

Women Reservation and national development – A Study

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Abstract

This paper seeks to the role of reservation for women in the process of nation building and its implications. The most recent Lok Sabha (17th) session witnessed the highest number of women ever in the Indian Parliament, with 78 women MPs elected from all over the country. Women's representation in the Lok Sabha has increased from 11.3 percent in 2014 to 14 percent in 2015, coming across as a positive development. However, the diversity composition within the group of elected women candidates needs further analysis on the lines of caste, class, religion and ethnicity. Adding to this, these numbers are also significantly lower in India than its neighboring countries like Nepal (32.7 percent), Pakistan (20.2 percent) and Bangladesh (20.7 percent). The relatively stronger representation of women in these countries is due to the implementation of legislated gender-based reservations. This increased representation of women in politics is seen to grab local, national and global attention on issues of violence against women and grow awareness around sexual harassment and mental trauma. It is about time that we move beyond a general cry for women's empowerment and try to look outside our assumed sense of homogeneity with respect to the category of women. In the context of the Women's Reservation Bill or The Constitution (108th Amendment) Bill proposed on 06 May 2008, by the UPA-I government, that remains pending till date in the Indian Parliament, the proposition to have one-third of all seats reserved for women in the Lok Sabha and the state legislative assemblies was a sincere concern aimed at increasing the representation of women in these male dominated spaces. The same Bill also seeks to reserve one third of the total number of seats for women from Scheduled Castes and Scheduled Tribes. However, reservations for women from Other Backward Classes (OBCs) has not been incorporated within the Bill, despite receiving recommendations from the Report examining the 1996 Women's Reservation Bill. The reservation policy is said to be discontinued 15 years after the commencement of the Amendment Act.

The Bill certainly looks quite promising in its attempt to acknowledge the internal complexities within the category of women by recognizing their respective deprivation points derived from caste inequalities. Such a Bill would ensure that their specific narratives, concerns and modes of oppression are voiced out in the public sphere, which otherwise receives very little attention.

Keywords— Political parties, Women, Parliaments, Gender equality, Political representation, Political candidates

Introduction

It is of little surprise, that women's empowerment and their intersectional forms of oppression often get subsumed within the general, tokenistic political discussions. Adding to that, most of the major political parties do not encourage women's issues to be a central political theme in their campaigns, unless a physically or sexually violent matter such as rape, or domestic violence is highlighted in the media. Further, it is also important to understand how "women's issues" are often relegated within the sphere of the private, whereas their socio-economic marginalization is systematically invisibilised or selectively visibilised within mainstream politics. For instance, women's empowerment revolves around issues of reproduction and marriage, but their socio-economic conditions of employment, education and health rarely in politics. Such systematic invisibility diverts our attention from larger structures of oppression such as the state, to more immediate oppressors like the patriarch of the family. The lack of representation of women in powerful positions in the Lok Sabha or the legislative assemblies hinder the focus required on women's education and financial independence, that may have helped them to break free from oppressive familial ties. This is not to trivialize everyday forms of oppression within the family. It is to stress on the idea that not only the category of women is internally heterogeneous, but the antagonisms and challenges that they face in their everyday are also multiple. This lack of attention mostly results due to two major reasons -one, that only a section of the privileged, upper caste, urban educated women occupy the few spaces available for women, and two, within the existing framework of general reservations, the privileged among the underprivileged, that is the men within these socially deprived groups are able to find more opportunities of education and employment than the women.

The proposed Bill therefore would be an entry point to raise such questions of the politics of intersectional deprivation within the category of women. However, one cannot ignore but notice the exclusion of OBC women from the proposition. Although, post Mandal Commission, the specific issues of OBCs have been voiced in different spheres, it certainly did not eradicate the gender hierarchies within the backward classes. Research has also depicted that among the OBCs, the Muslim OBC women are further deprived due to various intersections of oppression inflicted by religious and caste discrimination.

The BJP manifesto that was released before elections by the party has included the Women's Reservation Bill on page 32, item 14, which promises that, "Women's welfare and development will be accorded high priority at all levels within the government and the BJP is committed to 33% reservation in Parliament and State Assemblies through a constitutional amendment". However, this promise has remained unfulfilled by several other parties in the past.

Objective:

This paper looks at the women reservation in the national development and also the role of women reservation bill that has expedited the process of women participation

Position of women: Indian politics

The position of women in Indian politics is becoming stonger day by day, with strong female political figures in our country. To increase the participation of women in the parliament, Women's Reservation Bill was introduced in the upper and lower house, but is still pending in Lok Sabha, despite its reintroduction.

Women's Reservation Bill is a pending bill in the Parliament of India which proposes to ammend the Constitution of India to reserve 33 percent seats in the lower house of the parliament, Lok Sabha, and in all state legislative assemblies for women.

Here are all the facts about the details and the journey of the Women's Reservation Bill:

1. The Women's Reservation Bill was initially introduced in the parliament on September 12, 1996. The bill was introduced in Lok Sabha by the United Front government of HD Deve Gowda.
2. The main aim of this bill is to reserve 33 percent seats in Lok Sabha and all state legislative assemblies for women.
3. Reservation Criteria- As per the bill, the seats will be reserved on a rotational basis. The seats would be determined by a draw of lots in such a way that a seat would only be reserved once in every three consecutive general elections.
4. Vajpayee government pushed for the bill in Lok Sabha but it still wasn't passed.
5. UPA-I government, led by Congress, again introduced the bill to reserve seats for women in Lok Sabha and legislative assemblies in May 2008.
6. After its reintroduction, the bill was passed by Rajya Sabha on March 9, 2010, but was still left pending in Lok Sabha.
7. Lalu Prasad-led RJD has been one of the vocal opponents for the Women's Reservation Bill, along with Samajwadi Party (SP).The MPs from both parties disrupted the Question hour by protesting against the bill. They felt that the bill should contain a "qouta within a qouta" for women from backward classes.
8. Political personalities like LJP's Chirag Paswan and Odisha Chief Minister Naveen Patnayak have been pushing for the Women's Reservation Bill in their rallies and speeches.

Origin of Women's Reservation Bill

The original idea for this bill originated from a constitutional ammendment which was passed back in 1993.The constitutional ammendment stated that a random one third of village council leader, or Sarpanch, positions in the gram panchayat should be reserved for women.The Women's Reservation Bill was launched as a long term plan to extend this reservation to Lok Sabha and state legislative assemblies. The people who opposed this bill considered this as preferential treatment towards women of India.

The 2015 Lok Sabha lauded the fact that India had its highest number of women MPs in the Lok Sabha, which is a mere 14%! This is much below the already low global average of 24%. Moreover, in 1950 itself women formed 5% of Parliament. A mere 9% increase in the last 69 years serves as a sobering reminder of how slow the progress has been.

As per the Inter-Parliamentary Union report, India fares poorer than countries such as Afghanistan (27.7%), Pakistan (20.6%) and Saudi Arabia (19.9%). States like Tripura, Nagaland, Arunachal Pradesh, Himachal Pradesh and the former state of Jammu and Kashmir don't have a single women MP in the Lok Sabha. In fact, Nagaland has never had a female MLA! This begets the questions, how is India failing its women so miserably and why don't we have reservation for women yet?

It has been 22 years since the Women's Reservation Bill was first introduced in Parliament in 1996, and then in 1998, 1999 and 2008. All four times the Bill lapsed upon the dissolution of the house. Not only did the Bill face fierce opposition, it was torn apart in the Rajya Sabha by an RJD MP and some regrettable statements were heard, such as that by the JD(U) leader Sharad Yadav who is alleged to have said, "Do you think these women with short hair can speak for women, for our women."

Before we can kickstart the debate on why we must have women's reservation, we must understand why we don't. The Constituent Assembly originally comprised 389 members out of which only 15 were women. A study of the Constituent Assembly Debates enlightens us of the fact that the issue of women's reservation was raised in the Assembly but was rejected for various reasons.

First, the Constituent Assembly lacked female support for it. Women were grossly underrepresented, as is evident by the numbers, and they failed to unite for the cause and build consensus. While there were some that were hesitant to ask for reservations, for reasons discussed in the next paragraph, there were some who explicitly opposed the demand. One of the members, Mrs. Renuka Ray, argued against it as she considered it an "impediment to our growth and an insult to our very intelligence and capacity." She believed that in a free India, women would be evaluated on terms of ability alone and would not be in any need of reservation, citing the example of Ms. Vijaylaxmi Pandit and Sarojini Naidu, failing to realise they were the exception rather than the norm, and unable to anticipate the institutionalised sexism and discrimination that women would continue to face which act as obstacles to female success.

Second, to facilitate their hegemony, the British had spent years dividing Indian society on the basis of religion, caste, ethnicity through the tool of separate electorates. The Government of India Act, 1935 attempted to deepen this divide by extending separate electorates to women. This gave impetus to the widespread sense of fear and suspicion that reservation for women would be disruptive to the entire framework of society as it would pit women against men. This historical factor is probably whatled Mrs. Hansa Mehta to reassure the Constituent Assembly that "the women's organisation to which I have the honour to belong has never asked for reserved seats, for quotas, or for separate electorates. What we have asked for is social justice, economic justice, and political justice." Had women continued to ask for reserved seats, they would have been painted as divisive and their loyalties towards the country would have come into question, for it was a time when India was still reeling from the fresh memory of partition and struggling to remain united. With that kind of burden, it is no surprise women did not push for it.

Third, some male members seem to be guided by the gender notions of their times which either did not see women as capable enough to hold positions in the government or they were seen as a threat to men and the moral fabric of society, as evidenced by

the speeches of HV Kamath (“woman is ruled more by the heart than by the head”) and Loknath Misra (“if women claim freedom and equality...with men...there will be an end of our civilisation”), captured in the Constituent Assembly Debates. There were some that also believed the provisions in the Constitution were adequate to uplift women from their predicament. They also reiterated that men would ensure women’s welfare, thus, downplaying the need for reservations. Even a staunch supporter of women’s empowerment like Dr BR Ambedkar did not insist on women’s reservation. One Rohini Kumar Chaudhary went so far as to demand Constitutional protection in the Constituent Assembly against women as “in every sphere of life” they were trying to “elbow” men out.

Current scenario of Women's Reservation Act

Currently, the bill is still pending in the Lower House of Parliament, which is Lok Sabha. The bill will only be passed if the ruling government supports the bill with full force, as they have the majority in Lok Sabha. Though there has not been any major development regarding the passing of Women's Reservation Bill in the recent months, if the current government takes steps for its upliftment, there is hope that the bill will be passed in Lok Sabha soon.

Women’s issue in India has gained prominence once again with the Unnao and Hyderabad rape tragedies. Challenging patriarchy comes with its own sets of problems and negative fallouts. Sociologists report that violence against women has been on the rise ever since they have started stepping out of their traditional roles as homemakers. The more women enter into public spaces, the more violence they are likely to face. The rape of a vet on her way home from work in Hyderabad is a case in point.

Violence against women is a heinous manifestation of deep-seated prejudices against them which dictate that she must be confined to the domestic sphere. These prejudices still dominate our ethos when we note that India’s female labour force participation rate has been dramatically falling, and has fallen to a historic low of 23.3% as per the NSSO. To argue that women have won the battle to work is far from the truth.

Money and muscle power have traditionally played an integral role in securing electoral victories. Women fare poorly in both departments given that economic empowerment of women in India is still at a nascent stage and is on shaky ground, with female workforce participation falling to 23.3%. Only 14% of women in the agricultural sector own the farms they work on and a majority of the property in India is still in the hands of men. Women also find it harder to acquire muscle power as they have traditionally been associated with domestic roles and not with positions of political leadership, making it a difficult task to break out of the mould. The growing phenomenon of criminalisation of politics further acts as a deterrent for women, for not only do they lack influence and experience in this male-dominated sphere, they are often at the receiving end of many of these crimes. Dirtier the politics, lesser the scope of female participation. A total of 43% of our MPs have criminal cases pending against them and they are primarily men, with a few exceptions like Pragya Thakur.

Another disadvantage faced by women is the reluctance of major political parties to give more tickets to women candidates. Such political parties generally have more legitimacy and clout, thereby increasing the winnability factor of their candidates. Despite having greater chances of electoral victory, women are not preferred as candidates by major political parties. In the 2015 Lok Sabha election, the Congress gave only 13% of its tickets to women and the BJP gave 12% of its tickets. Majority of the female candidates contested as independents or from smaller parties.

Violence against women the motivation

Parties like Trinamool Congress and the BJD, which have given 37% and 33% of tickets to women respectively, have done a far better job than our larger parties. This trend continues in state elections, despite the fact that in 2015, women candidates had a success rate of 11% which was substantially higher than the 6.4% of men. Another interesting statistic is that while women made up only 9% of the candidates, they won 14% of the seats, indicating that women significantly outperformed men. Women's reservation is a complex topic. While one-third reservation of women in panchayats and urban local bodies has led to a welcome spurt in female political participation and leadership, there are also instances of women being used as proxies by men to win elections in various states from Maharashtra to Bihar. The 108th Amendment Bill detailing female reservation was not without its own set of problems. However, alternatives such as the Manushi conceived Alternate Women's Representation Bill exist to counteract such difficulties by proposing reservation at the candidature level etc. Many aspects need serious deliberation before a comprehensive legislation can be drafted on the issue, but the prerequisite to such deliberation is the existence of a sustained, persistent demand for greater women's representation, a burden that must be shouldered by all the women of this country.

2014 was hailed as the year of 'womanifestos', with all major parties vying for 33% reservation for women in parliament and state assemblies. 2015 was no different. The BJP places it high on its list of priorities and yet, five and a half years after it has come to power, there has been no mention of it. Mainstream civil society discourse has also failed to maintain a sustained demand for women's reservation. It is high time women, along with men, finally come together to make our leaders recognise that some glass ceilings are harder to break than others, and reservations will go a long way in facilitating women to shatter the one that's been keeping guard at Parliament for 69 long years.

How far have we come?

The first Lok Sabha in 1951 had 22 women MPs which increased to 66 in the 2014 Lok Sabha. In the span of 54 years and 16 LS elections it amounts to a three-fold increase in the number of women MPs that made their way to the lower house of the parliament. Yet 12% representation in Parliament is nothing to crow about.

India ranks 149 of 193 countries in women's representation according to the Inter-Parliamentary Union 2015 ranking behind not just countries like UK, US and France but also neighbours like Pakistan, China, Nepal and Bangladesh.

While female representation is low in the Lok Sabha, representation in state assemblies is even lower, according to analysis by data news website Indiaspend.com. Over five years to 2015, female representation in state assemblies was the highest in Bihar, Haryana and Rajasthan (14%), according to the 2015 data released by the ministry of statistics and programme implementation. Mizoram, Nagaland and Puducherry had no elected women representatives in their assemblies. The national average of women in state assemblies and state councils (upper house of the state legislatures) was 9% and 5%, respectively.

India's long democratic tradition and prominent women political leaders like Sarojini Naidu who became the first woman president of the Indian National Congress in 1925 and Indira Gandhi who was the first woman Prime Minister in 1966 are often cited as examples of high regard that women are given in politics. In fact, even the outgoing NDA government had two women —Nirmala Sitharaman and Sushma Swaraj — as ministers for defence and external affairs respectively. Yet overall representation of women in politics in the state assemblies and centre has been dismal.

Ranjana Kumari from the Centre for Social Research that is part of the National Alliance for Women's Reservation Bill said the bill is unfinished agenda. "Giving women an equitable share of power goes against the very ideology of BJP that always sees women in the context of family, in their roles as daughter, sister and mother. To have women ministers that have no power or say in their ministry, is the difference between being an earner and being economically empowered. If you earn a wage but have no voice in how you spend it, you cannot be called economically empowered," she said.

Why vote for women?

It makes economic sense, that's why. Among the most common arguments given by political parties against the women's reservation bill is that candidates are selected on the basis of their winning quotient and not gender. Analysis shows that in fact, women have a higher chance of winning than men. According to analysis by website factly.in the success rate for men was 18%, whereas it was 34% for women, which is twice that of men in 1971. In the outgoing LS, the success rate was 6.4% for men and 9.3% for women.

Not only do women make for winning candidates but as candidates they spur greater economic growth. An academic paper by the United Nations University World Institute for Development Economics Research (UNU-WIDER) in 2015 studied the impact of women politicians on economic performance in state legislative assemblies. The researchers examined data for 4,265 state assembly constituencies for the 1992–2012 period using night luminosity as a measure of economic performance. The paper estimated women legislators raise luminosity growth in their constituencies by about 15 percentage points per annum more than male legislators. They were also found to be far more effective at completing road projects and hence creating infrastructure for growth.

States show the way

While both national parties, Congress and BJP, have promised passage of the bill in their manifesto in 2014 and 2015, their commitment is suspect. In fact, activists are already looking towards regional satraps like Odisha's Naveen Patnaik and West Bengal's Mamata Banerjee who have given 33% and 41% representation to women candidates respectively in the ongoing general elections.

CSR's Ranjana Kumari says that there is little hope from the Centre since the NDA government did not move on the bill despite their overwhelming majority in LS. Besides the NDA, several opposition parties -- such as the Left, NCP, AIADMK and DMK also pledged support to the bill. Congress president Rahul Gandhi had written to PM Narendra Modi in July last year, two days ahead of the last monsoon session of Parliament offering his party's unconditional support to the bill. And yet the legislation was not even discussed.

All India Democratic Women's Association (AIDWA) president Jagmati Sangwan says that the regional parties will probably lead the way. "We must strategically convince more regional parties to follow the lead of BJD and TMC and also make a woman's candidature more attractive for voters," she said.

Both Sangwan and Ranjana Kumari agree that women politicians must do more to lobby for their counterparts who are trying to make their mark. "Women politicians must do more advocacy work, push for higher representation within their parties," Sangwan said, "This patriarchy must be brought down."

Conclusion

The Indian Government has a lot of emphasis on utilizing real time data for measuring different social indicators and using them for policy intervention. With more responsive data on women participation, better gender budget initiatives aim to move the country towards a gender equal society.

As the 17th Lok Sabha meets for the second week, there is an obvious omission of a long standing bill that women MPs, political parties and civil rights activists have been demanding: The Constitution (One Hundred and Eighth Amendment) Bill, 2008, popularly known as the women's reservation bill.

From tearing up documents to ignoring street protests, the bill has been the subject of criticism, ridicule and power play for the last 23 years. The bill seeks to reserve one-third of all seats for women in the Lok Sabha and the state legislative assemblies.

First tabled in 1996, it has been frequently used by governments to score political points, and even to distract from the issues of the day. It has however never received enough support to pass both houses of Parliament. In its last attempt, the bill which was passed by the UPA government in Rajya Sabha in 2010, remained pending in the Lok Sabha and lapsed in 2014 when the lower house dissolved. For the legislation providing 33% reservation for women to see light of day, a new bill will have to be introduced in either house of Parliament now.

Despite the lack of enthusiasm political parties are recognising the importance of women representation. There has been a marginal increase in the number of women MPs increasing from 64 in 2014 to 78 in 2015.

This is because of a significant spike in number of women candidates fielded by political parties in election 2015. Data by Association for Democratic Reforms (ADR) found 724 women candidates stood for elections this year, up from 690 in 2014. Incidentally, the increase in women representation in the election has been in some measure led by regional parties like Trinamool Congress, BJD and Tamil nationalist party, Naam Tamilar Katchi, which has given equal number of tickets to both men and women.

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