hinduism, Christianity, Islam and Buddhism. They are generally considered as patriarchal constructs which have an important bearing on how gender dynamics operate in diverse spheres of Mauritian life, including the political one.

Although socialisation and cultures hamper women’s participation in politics, the same cannot be said about education *per se*. Education often plays a role in reinforcing stereotypical roles and channels women towards disciplines regarded as “feminine” so that there is still unequal access to technical and scientific skills. However, education, including tertiary education, has opened up new opportunities for women.

Unlike in most developing countries where boys are given more educational opportunity than girls, education in Mauritius benefits both to men and women. Because education is free for all since 1976, families do not have to choose which of their children to educate, even in times when resources are scarce. Mauritius’s exceptional stand in rejecting the IMF/World Bank conditionality of abolishing free education and free healthcare when it embarked on the structural adjustment programmes is to be applauded. Free education has contributed to a pool of talented, able and competent women who today occupy positions such as judges, medical doctors, lawyers, permanent secretaries and academics. But the vast majority of women are pooled in low-paid, low-skilled, low-status jobs. While education has contributed to the “empowerment” of women, it has not succeeded in ensuring that their fundamental rights, particularly for those who are at the bottom rungs of the ladder, are respected.

### **WOMEN’S MARGINALITY IN THE LABOUR MARKET**

Although the number of women in the labour force has increased over the years, they are concentrated in marginal positions (Alladin: 1993; Bunwaree: 2009). They are also underpaid compared to men doing the same

type of work. The labour market in Mauritius remains ethnicised, gendered and segmented. Only some 35% of women are in the formal labour market, with the vast majority contributing to turning the wheels of the factories in the Export Processing Zone (EPZ). Many of these women are now losing their jobs and suffering the ripple effects of joblessness (Bunwaree: 2004). The right to work as a fundamental right is not even debated in the country – not even by the female parliamentarians.

In Mauritius, most well-educated and competent women are found in the public sector, but very few have broken through the glass ceiling. Moreover, members of the public sector are restricted from participating in the political life of the country. Mauritian law mandates that people in the public sector should not seek elective offices unless they resign from their positions. Women, concerned about their security and livelihoods, are generally more hesitant than men about resigning, thus reducing the pool of potential female politicians (Bunwaree & Yoon: 2006).

It is a well-established fact that running for office is a costly business requiring considerable resources. Bunwaree (2005) and Chiroro (2005) note that the issue of campaign finance discourages most women from entering the political race. Although the Sachs commission report suggested that the funding of political parties should become conditional on gender representation, this question appears to have been consigned to a bottom drawer (Bunwaree: 2005)

### **POLITICAL PARTIES AND MASCULINITY**

Parties vary greatly in their organization, ideology, size, policy and the extent of their political significance. Parties also vary in their hospitality towards women, both within and across systems. Political parties are often criticized for their masculinity. The fact that parties are “masculine” points out how, in their different ways, the parties have been built around unacknowledged traditional conceptions of gender relations. Although women are admitted into parties, their roles often remained subordinate. For much of their history, political parties across the world have been effective barriers to women’s presence in elected offices, a pattern well described by Barbara Nelson & Najma Chowdhury (1994), amongst many others.

Lovenduski & Norris (1993 56) note that “[i]f parliament is the warehouse of traditional masculinity in British politics, political parties are its major distributors.” This statement may be applicable to Mauritius too since political parties are the major gatekeepers of government office. In the systems of



party government that characterize so many democratic States, the work of equalizing men and women's representation and enhancing women's rights as human rights must begin in the political parties.

A study of political parties in Mauritius carried out by Bunwaree & Kasenally (2005) highlights that the three major political parties – the Mouvement Militant Mauricien, the Labour Party and the Mouvement Socialiste Mauricien – have well structured women's wings, but that the latter are not strong enough to make their voices heard, particularly on questions relating to a more adequate representation of women for the promotion of women's rights.

### THE MAKING AND UNMAKING OF ALLIANCES – IMPLICATIONS FOR WOMEN

Central to the functioning of the Mauritian polity is the making and unmaking of alliances or coalitions. Bowman (1991), discussing Mauritian politics, draws attention to the various alliances, misalliances and coalitions which contribute to what he calls a "political stability *à la Mauricienne*." It is therefore incumbent upon us to ask what sort of stability there can be if the views and interests of large segments of the Mauritian society, particularly women, are not adequately taken on board. In other words, can this so-called stability bring about positive changes in gender relations and contribute to the democratisation of development, as well as to the promotion of women's rights as human rights? For the democratisation of development to be meaningful, a "voice" needs to be given to those at the bottom. In a "democracy" where women's possibility of being more equitably represented continues to be slim as a result of coalitions and alliances, the chances for the emergence of a more equitable society remain very thin.

As Kadima & Kasenally (2005) note: "Although the constitution legitimises the ruling and opposition parties, the FPTP electoral system that has been operational since 1886, together with the 'best loser' system, has led to countless permutations and combinations of pre-election alliances." But the multiple permutations and combinations provide very little opening for women, if at all. In fact, each time there appears a coalition, the chances for women to get a ticket within the winning coalition are lessened since the competition is stiffer. It is therefore clear that unless Mauritius proceeds with electoral reforms, alliances and coalitions will continue to keep the political configuration tilted in favour of men. Electoral reforms on their own will not be enough to bring more women in and for that matter, and they seem far remote.

### DIRTY CAMPAIGNING – A MAJOR DETERRENT

Many women hesitate to enter politics because of dirty campaigning and the foul language men often direct against them. Commenting on the 2005 electoral campaign, Chiroro (2005) notes: “There were a number of demeaning images of women in the campaign, especially by the ruling MSM-MMM alliance, caricatures of the opposition either as naked women, some of them with their legs cut up and surrounding the opposition leader’s body, and many symbols of women as the weaker sex and therefore without the stamina for politics.”

### THE SILENCE OF THE WOMEN’S GROUPS AND ASSOCIATIONS

Despite the fact that there are numerous women NGOs, such as the Mauritian Alliance of Women, Mouvement Liberasyon Fam, SOS femmes, Soroptimist, to mention but a few, none of them has ever publicly challenged the quasi monopoly of the political arena by men. Their fields of intervention have generally been restricted to the practical needs of women (income-generating activities, reproductive health issues, domestic violence, setting up of rape units in hospitals, etc.) and on a few occasions, their works have informed some of the gender sensitive laws such as the *Domestic Violence Act of 1997* and the *Sex Discrimination Act* of 2002, and more recently the depe-nalisation of the *Criminal Code for Abortion* (2012); but they have never made any significant contribution or claims regarding the underrepresentation of women in politics. The potential promotion of women’s rights as a result of better gender representation has not been part of the equation.

Chimhamdamba & Kwaramba (2000), citing Loga Virahsawmy, the president of the Mauritian NGO Media Watch, note that women NGOs are doing too little to help women enter politics. They add that there is a need for a women’s lobby group to advocate for women and to push women’s issues to the forefront. Mauritius does not have any NGO lobby groups such as Emang Basadi in Botswana, the Woman’s Lobby Group in Zambia and Sister Namibia, but in 2005, just a few months prior to the election, a pressure group called FederAction was created.

For the first time in the political history of Mauritius, women actually took to the streets to claim for more political space. FederAction, an informal kind of civil society platform, was created just a few months before the elections

with the main aim of contesting for more female political space. While Feder-Action lost its momentum, women's representation in politics keeps on rising although incrementally, as testified by the 2010 general election (see Table 1 above).

## PART TWO—WOMEN'S RIGHTS, CITIZENSHIP AND GENDER SENSITIVE LEGISLATIONS

Citizenship is the common language for expressing aspirations to democratic and egalitarian ideals of inclusion, participation and civic membership. However there continues to be a significant gap between formal commitment to gender equality and equal citizenship.

Mauritius's participation in several big international conventions such as the World Conference of the International Women's Year in Mexico (1975), the World Conference of the United Nations Decade for Women in Copenhagen (1980), the Nairobi Forward Looking strategies (1985) and the 1995 Fourth World Conference on Women in Beijing has assisted in promoting the awareness of gender equality and, in turn, promoting women's condition. But despite this, women continue to lag behind men in various spheres. An unequal, hierarchical gender order prevails and women's rights are trampled upon, albeit in subtle discriminatory manner at times. Discriminations both in the private and public spheres continue to impact women's lives, despite the fact that the country has signed and ratified the *Convention of the Elimination of All Forms of Discrimination Against Women* (CEDAW). Since CEDAW, Mauritius has passed a number of gender-sensitive legislations such as the 1982 *Immigration and Deportation Act*, the 1997 *Domestic Violence Act*, the 2002 *Sex Discrimination Act*, and the 1995 amendment of the *Mauritian Citizenship Act*. These would not have been possible without women in parliament, as women *themselves* brought these issues forward to get the legislation process started.

Another important piece of legislation is the combating of the *Trafficking of Persons Act* of 2009. Paragraphs 20 and 21 of the concluding section of the *Convention of the Elimination of All Forms of Discrimination Against Women* (CEDAW) recommend that the State Party ratify the Protocol to prevent, suppress and punish trafficking in persons. It is in line with this very recommendation that the *Combating of Trafficking in Persons Act* of 2009 was passed, but the *Trafficking in Persons Report* of 2011, published by the US department of State, notes that: "Mauritius is a source country for trafficking of children; that school age girls and to a lesser extent, younger girls from all areas of the country, inclusive of Rodrigues island, are induced into prosti-

tution or forced into the sex trade in exchange for food and shelter.” Trafficking is a fundamental violation of human rights; the poor and the marginalized are disproportionately represented within such a group, highlighting how disadvantages can be compounded.

The question of quotas and affirmative action for addressing women’s underrepresentation in politics remains a rather controversial issue in Mauritius. A large number of people, particularly males, argue that the recently passed *Equal Opportunity Act* (2012) is supposed to help equalize opportunities and that the implementation of quotas would be discriminatory. What they fail to understand or accept is that there is a need for some kind of affirmative action (at least temporarily) in order to address the history of the disadvantages that women have to face. Legislation may well be in place but addressing certain complex gender dynamics which have in-built discriminatory practices remains very difficult. Equalizing opportunities in the field of gender representation in politics and the promotion and consolidation of women’s rights remain a great challenge.

#### **WOMAN’S CONDITION IN CONTEMPORARY MAURITIUS**

Despite the gender-sensitive legislation, women’s condition, particularly that of the poor and disadvantaged in contemporary Mauritius, point to the fact that the oppression and the exploitation of women are undeniable. Their rights are often not respected and they are treated as second-class citizens.

#### **WOMEN’S SAFETY AND SECURITY**

A study carried out by Gender Links (2010) shows the extent to which domestic violence is rife in the country. The study notes that almost one in four (24%) of women have experienced some form of Gender-Based Violence (GBV) in their lives. The same study also highlights that some 23% of men admitted to having been perpetrators of violence at least once in their lifetime. Domestic violence remains a great problem in the country. Earlier this year, the newspapers reported three cases of women murdered by their partners, all three in the same week (Defi Plus: 2014). Domestic violence, cutting across age, ethnicity, socioeconomic group and educational level, remains prevalent. The number of reported cases is not reflective of what is happening in the country. Table 4 below shows the numbers of reported cases between 2010 and 2012, but it is common knowledge that there is a lot of underreporting.

Table 4 reported cases of domestic violence

<b>Reported cases of domestic violence</b>	
<b>Year</b>	<b>Numbers</b>
2000	1227
2004	1722
2008	2,246
2010	2,215
2011	1,752
2012	1,760

Source: Gender Digest Statistics 2006-2012

Commenting on the problem of gender-based violence in Mauritius, the Mauritius Human Rights Report notes:

While the law criminalises domestic violence, it is a major problem [...]. According to women's rights NGOs, police were not always effective in protecting domestic violence victims who had been granted protection orders from the court. (2012 11)

Laws are clearly not enough to protect women's rights and ensure their safety and security.

Sexual harassment is also another major problem impacting women's rights. A study carried out by Alysia Fine for the Mauritius Research Council (MRC) explains the extent to which the problem permeates several spheres of Mauritian life and affects women's rights. The study also draws attention to the absence of anti-sexual harassment policy in many organizations and believes that such a policy would have acted as a deterrent. Fine (2011) notes: "Most organizational representatives admitted they had no anti-sexual harassment policy, even though study participants noted that such policies may empower targets." Commenting on sexual harassment in the country, The Human Rights Report notes: "the government was not effective at enforcing prohibitions against it."

### **WOMEN'S RIGHT TO WORK**

While the right to work is a fundamental human right, large numbers of women remain unemployed. The unemployment rate stood at 8.1% in 2012 with 5.3% for men and 12.7% for women. Only some 35% of the labour force are women, most of them occupying marginal, low-skilled, low-status and

low-paid jobs. Table 5 shows gender disaggregated unemployment rates between 2007 and 2012.

Table 5: Unemployment rates 2008-2012

Year	Unemployment					
	Male		Female		Both sexes	
	Number	Rate	Number	Rate	Number	Rate
2007	18.6	5.3	28.2	14.4	46.8	8.5
2008	14.6	4.1	25.8	12.7	40.4	7.2
2009	15.8	4.4	25.7	12.3	41.5	7.3
2010	16.7	4.6	28.5	13.0	55.2	7.8
2011	18.8	5.2	27.3	12.5	46.1	7.9
2012	19.7	5.3	28.6	12.7	48.3	8.1

Source: Annual Digest of Statistics, 2012

Mauritius does not have a dole system; therefore women are not entitled to unemployment benefits as such and remain financially dependent on their partners. The lack or absence of income also implies a threat to livelihoods and renders women more vulnerable. It has been reported that domestic violence tends to be higher amongst those who lack financial autonomy.

The limited availability of paid work for women also means a lack of social protection, particularly during old age. Mauritius does have a welfare state and provides non-contributory pensions to all citizens aged 60 and above. However, no work means no entitlement to work-related pension. The latter are of particular significance in old age – a time where resources are crucially needed to ensure an adequate living standard and dignity for the elderly.

#### **THE FEMINIZATION OF POVERTY AND WOMEN'S RIGHTS.**

The lack of financial autonomy renders women more vulnerable. Poverty is a major violation of human rights. The closure of many Export Processing Zone firms (EPZs) – a major absorber of female labour –, meant that women have gone back to the pavement with no alternative livelihoods. The resulting feminization of poverty and lack of decent work impact women's rights negatively.

## THE FEMINIZATION OF HIV/AIDS AND WOMEN RIGHTS

Another major problem of Mauritius is the feminization of HIV/AIDS. Table 6 below shows us the number of detected cases gender wise. There are many cases which go undetected. It is common knowledge that increasing numbers of women, especially in deprived zones, are dying of AIDS but there are no official data on this. All we know is that the proportion of women among the newly detected cases stood at 32.8% compared to 16% in 2006. (Gender Statistics. Mauritius: 2012). Is it not the right of women to get access to proper medication and care, a topic worth discussing?

Table 6: Newly detected HIV/AIDS cases, Republic of Mauritius, 2006-2012

Year	Men	Women	Both sexes
1987	484	214	698
2004	472	63	535
2005	820	108	928
2006	464	91	555
2007	468	100	568
2008	414	143	557
2009	442	113	555
2010	441	139	580
2011	308	109	417
2012	221	106	327
2013 (Jan-Nov)	148	102	250
Total	4682	1288	5970

Source: Ministry of Health and Quality of Life, 2014

## THE RIGHT TO HEALTH AND MEDICAL CARE

While women in Mauritius live longer than men, they remain very vulnerable. It is known that considerable numbers of women die of breast and cervical cancer, but no data are available. What is also worrying is that there has been an increase in maternal mortality rate in Mauritius in recent years (Gender statistics: 2012); moreover, disability prevalence is now higher among women than among men (Gender statistics: 2012). For more than ten years now, the government has been promising to build a women-only hospital, with the view of treating diseases specific to women; but no such thing has happened yet. Resources allocated to women's issues remain very thin. The Ministry of gender equality remains at the bottom of the pile in terms of budgetary allocations. It is perhaps also important to undertake a gen-

der-disaggregated study of the Ministry of health's budget to appreciate the extent to which the Mauritian State tackles the issue of women's health.

### EDUCATION, EMPOWERMENT AND WOMEN'S RIGHTS

While it is true that there is no gender disparity in access to education in Mauritius, women's education is not leading to their full empowerment. Empowerment, as Naila Kabeer (1999) notes, is about "a process by which those who have been denied the ability to make strategic life choices acquire such ability."

Without access to resources, particularly financial assets, women remain rather vulnerable. As mentioned earlier, free education has had unexpected benefits for women (Bunwaree: 1999), but has been insufficient for their true empowerment. Women continue to be largely pooled in disciplines which are traditionally feminine, with very low enrolments in technical and scientific subjects, thus minimising their chances for employability and empowerment. Table 7 shows the gender gap in pre-vocational schools between 2010 and 2012. There are almost twice as many males as females, implying that men have a better chance of entering the formal labour market.

Table 7 – Enrolment in schools offering pre-vocational education by year of study and sex, 2010 - 2012

Year of study	2010			2011			2012		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
<b>Republic of Mauritius</b>									
I	2,691	1,736	955	2,544	1,589	955	2,674	1,724	950
II	2,589	1,654	935	2,409	1,576	833	2,364	1,492	872
III	2,162	1,374	788	2,317	1,470	847	2,183	1,425	758
<b>Total</b>	<b>7,442</b>	<b>4,764</b>	<b>2,678</b>	<b>7,270</b>	<b>4,635</b>	<b>2,635</b>	<b>7,221</b>	<b>4,641</b>	<b>2,580</b>

Source: Central Statistics Office, 2013

Table 8 shows a similar story with many more males in each category of study for technical training.



Table 8 - Number enrolled in Mauritius Institute of Training and Development (MITD) Centres, Republic of Mauritius, 2011

Sex	Mode of Study			
	FullTime	Part Time	Apprenticeship	Total
Total	4,573	3,671	1,089	9,333
Male	3,379	3,107	797	7,283
Female	1,194	564	292	2,050

Source: Central Statistics Office, 2013

Mauritius ranks 70<sup>th</sup> with a value of 0.377 on the Gender Inequality Index (GII) out of 146 countries (Human Development Report: 2013), but measurements and indicators have their own limitation (Grown: 2009). The MDG status report of Mauritius in fact notes that MDG goal 3, that of gender equality, has been achieved, highlighting the parochial view adopted by the authorities to measure gender equality. Obtaining a good understanding of gender equality requires gender-analysis capacities. This is lacking in the country. Gender-analysis is about the ability to make connections which are not always apparent. As Kabeer (2003) notes it: "One set of connections relates to the linkages between production and reproduction, between economic growth and human development. A second set of connections is between the different levels of analysis: micro, meso, and macro (and increasingly to global). A third set of connections is between different domains of society [...] public policy can and should play an important role [...] in offsetting these disadvantages as well as actively helping to transform the institutional norms and practices which gave rise to them."

## CONCLUSION

This kind of comprehensive analysis is often missing, thus preventing one from getting a full perspective on women's rights as human rights. Measurements and indicators often do not provide a true reflection of women's plight. Women's rights and empowerment cannot be captured by mere quantitative indicators. There is a need for more qualitative data reflecting women's lives to fully understand and appreciate the extent to which women's rights are being trampled upon.

The World conference on Human Rights held in 1993 in Vienna took certain important steps towards the *de jure* and *de facto* incorporation of the human rights of women into the theory and practice of human rights. Mauritius has signed and ratified the convention, but unless Mauritius revisits its

macroeconomic thinking, ensures the availability of decent work for women, makes education and training less gender-biased, and works towards a more effective implementation of a gender sensitive legislation, large segments of the Mauritian women community will continue to be jeopardized. If such a situation persists, the Mauritian democracy will suffer an important blow on the international scene.

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## BIBLIOGRAPHY

- ALLADIN, I. *Economic Miracle in the Indian Ocean: Can Mauritius Show the Way?*, Rose Hill, Mauritius: Editions de L'océan Indien, 1993.
- BEAUVOIR (DE), S. *Le Deuxième sexe*, Paris: Gallimard, 1949.
- BOWMAN, L. W. *Mauritius: Democracy and Development in the Indian Ocean*, San Francisco: Westview Press, 1991.
- BRAUTIGAM, D. "Institutions, Economic Reform and Democratic consolidation in Mauritius," *Comparative Politics*, Vol. 30, no 1 (1997), 45-62.
- BUNWAREE, S. "Neo Liberal Ideologies, Identity and Gender: Managing Diversity in Mauritius," *Rights and the Politics of Recognition in Africa*, H. England & F. Nyamnjoh ed. , London: ZED, 2004, 104-09.
- "State Legitimacy, Women and Elections: Leveling the Playing Field," *L'Express*, 2<sup>nd</sup> March 2005, Port Louis, Mauritius.
- BUNWAREE, S & KASENALLY, R. "Political Parties and Democracy in Mauritius," *EISA Research Report* no. 19, 2005, publications@www.eisa.org.za
- BUNWAREE, S. & YOON MI YUNG. "Women's Legislative Representation in Mauritius: A Grave Democratic Deficit," *Journal of Contemporary African Studies*, Vol. 24, no. 2 (2006), 229-47.
- Central Statistics Office Mauritius (2014).  
[http://statsmauritius.gov.mu/English/StatsbySubj/Pages/default.aspx\\_4](http://statsmauritius.gov.mu/English/StatsbySubj/Pages/default.aspx_4) Februray 2014.
- CHIRORO, B. "Engendering Democracy through the Ballot Box in the Mauritius 2005 Elections," *EISA Occasional Paper*, No. 37, October 2005, 1-16.
- DEFI PLUS. *Violences vis-à-vis les femmes*, Port-Louis, defimedia group, February 7-14, 2014.
- DOMMEN E. & DOMMEN B. *Mauritius: An island of Success*, Wellington, New Zealand: Pacific Press, 1999.
- Economic Outlook. *MCB Focus* (2013), retrieved online at [www.mcb.mu](http://www.mcb.mu)

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- FINE, A. "Power and Silence: Workplace Sexual Harassment in Mauritius," Rose–Hill, Mauritius, Mauritius Research Council, 2011.
- GENDER LINKS. *War at Home Report Mauritius* (2010).  
<http://www.genderlinks.org.za/article/warhome---mauritius-country-report-2012-11-16>
- GUNGANAH, B. *et al*, "Beyond inequalities: Women in Mauritius," SARDC Documentation Centre, Johannesburg, South Africa, 2000.
- HAWOLDAR, S. *So that Flowers may Bloom*, Port Louis: UNDP Mauritius, 2004.
- KABEER, N. *Gender Mainstreaming in Poverty Eradication and the Millenium Development Goals: A Handbook for Policy Makers and Other Stakeholders*, London: Commonwealth Secretariat, 2003.
- , "Resources, Agency, Achievements: Reflections on the Measurement of Women's Empowerment," *Development and Change*, Oxford, Institute of Social Studies: Blackwell Publishing Ltd, 1999, 435-64.
- KADIMA, D. & KASENALLY, R. "The formation, Collapse and Revival of Political Party Coalitions in Mauritius," *Journal of African Elections*, Vol 4, no. 1, 2005, 73-111.
- LOVENDUSKI, J. & NORRIS, P. *Gender and Party Politics*, London: SAGE, 1993.
- Ministry of Women, Child Development and Family Welfare. *National Gender Policy* (Port Louis, Mauritius: Ministry of Women, Child Development and Family Welfare, 2005).
- MUKONOWESHURO, E.G. "Containing Political Instability in a Polyethnic Society," *Ethnic and Racial Studies*, 14 (2), 1991, 199-224.
- NELSON, B.J. & CHOWDHURY, N. *Women in Politics Worldwide*, New Haven: Yale University Press, 1994.
- SACHS, A., TANDON, B.B. & AHNEE, R. *Report on the Commission on Constitutional and Electoral Reform*, 2002, Prime Minister's Office, <http://www.gov.muPort-Louis.3>, February 2014.
- SITHANEN, R. "The Best Loser System - Can the New Prime Minister Rise to the National Unity Challenge?," *L'Express*, Port-Louis, Mauritius, 6<sup>th</sup> October 2004.
- SREBRNIK, H. "Full of Sound and Fury: Three Decades of Parliamentary Politics in Mauritius," *Journal of Southern African Studies*, 28 (2), 2002, 277-89.
- TAMALE, S. *When Hens Begin to Crow, Gender and Parliamentary Politics in Uganda*, Madison: Wisconsin Press, 1999.
- The Human Rights Report* (2012).  
[http://photos.state.gov/libraries/mauritius/882940/huma\\_risgghts\\_report/Human%20Rights%20Report%202012%20Mauritius.pdf](http://photos.state.gov/libraries/mauritius/882940/huma_risgghts_report/Human%20Rights%20Report%202012%20Mauritius.pdf) , 3 February 2014.
- The US Department of State. *Trafficking in Persons Report of Mauritius*  
[photos.state.gov/libraries/Mauritius/320773/PDF\\_documents/TIP\\_2011\\_Mauritius.pdf](http://photos.state.gov/libraries/Mauritius/320773/PDF_documents/TIP_2011_Mauritius.pdf).
- UNDP. *Human Development Report*, New York: Oxford University Press, 1995.
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