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Artificial Intelligence in Education: Implications for Teaching, Learning, and Academic Integrity

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ABSTRACT
Globally, equal opportunity legislation plays a crucial role in expanding women's access to executive and strategic decision-making positions. International norms, including CEDAW, key ILO conventions, and the Sustainable Development Goals, call for the removal of discriminatory practices and the enhancement of women's participation in leadership structures. Despite these commitments, significant disparities persist across countries, reflecting deep-rooted institutional and socio-cultural barriers that hinder women's rise to senior roles. Against this backdrop, India provides an instructive example of how constitutional mandates and statutory interventions can influence women's leadership trajectories. The Constitution, through Articles 14, 15, and 16, lays the foundation for gender equality and equal employment opportunities. Legislative measures such as the Maternity Benefit Act, the POSH Act, and equal remuneration provisions further strengthen women's position in the labour market. Additionally, the Companies Act, 2013, together with SEBI's LODR Regulations, requires the inclusion of women directors in listed companies, directly addressing gender imbalances in corporate governance.
This study examines the extent to which these Indian legal frameworks advance women into executive roles, situating national developments within broader international trends and identifying persisting challenges in implementation, representation, and systemic support.

KEY WORDS: Gender equality legislation, Women's executive leadership, Corporate governance diversity, International gender norms (CEDAW, ILO, SDGs), Institutional and socio-cultural barriers, Indian constitutional guarantees, Labour and equality legislation (Maternity Benefit Act, POSH Act), Women directors in listed companies and SEBI LODR gender requirement.

I. INTRODUCTION

Women's representation in the top executive posts has faced persistent underrepresentation worldwide. Though the necessity of gender equality opportunity legislation has been acknowledged and laws have been passed in that regard, it is still insufficient to fulfil the actual objective. There are various executive decision making roles in the corporate world like the CEO (Chief Executive Officer), COO (Chief Operating Officer), CFO (Chief Financial Officer), CTO (Chief Technology Officer), CMO (Chief Marketing Officer), CHRO (Chief Human Resources Officer), CLO (Chief Legal Officer), and executive directors who hold senior management positions. It is noted that many women enter the workforce and are promoted to middle management, but far fewer reach senior executive positions.

These roles are widely influenced by laws, policies and organisational rules. Unfortunately, the system and practical conditions are often in favour of men. Hence, the corporate world seems to be a place where there is gender inequality in the top-tier positions.

The executive leadership roles are shaped by board composition, nomination committees, disclosure regimes, ESG reporting, fiduciary duties and governance principles. The Equal Opportunity legislation operates most effectively when the corporate governance laws are embedded with it. Board quotas, disclosure obligations and governance reforms, which are the subsets of corporate law, are the most effective legal pathways for advancing women into executive roles, yet they are limited by weak enforcement mechanisms, cultural barriers and pipeline gaps.

According to the 2025 CWDI REPORT, "Among the 500 largest companies globally in 2025, women hold 28.9% of all board directorships and 21.1% of executive officer positions. Among the 200 largest companies, data is slightly better -women now hold 28.6% of all director positions on boards, a threefold increase from 2004 whena mere 10.4% of board directors were women. This paper will study the influence of corporate law on women's access to executive decision-making roles, examine the effectiveness of equal opportunity legislation across various jurisdictions, identify the institutional gaps that continue to hinder progress, and provide suggestions to fill such gaps.

Why corporate law and not labour law

The regulation of labour law mainly focuses on employment relationships, covering issues such as working conditions, wages, collective bargaining and equal treatment. Lower and mid-level employees are the ones who are mainly protected by labour laws. Though the rules of anti-discrimination are dealt with in labour laws, it has only a little influence on the governance structure that determines who holds strategic power within the corporate field.

In contrast, corporate law regulates the structure of power within the firm. The appointment, assessment and removal of board members and senior executives through the Companies Act, Securities Regulation, Listing Rules and Corporate Governance Codes are determined by corporate laws. These leadership roles are distinct from the ordinary employment framework; hence, they are entirely shaped by corporate laws and mechanisms, and not labour law protection.

As the access to corporate leadership is controlled by the corporate governance rules, corporate law plays a greater role in achieving gender equality at the top levels of the organisations. The remedies for barriers like exclusive nomination networks, homosocial reproduction, opaque recruitment, and the absence of mandatory diversity rules, which women face, can be sought out only from corporate governance structures and not employment laws. The imposition of board-level diversity obligations, reform appointment processes, or mandating disclosure of gender representation can be made only by corporate law.

Thus, the primary legal realm where gender inequality in economic power can be dismantled is corporate law. Labour law provides equality in the general workspace, but corporate law determines who enters the corporate elite. Meaningful shift in gender representation at the executive decision-making level requires corporate law reforms and not labour law protections.

Equality Theories Applied to Corporate Governance

Applying equality theory to corporate governance reveals why gender disparities persist in boardrooms despite formally neutral laws. The concept of Formal equality in corporate law sets the same standards for appointment for men and women; anyone who meets those standards will qualify for such positions. This approach clearly ignores the entrenched structural barriers like exclusion from elite networks, stereotype-based evaluation, and male-dominated nomination practices. Thus formal equality approach appears neutral for both genders, but it fails to achieve the ultimate objective of gender equality.

Substantive equality provides more of a realistic approach. It believes that equal treatment may not necessarily yield equal outcomes, particularly in cases where persistent historical disadvantages have been present. The substantive equality concept supports regulatory interventions such as gender-diversity mandates, disclosure requirements, and transparent nomination procedures to rectify systemic bias in the governance structures. Studies show that monitoring, ethical decision-making, and firm performance seem enhanced in gender-diverse boards, indicating that a substantive equality approach strengthens both fairness and governance quality.

Feminist corporate governance theory (Rhode, Adams, & Ferreira) argues that an ideal corporate leadership role is shaped by masculine characteristics, homosocial reproduction, and informal gatekeeping. This theory believes that even when laws appear neutral, organisational culture and power structures cause systemic disadvantages to women. Empirical studies show that women directors improve board oversight, but they are only appointed when compelled by regulatory frameworks.

In India, intersectionality intensifies inequalities in society. Evidences show that homogeneity reflects weaker governance outcomes. And reforms such as the Companies Act 2013 have brought in the requirement of at least one woman director also seems insufficient without broader diversity measures.

Thus, equality theories show that corporate governance is a legal field where gender inequality prevails, and theories like substantive, feminist, and intersectional reforms are imperative to bring in genuine gender inclusion.

Historical Evolution: From Anti-Discrimination Norms to Corporate Governance Diversity Mandates

The development of gender equality laws in corporate governance mandates shows a progression from traditional anti-discrimination. Prohibiting unequal treatment was the only main focus of early legal frameworks, but the contemporary reforms are targeted at the institutional barriers that shape access to corporate leadership.

Traditional Equal Opportunity (EO) Laws (Global)

Title VII of the Civil Rights Act of 1964 (USA) and the Sex Discrimination Act 1975(UK) were the first major EO laws which prohibited sex based discrimination in employment, helping dismantle evident exclusionary practices. But their impact on leadership roles was questionable; it was limited only to the regulation of discriminatory treatment, but structural barriers like homosocial reproduction and information gatekeeping were not dealt with. Since senior corporate recruitments involved decisions which were informal and driven mainly by network, it was difficult to prove any such disparities in the court, as the courts wanted solid evidence to prove them. As a result, despite having anti-discriminatory legislation, women remained underrepresented in corporate leadership.

Shift toward Corporate Governance Reforms

From the early 2000s, jurisdictions started adopting structural reforms focused directly on corporate governance. Norway was the pioneer to bring in binding quotas through reforms in the Norwegian Public Limited Liability Companies Act (2003) mandating 40% women on boards. This had a later influence on the EU Directive (EU) 2022/2381 on Gender Balance on Corporate Boards. Legal obligations like "comply-or-explain" in the UK Corporate Governance Code, mandatory diversity disclosure in Australia's WGEA reporting regime and ESG-linked transparency obligations were mandated. Therefore, structural decision-making processes within boards were reshaped by bringing in reforms which were corporate-level duties rather than just relying on individual claims.

II. UNITED KINGDOM LEGAL FRAMEWORK AND WOMEN'S PARTICIPATION IN SENIOR EXECUTIVE ROLES

The central relevance of women's participation in senior executive roles within the corporate sector in the United Kingdom is governed by the Equality Act 2010, which provides the statutory framework for gender equality. The objective of this Act is to eliminate direct and indirect discrimination, harassment, and victimisation based on sex and to address the overt exclusionary structural barriers and practices that disproportionately affect women's career progression.

Sections 158 and 159, which are the positive action provisions of the Act, are meant to fix the problem of a smaller number of women in high-level corporate jobs. Section 158 encourages fair steps to help women at the executive level, where they are considerably underrepresented, and to encourage them participate. Section 159 allows employers to take proportionate steps in favour of women over men when they are equally qualified, but not as an arbitrary or automatic preference. These provisions show that the law is being vigilant in providing substantive equality while still following the rules for merit-based appointment

The Gender Pay Gap Information Regulations 2017, which were passed as part of the Equality Act, require large employers to report certain information. These rules make it mandatory to publish data on the gender pay gap, which shows pay differences that are often linked to the fact that there aren't many women in high-level and executive positions. The transparency mechanism doesn't have any direct punishments, but it does put pressure on companies' reputations and lets shareholders and regulators look into them more closely.

Lastly, the Public Sector Equality Duty (PSED) doesn't apply directly to private businesses, but it does apply indirectly when public authorities affect corporate governance through procurement, regulation, or state-owned businesses. The duty emphasises a broader transition towards proactive equality considerations, illustrating the inadequacies of solely reactive anti-discrimination legislation in tackling persistent gender disparities in leadership.

The Equality Act 2010 includes both prohibitive and facilitative measures to help women move up to higher-level executive positions. However, its success depends on how effectively it is enforced and how dedicated organisations are to it.

III. EUROPEAN UNION LEGAL FRAMEWORK IN WOMEN'S PARTICIPATION IN SENIOR EXECUTIVE ROLES

A comprehensive legal framework aimed at addressing gender inequality in employment has been developed by the European Union[24]. The Recast Equal Treatment Directive 2006/54/EC is the foundation for that framework, which consolidates prior directives on equal pay and equal treatment in employment and occupation. The Directive eliminates both direct and indirect discrimination on grounds of sex in access to employment, promotion, vocational training, and working conditions (Articles 2 and 14).

In addition to individual rights-based enforcement, Directive on Improving the Gender Balance among Directors of Listed Companies (EU) 2022/2381[25] has been adopted, which has a more structural approach. The directive wants the listed companies to ensure by 2026 that at least 40 per cent of non-executive directors or 33 per cent of all their directors are women. As gender diverse boards influence corporate governance practices, leadership pipelines, and executive appointments, the directive focuses on board composition and not executive management. By requiring transparent, merit-based selection procedures, the directive seeks to break informal male-dominated networks.

The gender inequality at the executive level is closely linked to the unequal distribution of unpaid care responsibilities and its recoganised by the EU framework. The Parental Leave Directive 2010/18/EU and the Work–Life Balance Directive (EU) 2019/1158[26] address these structural barriers by giving minimum rights to parental leave, carers leave, and flexible working arrangements. Collectively, the EU law addresses structural causes of women's under-representation in corporate leadership with a substantive equality model.

IV. UNITED STATES LEGAL FRAMEWORK IN WOMEN'S PARTICIPATION IN SENIOR EXECUTIVE ROLES

The United States relies mainly on a litigation-based model focused on formal equality principles. The central legislative instrument is Title VII of the Civil Rights Act of 1964, and it prohibits discrimination based on sex in hiring, promotion, compensation, and other terms and conditions of employment. It applies to both public and private employers and has played a critical role in challenging overt discriminatory practices that exclude women from leadership positions. However, due to its emphasis on individual claims and intentional discrimination, rather than systemic or structural inequality, its effectiveness in increasing women's representation in senior executive roles has been limited

To clarify that discrimination based on pregnancy, childbirth, or related medical conditions constitutes unlawful sex discrimination, the Pregnancy Discrimination Act of 1978 was amended[27]. This provision is significant in the corporate context, where historically pregnancy-related bias has undermined women's prospects for promotion to senior management and executive roles. Nevertheless, the PDA acts as a reactive safeguard. Which offers redress after the discrimination has occurred.

The Family and Medical Leave Act of 1993 further provide eligible employees with up to twelve weeks of unpaid, job-protected leave for family and medical reasons.[28] While it also protects employees against dismissal or demotion due to care giving responsibilities. But its unpaid nature and limited coverage have made it ineffective in promoting gender parity at senior executive levels.

Enforcement of federal anti-discrimination law is supervised by the Equal Employment Opportunity Commission, which investigates complaints, seeks conciliation, and may initiate litigation under Title VII[29]. Though its enforcement has contributed to incremental improvements, the absence of binding gender balance measures, mandatory reporting obligations, or affirmative governance requirements distinguishes the US framework from the EU model. Consequently, women's under-representation in senior executive corporate roles persists, highlighting the limitations of a purely litigation-driven approach to gender equality.

V. IMPACT OF EQUAL OPPORTUNITY LEGISLATION ON WOMEN'S ADVANCEMENT

Global achievements

Globally, equal opportunity legislation has contributed to measurable progress in women's advancement by reducing explicit discrimination and increasing organisational accountability. Anti-discrimination statutes such as Title VII of the Civil Rights Act of 1964 and the EU Recast Equal Treatment Directive 2006/54/EC prohibit sex-based exclusion in recruitment, promotion, and compensation, thereby discouraging overtly discriminatory practices. These frameworks have also strengthened transparency and compliance through reporting obligations and enforcement mechanisms, fostering greater awareness of structural inequalities within corporate hierarchies.

Indian achievements

In India, legislative reforms have had a significant impact on women's corporate leadership. The Companies Act 2013 introduced a mandatory requirement for certain companies to appoint at least one woman director, which led to a substantial increase in women's board representation. This reform marked a shift from voluntary diversity initiatives to enforceable statutory obligations. Additionally, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 has improved workplace safety and dignity, a critical precondition for women's advancement into senior roles.

Judicial intervention has further expanded opportunities for women in senior decision-making positions beyond the private sector. Indian courts have played a transformative role in opening pathways for women in the armed forces, civil services, and diplomatic corps, reinforcing constitutional guarantees of equality and non-discrimination. Although India lacks mandatory gender pay gap reporting, voluntary disclosure of pay equity data has increased, reflecting growing corporate awareness and investor pressure.

Empirical Trends

Empirical data indicate that the percentage of women directors in India rose significantly following the 2013 reforms, narrowing the representation gap at the board level. However, women remain markedly under-represented in executive roles such as CEO or Managing Director, which highlights the persistence of glass ceilings and informal promotion barriers despite formal legal equality.

Comparative Perspective

Comparatively, India's "one woman director" mandate parallels the EU's more recent Gender Balance on Corporate Boards Directive, though the latter adopts a stronger quota-based and enforcement-driven approach. Jurisdictions such as the EU and South Africa, which incorporate proactive duties and sanctions, demonstrate more effective outcomes than systems relying primarily on complaint-driven enforcement, as seen in India and the United States.

Overall, EO legislation has laid a critical foundation for women's advancement, but its transformative potential depends on robust enforcement, proactive obligations, and sustained institutional reform.

VI. LIMITATIONS AND REMAINING BARRIERS

Despite significant legislative advances, substantial barriers continue to impede women's progression into senior executive and decision-making roles. These limitations are particularly evident in India, where formal equality has not fully translated into substantive outcomes.

Barriers in the Indian Context

A central concern in India is the tokenistic implementation of gender diversity mandates. While the Companies Act 2013 requires certain corporations to appoint at least one woman director, many appointments are symbolic rather than transformative, with women often excluded from executive authority or key board committees. This reflects a deeper pipeline problem, as women remain under-represented in senior managerial and operational roles that traditionally feed into board and CEO positions.

Further, Indian women face pronounced intersectional barriers shaped by caste, class, religion, disability, and the rural–urban divide. Equal opportunity laws tend to address gender discrimination in isolation, inadequately capturing the compounded disadvantages experienced by marginalised women. Persistent socio-cultural norms, including expectations around care giving, marriage, and domestic responsibility, continue to restrict women's career mobility and leadership prospects, particularly in conservative or family-controlled corporate environments.

Weak Enforcement Mechanisms

The effectiveness of EO legislation is further undermined by weak enforcement. Although the Securities and Exchange Board of India (SEBI) has the authority to sanction non-compliance with board diversity norms, penalties are often minimal and lack a deterrent effect. Similarly, implementation of the Sexual Harassment of Women at Workplace (POSH) Act 2013 remains inconsistent, with many organisations failing to constitute internal complaints committees or adequately address grievances.

Moreover, the burden of enforcement rests largely on individuals, requiring women to initiate litigation to challenge discrimination. This complaint-driven model discourages claims due to cost, delay, reputational risk, and power imbalances, particularly where discrimination is indirect or systemic.

International Parallels and Persistent Challenges

Comparable challenges exist internationally. In the UK and US, reliance on complaint-based enforcement under the Equality Act 2010 and Title VII of the Civil Rights Act 1964 has proven insufficient to address structural exclusion from executive leadership. Organisational cultures dominated by male networks continue to influence promotion and succession decisions, reinforcing informal barriers beyond the reach of formal legal rules.

Globally, the motherhood penalty and unequal care giving expectations remain among the most significant obstacles to women's advancement. Even where formal maternity protections exist, career interruptions and flexible work arrangements often result in reduced promotion prospects, perpetuating gender gaps at the executive level.

Judicial Illustrations of Structural Barriers

Indian jurisprudence illustrates the limits of formal equality. In Nitisha v. Union of India, the Supreme Court recognised that facially neutral selection criteria can produce indirect discrimination against women, particularly in physically demanding institutional settings. Earlier, in C.B. Muthamma v. Union of India, the Court exposed entrenched gender bias in promotion rules within the diplomatic service, highlighting how systemic prejudice can persist despite constitutional guarantees.

Overall, these limitations demonstrate that while EO legislation is necessary, it is insufficient on its own. Without stronger enforcement, intersectional awareness, and structural reform, women's access to executive leadership will remain constrained.

VII. SUGGESTIONS TO ADVANCE WOMEN'S EXECUTIVE LEADERSHIP

Strengthening Enforcement

Increase penalties for non-compliance with India's mandatory "one woman director" requirement under the Companies Act 2013, as existing sanctions lack deterrent effect. Establish independent oversight and monitoring bodies to ensure consistent enforcement of board diversity and equality obligations.

Corporate Governance Reform

Shift from the minimum "one woman director" rule to percentage-based gender quotas for corporate boards, drawing on the EU's Gender Balance on Corporate Boards Directive as a model. Introduce mandatory gender pay transparency and reporting, similar to EU equal pay frameworks, to expose structural pay disparities and strengthen corporate accountability.

Organisational Interventions

Implement leadership development programmes targeted at women to address pipeline gaps. Promote mentorship and sponsorship initiatives, with particular emphasis on sponsorship to facilitate access to executive networks and high-visibility roles. Conduct regular anti-bias audits in recruitment, promotion, and performance evaluation processes to identify and remedy unconscious discrimination.

Societal and Structural Change

Encourage an equal distribution of care giving responsibilities, supported by family-friendly workplace policies and shared parental leave. Invest in education and economic empowerment initiatives for women across caste, class, and regional lines to expand the pool of future corporate leaders.

VIII. CONCLUSION

Equal opportunity legislation has made meaningful progress in addressing gender inequality within corporate leadership, yet it remains insufficient to eliminate deeply entrenched structural barriers on its own. Comparative experience demonstrates that mandatory targets and quota-based frameworks, particularly within the European Union, have accelerated women's representation at board and senior decision-making levels more effectively than complaint-driven models alone.

In India, the Companies Act 2013 marked a significant intervention by mandating the inclusion of women on corporate boards, resulting in measurable gains in formal representation. However, the reform remains incomplete, as it has not adopted into proportional advancement of women into executive management or CEO roles. Persistent pathway deficits, weak enforcement, and limited transparency continue to constrain substantive equality.

Hence, further reform is required. Stronger enforcement mechanisms, broader and more ambitious quota structures, enhanced gender pay and promotion transparency, and targeted leadership pathway development are essential to convert formal equality into substantive outcomes. Ultimately, the achievement of gender-balanced executive leadership depends on a synergistic approach integrating legal regulation, institutional enforcement, corporate governance reform, and cultural transformation.

REFERENCE

[1]. Companies Act, 2013, § 149(1) (India)

[2]. Kimberlé Crenshaw, Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color, 43 Stan. L. Rev. 1241 (1991)

[3]. Securities and Exchange Board of India (SEBI), Listing Obligations and Disclosure Requirements Regulations, 2015.

[4]. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (India).

[5]. quality Act 2010, c. 15 (U.K.); Civil Rights Act of 1964, Title VII, 42 U.S.C. § 2000e (2018)

[6]. Nitisha v. Union of India, (2021) 1 SCC 253 (India)

[7]. C.B. Muthamma v. Union of India, (1979) 4 SCC 260 (India).