
UNIT 19 ISSUES OF RESERVATION

State and Civil Society's
Response to Women's
Movements

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19.0 AIMS AND PURPOSE

In this unit an attempt is made to situate the discussion on reservation (quotas) for women both in the wider historical and contemporary context of reservation. It is also proposed to examine the contemporary experience of one-third reservation for women in the local self-governing bodies (panchayats and municipalities) constitutionally mandated by the 73rd and 74th Amendments to the Constitution, which came into effect in 1994. Finally, an attempt is also made to examine and analyze the different positions on the current demand for one-third reservation for women in the assemblies at the state level and in the Union Parliament.

The unit focuses on political reservations, since it is this that has been at the forefront of policy and debates both among policy-makers and in the women's movement. After reading this unit you will be able to understand:

- Various perspectives on electoral reservations;
- The objectives of electoral reservations;
- The need for political reservation for women and how political reservation lead to their empowerment; and
- The impact of political empowerment of women in wider society.

19.1 INTRODUCTION

The policy of reservation and the principles of power-devolution share a common logic. In a democratic polity, with a welfare state approach especially in a dissimilar society like India, both the above assume significant imperatives. They presuppose justice for a target population. They also reflect that justice is so predominant in the polity frame that the state is ready to do an additional stipulation to meet this aim. These establish that polity is surely democratic, and has a very strong concern for bringing about compatibility amongst all sections of the state subjects.

Further, provision of reservation as a legislative measure reflects the inability of the policy and lawmakers to ignore public opinion for the same. Besides, for achieving welfare state in a multicultural society state like India, measures like reservation are unavoidable. There are various other factors that contribute to this. Indian society is characterized by historically graded social stratification in

terms of caste, class, race, gender, etc. Also this has a long history of foreign rules. This legacy is manifested in various socio-cultural disorders in society. The attempt of the government of Independent India is to build a nation-state by reconnecting the conflicting interest perceptions of the people who belong to a multitude of cultural backgrounds.

Evidently, therefore, reservation as a political resort is a response to a continued disparity and an attempt to remove this disparity. Although critics of the policy offer different opinions and various reasons for opposing it, there exists a striking similarity amongst such antagonists i.e., refusal to share power with those who have constantly remained on the outer periphery. In defending their lingering prejudice against the deprived, they get subtle support from the state, which has proved to remain antithetical to sharing the privilege of power with the non-ruling elements. Thus, while the instrument of reservation is invoked by a democratic state challenges both from the forces of status quo it encounters.

Do You Know? 1

The History of the Policy of Reservation in India

Reservations are the Indian version of quotas – a legal provision that guarantees a minimum presence in various institutions of social categories considered victims of historical prejudice. In the Indian context, reservations were first started in the princely state of Mysore in 1921, and in British India through the Montague-Chelmsford Reforms in 1919. Later, they were enshrined in the Constitution of independent India, making it a pioneer in policies of affirmative action, or ‘compensatory discrimination’ (Galanter 1991). The reservation policies have evoked a recurring debate, but seem nevertheless unstoppable in their slow but steady extension to new categories of beneficiaries and to new institutions. If we consider independent India only, in 1950 reservation concerned two categories, the Scheduled Caste (SC) and the Scheduled Tribes (ST). Those reservations were limited to three fields: public employment, institutions of higher education and political representation. In political reservation seats were reserved in the National Parliament and in state Assemblies in proportion to the demographic weight of SCs and STs in the total population, i.e. 15 per cent and 7.5 per cent respectively. Over the years the provisions were extended to include other Backward Classes (OBC) and Women.

Seats are now reserved in local assemblies for women (33 per cent), for SCs, for STs and in some states, for OBCs (in proportion to the local demographic weight of each category), at all three levels of local self-government; Village, Block and District (or Municipality in urban areas).

The government of independent India adopted the policy of reservation for the first time in 1950 for the Scheduled Castes and Tribes. Those reservations were limited to public employment, in institutions of higher education and political representation. While the question of reservations for the SCs and STs rapidly became the object of a relative consensus, its extensions to a third category that is Other Backward Classes (OBC) evoked a recurring debate and repeated controversies. In the early 1990s, decentralization attempts through the 73rd and 74th Constitutional Amendment Acts introduced electoral reservations for a fourth category, i.e., women. The controversy over reservation continued. The question of identifying ‘Most Backward Classes’ among the OBCs, and ‘Economically Backward Classes’ among the upper castes, for making them the beneficiaries of reservations, resurfaces regularly at the national as well as at the state levels.

The debate around reservations is thus a complex one. It is rooted in the colonial history of India, it follows different courses at the union and states levels and, is fraught with political calculations and has repeatedly evoked violent reactions. But this debate, on the whole, has not been evenly focused. It has been concerned with the categorization of the backward classes.

Earlier, as far as the consequences of reservations are concerned, the debate had been restricted, for the most part, to the fields of higher education and public employment. The debate took a different angle when the Women's Reservation Bill which proposed to reserve 33 per cent of seats in State Assemblies and the Lok Sabha for women provoked a new controversy among certain sections of population. The controversy was over the relevance and consequences of the political representation of groups through electoral reservations, both for the groups concerned and for society at large.

Think It Over 1

Trace the historical antecedents to the evolution of reservation policy in India. Why do you think it is necessary to provide reservations in education, employment or political organizations for certain categories of people?

19.2 PERSPECTIVES ON ELECTORAL RESERVATIONS

There has been a conspicuous compartmentalization of the debate on reservations, be it political or academic, and there exists a recognized need to shed new light on the subject through a confrontation of studies on the implementation of electoral reservations for the four social categories (SCs, STs, OBCs and women) to which they apply today at various levels. Indeed, even though the sociological characteristics and the bases for the exclusion (historically as well as in the contemporary society) suffered by these categories are quite distinct, all electoral reservations clearly pertain to the same policy. They stem from a common principle – reparation; they aim at a common goal – including the excluded; and they work along a largely common institutional design – reserving seats or constituencies.

Reservations, thus, constitute a fascinating attempt at social engineering in so far as they appear to aim at reconciling the individual and equalitarian premises of democracy with the traditionally major role of communities and hierarchies in Indian society. Through reservations, the contrast between the political system and the social structure of India is sought to be tackled frontally and one can only wonder which of the two comes out more transformed in the process. It can be gauged through a series of empirical case studies focusing on the implementation of electoral reservations for different categories, at different levels of political life, in different regions and along different time frames that bring elements of the answer to the question.

The very heterogeneity of the studies, which is far from exhausting, the many dimensions and variations of electoral reservations as they have been practiced throughout the country, allows us to go beyond the specific problem usually associated with each beneficiary category, e.g. the impact of electoral reservations on the exclusion and stigmatization suffered by SCs; on the isolation characterizing tribal societies and on the 'glass ceiling' that curtails or limits women's political representation.

Learn From Your Experience 1

What are your views on electoral reservation for women? Talk to five politically active individuals in your locality about their views on electoral reservations for women. What are the advantageous and disadvantageous they view in terms of community development? Based on the information so collected write a note on people's views on electoral reservation for women.

19.3 CONSEQUENCES OF ELECTORAL RESERVATIONS

The first question that confronts anyone examining the issue of reservation is what have been the observable consequences of electoral reservations on the political and social status of the beneficiaries, and on Indian political life as a

whole? Such a question clearly involves a number of methodological difficulties, starting with the definition of the yardstick to be used in the assessment of reservations.

Secondly, what should be expected from electoral reservations? What did the fathers of the Constitution expect from them in the first place? Elucidating the intent of the constituents is crucial, because the fact that reservations originate from the Constitution gives them a priori – the status of a major legislative tool in the construction of independent India.

Thirdly, what can be the legitimate consequences of reservations? The notion of legitimacy implies a reference to the values and beliefs shared by society, which means that the yardstick for measuring the success of political reservations is to be found within the concept of representative democracy that dominates in India. The question, moreover, is obscured by the frequent confusion of the three fields to which reservations apply. Indeed controversies around notions such as the emergence of a ‘creamy layer’ (elites who tend to monopolize the benefits of reservations) among the beneficiary categories, or ‘the well-being of institutions’ (Beteille 1998) that may be affected by the lowering of standards produced by reservations, take an entirely different meaning when it comes to the political field.

Thus, the emergence of an elite of politicians among the categories concerned is not only unavoidable – Roberto Michels famously called this phenomenon ‘the iron law of oligarchy’ (Michels 1915) – but may also appear desirable. Indeed this elite, by definition, has access to such essential political resources as education and money, which may result in a greater ‘well-being’ of the concerned assemblies – even though the choice of indicators to measure the quality of representation may in itself be an object of debate.

The success or failure of reservations in the political sphere and as a tool of political integration could be measured through the number and importance of executive positions occupied by elected representatives belonging to the beneficiary categories, the type of political careers open to them, and ultimately in the number of them being elected in ‘general’ (i.e. non-reserved) seats (Sudha Pai 2005). Yet, the notion of political integration may itself be ambivalent; it can mean co-option as well as empowerment.

The issue of reservation in the context of women has been discussed in this unit based on two basic assumptions. These are:

- Reservations are a particular means towards political representation, with inherent effects that must be identified as precisely as possible.
- There is a relationship between political representation and social change, notwithstanding the difficulty involved in isolating the impact of the political representation of a given group, and of the means thereof, on the social status of that group.

This relationship in any case is assumed to be two-way. Most studies of political sociology are based on the assumption that social change gets reflected in the sociological profile of elected representatives, but one can also imagine that the sociological composition of a representative assembly may influence the society it represents – which is in fact a major argument of the supporters of mirror representation’.

Think It Over 2

What do you understand by reservation policy? What are the perceived consequences of implementation of reservation policy for the social empowerment of marginalized sections of the society?

19.4 REPRESENTATION AND/V.S. REPRESENTATIVENESS

Three major themes run through the entire debate on reservation across the diversity of their respective focuses. The first theme is the tension between representation and representativeness, insofar as reservations mechanically produce the latter, sometimes at the expense of the former. The tension appears clearly through the pre independence history of reservations and the various attempts at introducing group reservation by means of electorates as part of constitutional reforms of British India. The confrontation between Mahatma Gandhi and Dr. Ambedkar over the Communal Award resulting from the Second Round Table Conference (1932) where several groups including women and the Depressed Classes had gone to negotiate their political representation, is, therefore a major turning point in the history of group representation in India. The 1935 Government of India Act marked a culminating point in the political representation of groups since 12 groups including Women and Muslims benefited from reserved seats on the basis of the provisions of this Act.

Reservations as provided for by the Constitution are a continuation of this principle and guarantee the representativeness of elected assemblies but not the representation of the interests of the beneficiary categories, which is a major limitation of mirror representation. Indeed, Galanter has argued that reservations are designed in a way, which filters and muffles the representation of the interests of the Scheduled Castes and Tribes insofar as they diverge from the interests of other groups' (Galanter 1991: 51). Bhupinder Singh's paper, (Singh 2005:115-118), presenting an insider's account of the process of reforms concerning scheduled Tribes' political representation, provides a detailed description of the many obstacles lying between mere presence and advocacy or, to use the words of Hannah Pitkin, 'standing for' and 'acting for' (Pitkin 1972).

Yet, if a larger time frame of observation is taken, it suggests that reservations do play a role in the construction of political identities. Indeed, all political categories are historically constructed, even though some may look more 'natural' than others today. SCs, STs and OBCs are originally socio-administrative categories (Jaffrelot 2003) coined in pie-independence India, which have become political categories through the reservation policy. Women by contrast appear to be quite distinct as a political category by the fact that (i) gender is largely defined by sex, i.e., a biological fact; and (ii) women are scattered, so to speak, among the various communities defined by caste, class, religion or region.

Do You Know? 2

Electoral Reservations as Symbolic Policies

Many studies actually conclude that the main benefits of electoral reservations are of a symbolic nature: they provide recognition, not redistribution, to use Nancy Fraser's distinction (Fraser 1995). This is partly due to the institutional design of reservations, which does not favour the electoral mobilization of those voters belonging to the beneficiary category. Then, there are studies that situate electoral reservations within the larger package of affirmative action measures targeting respectively the SCs and the STs, and conclude that the inconsistency of the package makes it ineffective to tackle the structural causes of inequality.

Virginius Xaxa, analyses reservations as a means to co-opt potential dissent in her study of the implementation of reservations for the STs at the local level (2005). Indeed, a number of studies focusing on STs show the historical process of the political integration of tribes as a bartering process in which reservations were granted to STs by the Indian state in exchange for its own legitimization, which was necessary in order to exploit the rich natural resources of the areas traditionally inhabited by tribals. In other words these scholars present reservations as an alibi, or a 'mechanism for social control' (Dushkin 1998: 226).

The proof of the relatively innocuous nature of electoral reservations as they exist today may lie in the striking contrast between, on the one hand, the consensus over reservations whenever they apply to a relatively small population (SCs and STs), or to a level where the stakes of political life are limited (local self-government), and on the other hand, the controversy evoked by reservations for categories covering a large population at the state and union levels (women and OBCs).

19.5 POLITICAL REPRESENTATION AND EMPOWERMENT

Reservations do affect the relationship between the beneficiary categories and political life in a variety of ways. A common theme running across the studies on the subject is that reservations always generate a minimal type of political integration that could be called the politicization of the concerned categories. Politicization happens in an oblique fashion: the implementation of reservations generates some interest for politics among the concerned populations; it offers a political socialization to those individuals benefiting from their opportunity effect; it generates an elite who can act as a role model; and it establishes notabilities that are more accessible to people belonging to the beneficiary categories.

Moreover, the confrontation of studies covering different time frames suggests that time is an important factor in the degree of political integration produced by reservations. Thus, the situation of STs vis-à-vis reservations in the 1950s, as described by Singh, was in many ways similar to that of women today. Indeed, Singh recalls how political parties, commanding all political loyalty, prevented the emergence of solidarity among ST representatives across party lines over issues of special interest for STs, which is being observed in many urban local bodies as far as women are concerned, as shown by Tawa Lama-Rawal (2005).

Lastly, the case of reservation for women suggests that reservations may pave the way for mobilization insofar as they legitimize gender as a new political category. Affirmative action in general and (electoral) reservations in particular are about core values of social cohesion. Indeed, reservations affect all Indian citizens, whether they are entitled to them or whether they feel deprived by them.

Women have always played a central role in all societies and have been an important aspect of its structure. So the well being of a nation, naturally, depends upon the involvement of society and state in different activities which promote the development of women and vice versa. Taken as a separate class, women may be treated as the largest weakest section of society what Helen Hacker described as the largest 'minority'. This is so because women can be classified as an economically and socially backward group on account of their socially inferior status; their low status in educational attainment; and due to their economic dependence. Moreover, women, in general are 'underprivileged' because they are marginalized in production and other vital socio-economic decision-making processes.

This can be more distinctly noticed in the tradition-ridden societies and poor economies of developing countries such as that of India because there the major benefits of economic growth have failed to reach women. The Government of India initiated several programmes with the aim of empowering women. However, a number of studies during the eighties indicated the irrelevance of developmental policies at grassroots simply because they failed to loosen the patriarchal hold over assets which has resulted in the marginalisation of women creating a wide wage differential in addition to their low status, low literacy and low work conditions.

If development is about people, it is essential to increase their capabilities to develop themselves. If women are in a state of economic, social, political and

knowledge disempowerment, the imperative is to reverse this process. Instead of merely adding a gender agenda to a development plan drawn up by the gender insensitive, the goal should be to redraw it by mainstreaming women's perspectives. It is this empowerment strategy, which has emerged as India's response to the challenges of equality, development and peace.

Empowerment, in its simplest form, means manipulating redistribution of power. Despite the accumulating forces for a greater participation for overall development, large numbers of people continued to be excluded from the benefits of development, especially the weaker sections of society including women. One of the main reasons for the continued low status of women in India society is their non-involvement and non-participation in governance and development. Such participation is a means of reducing power differences and is, therefore, contributory to equalization and social justice. This will include activities which have a strong bearing on the group and the community, the power to effectively influence elected representatives, decision-making process as well as policies and actually alter existing situations wherever they are found to be clearly disadvantageous. It has been felt that women must be positioned in large number at crucial levels for significant and effective exercise of power and they also need to be equipped with suitable means to shoulder these responsibilities. Otherwise their representation would end up as mere tokenism.

The process of empowerment is multi-dimensional and it enables women to realize their full destiny and powers in all spheres of life. Women's empowerment begins with consciousness-perceptions about herself and her rights, her capabilities and her potentials, awareness of how gender and socio-cultural and political forces affect her. Political empowerment, economic development and social uplift of women are necessary and desirable to fight myriad forms of patriarchal domination, and discrimination at every stage. In fact, women's empowerment is central to the achievement of the triple goals of equality, development and social justice. And for that political participation is needed. In a democratic system, women's participation may be viewed at two levels, (1) awareness and assertion of women's political rights and (ii) acquisition and exercise of power.

Effective participation of all women in development as intellectuals, policy makers and decision-makers, planners, contributors and beneficiaries have be strengthened, according to specific problems of women in different regions and the needs of different categories of women in them. This has been sought to be ensured by the Indian state through the policy of reservation for women in the local self-government bodies.

Do You Know? 3

Rationale of Reservation in Political Representation

As far as their rationale is concerned, reservations seek to ensure real, as opposed to formal, equality. They are part of a set of affirmative action/ measures intended to compensate for the multidimensional prejudice suffered over the centuries by some groups, resulting in their present backwardness. Social justice is, therefore, the core concern of reservations.

More specifically, electoral reservations are supposed to ensure political representation of those groups identified as backward. Concretely, a number of constituencies, whose population is characterized by a high percentage of people from the SCs and STs, have been reserved for SCs or STs so as to ensure that the number of elected representatives belonging to these social categories would at least be proportionate to their demographic weight in the Union or in the state. The women's category is obviously different in nature from that of the SCs, STs and OBCs: women constitute half the population, do not live in isolation from men, and are divided according to all possible social, cultural and economic criteria.

Yet women's quotas, both in their rationale and in their design, are closely modeled on the reservations for the SCs and STs, with two exceptions. First, women have probably been considered by legislators as too large a group to benefit from quotas in proportion to their demographic importance. Quotas for women are thus limited to 33 per cent of the total number of seats, a figure usually justified by the 'critical mass' theory, according to which 33 per cent is the threshold from which a minority is able to have an impact on the decisions of the whole group (Dablerup 1988).

Second, women are too evenly dispersed over the national territory for any 'women's constituency' to be permanently defined. Thus, the principle of rotation of reserved constituencies (for women) has been adopted for local elections—even though the pace of rotation and the modalities of selecting reserved constituencies differ from state to state.

In order to address the issue of reservations for women in the Indian representative local bodies, it is proposed here to first outline the expectations attached to these reservations, and then confront these expectations with what is known of the way in which quotas function today.

Think It Over 3

In what all ways electoral reservations for women can lead to their empowerment in the society?

19.6 WHY RESERVATION FOR WOMEN?

The first question that arises when one tries to assess the need of reservation for women is: what are these reservations meant to achieve, what is their *raison d'être*, and what is their yardstick? To find an answer and to understand the issue in its entirety, a critical look at the history of women's reservation is necessary to disentangle the various discursive strands that must be taken into account to arrive at an understanding of the basis and tenor of diverse positions on the current issue of reservations for women.

Even though the provisions concerning reservations for women in elected local bodies have largely contributed to the interest evoked in the issue, as they were deemed a bold step towards democratization in general and gender justice in particular, they were, in fact, hardly discussed in Parliament during the long debates preceding the enactment of the two constitutional amendment bills. One must, therefore, look beyond the parliamentary debates of the years 1989-92 to find an explicit discussion on electoral reservations for women.

The issue of women's political representation and of the means thereof is actually an old one; it was raised as early as 1917, when Indian women's organizations started lobbying the British government, demanding that women be included in the broader franchise base provided by the constitutional reforms of British India. The principal reason for opposing the idea of reserved seat for women was that it deflected from the demand for universal adult franchise and to stand for elections on the same term as men. Besides, it was felt that there should be no hint of succumbing to the British strategy of 'divide and rule' by referring to any such divisions: It was felt that "The public, official language of politics especially before a colonial government had to be a language of equality and for fundamental rights of citizenship irrespective of sex, caste, religion or creed".

As far as independent India is concerned, the option of reservations for women appeared for the first time in the report written by Kaka Kalelkar, chairman of the first Backward Classes Commission, who stated that: "The position of women in India is peculiar. We have always felt that they have lived under great social handicaps and must, therefore, as a class be regarded as backward. But since

they do not form a separate community it has not been possible for us to list them among the backward classes”.

The same question was later addressed by the Committee on the Status of Women in India (CSWI), formed in 1974 to prepare for the Women's Decade (1975-85) proclaimed by the United Nations. In its report, *Towards Equality*, it discussed the pros and cons of resorting to quotas in order to improve the abysmally low political representation of women. After listing the arguments in favour of reservations for women in elected assemblies, this option was finally rejected on the following grounds:

“Separate constituencies for women would narrow their outlook. (...) Women's interests as such cannot be isolated from economic, social and political interests of groups, strata and classes in society. The minority argument cannot be applied to women. Women are not a community, they are a category” (CSWI 1974: 304).

The question resurfaced in the late 1980s, when it became clear that the alternative measures suggested by the CSWI – such as the creation of women's panchayats, or councils, at the local level or the adoption by political parties of internal quotas for women – were not being considered seriously. The issue was then taken up by the women's movement making women's political representation, for the first time, one of its priorities. It found an ally in Rajiv Gandhi who had reasons to publicly defend electoral reservations for women. Prominent was that such a posture fitted well with the image he wanted to project of his government as committed to social (and economic) modernization. The following declaration made by him shows what expectations he attached to women's quotas at the local level: “We believe the presence of women in large numbers in the panchayats will not only make the panchayats more representative but will also make them more efficient, honest, disciplined and more responsible” (Gandhi 1989, 12–13).

The rationale for women's quotas was hardly challenged or even discussed at the time. Later the issue of reservation for women was taken up by the women's movement and finally it was realized through the 73rd and 74th constitutional amendments in 1993. It is only after the 73rd and 74th CAAs were passed that a public debate over electoral reservations for women really began. It was triggered in 1996 by the introduction of a new constitutional amendment bill in the Lok Sabha, seeking to extend women's quotas to state Assemblies and Parliament. The Women's Reservation Bill (WRB), as it has since been called, seems today to have been definitely shelved; it generated an intense debate in the years following its introduction, a debate that took place in Parliament as well as in the media and academic circles throughout the country.

This debate brought out a series of positive and negative expectations attached to women's quotas. The debate over the WRB has been analysed by scholars (Tawa Lama-Rewal 2001). The main arguments that have emerged in the course of the debate that favoured women's quotas and the reservation policy are:

- By guaranteeing a minimal representativeness of elected assemblies in terms of gender, women's quotas will promote gender justice;
- The increased presence of women in legislative bodies will ensure better representation of women's interests;
- Women's quotas will enable elected assemblies, and, therefore society at large, to profitably tap the resource base constituted by women's specific talents.

There were also negative arguments, highlighting the flaws in the quota system as a means towards a more equitable political representation of women:

- Only upper class women, or female relatives of politicians, will actually benefit from reservations;

- Not enough women are presently ready to work as legislators; therefore, a large number of incompetent people are likely to be elected;
- A male backlash is to be expected, which will confine women to a political ghetto, in terms of the constituencies open to them and the positions they can occupy within the legislative assemblies.
- The rotation of constituencies reserved for women would prevent women from getting any political weightage, and from building any kind of female solidarity.

Learn From Your Experience 2

By now you know different views, which are for and against the electoral reservation for women. Try to collect some newspaper reports on why many of the major political parties oppose the idea of reserving seats in Parliament and Assemblies for women. Do they have some more reasons to oppose the idea of having reservations for women?

19.6.1 The Debate and the Issues

If we take all the arguments expressed during the past 50 years, for and against electoral reservations for women, it seems that the debate has, by and large, focused on the same issues as the debate over reservations for the other social categories concerned (i.e., SCs, STs and OBCs).

The first major issue is the potential of reservations as an instrument of social change. The oft-repeated questions in this regard are the following: Will reservations benefit the group or only a few individuals? Can reservations per se promote the representation of the group's interests? What are the chances that the redistribution of political opportunities resulting from reservations and will this actually be registered through the non-integration of the beneficiaries of reservations?

This issue is reflected in the argument about the already outlined representation of women's interests. It also permeates the argument, in the second set, i.e., whether elected women happen to be upper class women or female relatives of male politicians. What is at the centre of the debate here is the representativeness of women representatives: in both cases gender consciousness is implicitly suspected to be no match for class- or family-based solidarity.

The second issue relates to the criteria adopted to define backwardness since, according to the Indian Constitution, the backwardness of a given group is the *raison d'être* of all reservation policies. Can women, 'as women', be considered backward? This question permeates the older argument that women are not a community (i.e. women's social status varies widely depending on their class, their caste/community, their age, their marital status, etc.). Moreover, the fear expressed since 1996 by OBC representatives across political parties that reservations for women would result in increasing the hold of the elite on politics, clearly shows that gender, as a ground for backwardness, is strongly contested.

The third issue relates to what André Beteille has called the 'well-being of institutions' affected by reservations (Beteille 1998). Even though Beteille excluded electoral reservations from his analysis, the fear that women's quotas would result in incompetent people being elected pertains to the same concern. But the argument, according to which women constitute a political resource, is an interesting, indeed a unique position on this issue.

It is apparent that in the debate over electoral reservations, the sub-theme of women's quotas is unique only as far as the 'resource' argument is concerned. Only women have been said to embody, as women, qualities such as peacefulness, honesty, devotion, etc. One has only to imagine similar qualities being attributed to SCs, STs or OBCs to realize the patronizing, essentialist (and therefore politically dangerous) nature of this argument.

19.6.2 An Assessment of Electoral Reservation

Having spelt out the expectations attached to reservations for women, and their place in the larger debate over electoral reservations, let us now turn to the implementation of these reservations in the urban local bodies.

Any assessment of the reservation policy defined by the 73rd and 74th CAA is subject to three major difficulties. First, the current status of local self-government is extremely heterogeneous throughout the Indian Union. Some states have just organized local elections, while others are now well into their second term in the context of the new legislative framework. Moreover, while local democracy has been a reality in some states (such as West Bengal) for the past 25 years or so, in other states (such as Tamil Nadu) it had, until 1993, largely remained a dead letter.

Secondly, the women's reservation policy is only 13 years old. What can, therefore, be assessed is only the first or at the most second phase of its implementation, and one must keep in mind that the time factor may strongly affect present observations.

Lastly, information is comparatively limited about the impact of electoral reservation in urban local bodies. There has not been sufficient research on the implementation of women's quotas in urban local bodies as compared to the plethora of studies on Women in PRIs. An analysis of the following six studies dealing respectively with Punjab (Gill 1999), Haryana (Arora and Prabhakar 1997 and MARG 2000), Delhi (MARG 2000), Maharashtra (Nanivadekar 1997), and West Bengal (Ghosh 1996. Tawa Lama-Rewul 2001) cannot be said to be a comprehensive analysis of the issue.

However, despite the absence of a pan-Indian/National perspective, the available studies together provide a fairly diversified sample. In order to get a consistent view across the different states, we have to focus on concerns common to all or most of them, including the profile of elected women in terms of education levels and occupation, the number of representatives by proxy, or 'proxies', the difficulties they have experienced and their achievements.

The studies highlight the predictably higher level of education in the metropolises as compared to the small towns. They also highlight the high number of illiterate representatives in Punjab and Haryana, which raises questions about the capacity of these women to fulfill their political functions.

Similarly ex-housewives constitute the majority of women representatives everywhere but in West Bengal, one finds a large proportion of teachers among elected women. After West Bengal, the largest number of ex-working women is to be found in Maharashtra and in Delhi, i.e., in big cities.

Learn From Your Experience 3

From the facts and figures given in this unit list the points through which you can rightly conclude that women are taking advantage of the political reservations that they achieved. Explore the ways through which women can make this opportunity as a stepping-stone for their further political empowerment.

The above findings suggest that two factors play an important role in local level elections. Firstly, contrasts between the different states are considerable, which testifies to the weight of the regional (political) culture. Thus, in West Bengal the high education levels of elected women, the large proportion of former teachers among them, but also the large proportion of upper caste members (67 per cent) among elected women is typical of the elite character of the local political personnel (Ghosh 1996, 33).

Secondly, the contrasts between the different types of local bodies suggest that the size of cities also matters. But the large number of illiterates and the high proportion of former housewives among elected women in Punjab, where the cities surveyed are big enough to have a municipal corporation, suggest that this factor is less important than political culture. Indeed both Haryana and Punjab are characterized by societies in which male domination is particularly strong.

The lack of homogeneous information on the social status (in terms of caste/community identity) and income of elected women in the studies referred to have is obviously a major limitation for any tentative assessment. However, it may be mentioned here that in Rohtak (Haryana) most candidates belonged to the middle economic category (Arora and Prabhakar 1997: 923); in Maharashtra 'financial resources at the disposal of the aspirants (is one of) the most crucial criteria for getting party nomination' (Nanivadekar 1997: 20); in Calcutta financial resources were also found to be very important, not only for the campaign but also to meet the demands of the councilor's job (Tawa Lama-Rewal 2001: 15). While these examples do not allow us to conclude as to the elite character, in terms of income, of the majority of elected women, they nevertheless strongly suggest that poor people are indeed excluded from even local electoral contests.

Do You Know? 4

The Issue of 'Proxies'

It has been found that most of the women elected to local bodies in Haryana are the proxy of their husband' (MARG 2000:16). In Maharashtra, 32 per cent of the women surveyed said that 'the sole reason for contesting the election was the conversion of the constituency hitherto nursed by their close male relative into a constituency reserved for women' (Nanivadekar 1997:16), which fits the definition of proxy representatives.

In Calcutta, it was found that 11 per cent of the women elected in 1995 occupied a seat previously held by a male relative. All these women could therefore be qualified as inheritors. But further probe revealed that all inheritors were not proxies, as was proved by the fact that some of them got elected a second time, and what is more, in a general ward. And all proxies were not inheritors: women representatives could be puppets in the hand of their party, for instance (Tawa Lama-Rewal 2001:16).

It is suggested that an analysis in terms of political resource would actually tell us more about the potential of elected women than just their relationship with the sitting councilor of the ward from which they were elected. Thus, the proportion of illiterate women, and ex-housewives, benefiting from reservations in Punjab, is an indicator of the lack of political resources (such as education, contacts, money and political experience) of elected women in this state, which makes them quite susceptible to being manipulated by male politicians.

Think It Over 4

What are the factors that favour as well as deter women from actively taking part in the political process at the local administrative levels?

19.7 IMPACT OF POLITICAL EMPOWERMENT THROUGH RESERVATION

One undisputable achievement of women's reservations, which was expected by the reservation policy, is the greater representativeness of elected local bodies in terms of gender. This achievement is obviously of a symbolic nature, but even its psychological impact might not be negligible. The sheer presence of a number of women among local representatives can surely help popularize the notion that politics is not necessarily a male-dominated field of activity.

When the provisions for reservation of seats for women were being debated in Parliament, several members were doubtful that such large numbers of women would come forward to contest these seats. But these doubts proved to be wrong. In total, for over one million seats reserved for women in all the local bodies, more than five million women candidates contested. Thus, on an average, there were five women candidates contesting each seat (Baviskar 2005: 332). Moreover, some women candidates won unreserved or general seats, defeating their male rivals. Of course, such cases were not many, but they were no less significant.

It needs to be mentioned that the reservations of seats for women in PRIs (and for SCs and STs) concerns not only members but also office-bearers. Thus not only one-third of elected members but one-third of *sarpanches* or chairpersons have also to be women. In the country as a whole, there are 231,630 *gram panchayats* (village councils). Over 77,210 of them have women as *sarpanches*. At the intermediate level, there are 5,912 *taluka* (or block/mandal) *panchayat samitis*. More than 1,970 of them have women *sabhapatis* or heads. And of the 604 *zilla parishads* (districts councils), over 200 have women presidents. Thus, in the country as a whole, about one million women now occupy government bodies. This may be unique in the world.

However, there are variations among states in the magnitude of women's representation. While most states manage to meet the constitutional target of 33 per cent seats for women, in some this proportion has been exceeded. For example, in Karnataka, women occupy 43.6 per cent of seats in local bodies (Baviskar 2005: 333). This means a large number of women have managed to win general (unreserved) seats, defeating rival male and female candidates. This suggests a highly significant trend for the future.

It was feared that the reserved posts for women would be monopolized by women belonging to families of locally influential politicians of higher castes and classes—since local elites enjoy the advantages of status, wealth, information, political skills, and influential contacts. Representation, however, has broadened out. For example, reservation of seats ensures representation of women from the Scheduled Castes and Tribes. Many of the women elected to the reserved constituencies belong to families of small and marginal farmers or landless labourers.

But, these fears proved to be unfounded. The sheer quantum of reservation quota (33 per cent) worked against such monopolization. Studies have found that about 40 per cent of elected women belong to families below the poverty line (CWDS 1999). And, the majority of elected women are from 'non-political' families with no previous experience in politics. Women from established political families are also elected. But they are few and certainly not in the majority. Again the sheer numbers and the requirement of filling SC and ST seats as well means that rich and politically dominant families are not able to grab all the positions.

Caroline Moser (1993) has made a meaningful distinction between the practical needs and strategic interests of women. She has found that as long as women work for water, toilets, schools, and such other needs, men support them. But as soon as women demand equality, and an end to gender discrimination and subordination, there is opposition from men. Men support women when they agitate for fodder or water but not when women demand a local ban on the sale and consumption of liquor.

However, one thing is certain: women's participation in the public sphere of panchayats has enhanced their status in their families, castes, and villages. Shubhatai of village Vitner in Maharashtra looks more confident, and her husband has stopped battering her, thanks to her enhanced status in the family and community (Baviskar 2005: 340). Women generally say that thanks to women's panchayat work, many men have given up drinking. Even more significant is the improvement in the self-image of women and their increasing confidence and experience in public life.

The most important impact of the political empowerment through reservation is the recognition of the value of education by women. Woman panchayat members experience many handicaps because of lack of education. This makes them keen to educate their daughters. There is no doubt that female literacy and education will improve in the near future, thanks in part to women's participation in panchayats. The next generation of women leaders will be better educated and, therefore, better equipped to manage their political affairs.

Many women members of panchayats now receive petitions from other village women. These are about family conflicts, disputes over land, employment, and housing. They may not be able to solve all these problems, but they are exposed to a whole new world of public service.

Think It Over 5

Do you think the political participation of women lead to their empowerment? Justify your answer taking example of women's participation in the local self government bodies.

19.8 CONCLUDING REMARKS

The reservation provisions in the 73rd and 74th Amendment Acts have made a major contribution to deepening democracy (Mark Robinson 2005:21) by mandating a one-third representation of women in the panchayats throughout the country. The earlier dispensation in the state panchayats law of the 1960s and 1970s, of election, co-option, or nomination of two women if none came through election, left them a small minority 'subject to marginalization, tokenism, invisibility, even harassment, and over-adaptation to the dominant culture and norms' (Kanter 1977). It was thus a move away from tokenism to bring a 'critical mass' of women to these institutions.

A critical mass is not just an increase in the relative number of women. It implies a qualitative shift in power relations, which enables the minority for the first time to use the resources of the organization or institution to improve the situation of themselves and their own group. The minority is then able to and wishes to accelerate the development and to counteract setbacks (Dahlerup 1991).

Women's exclusion from politics, which embodies the essence of the 'public sphere', involves the issue of power, authority, hierarchy, and seclusion, but it has generally been believed that women are not interested in politics or in entry into public life. The fact that their limited entry so far was due to various factors not in their own control remained unrecognized till the panchayat elections after the 1992 amendment brought a minimum one-third representation of women in panchayats at all levels from the village to district panchayats throughout India.

The reservations included in the constitutional change have provided institutionalized means for the explicit recognition and representation of the oppressed groups of women and weaker sections. These seek to solve the 'paradox of democracy' by which social and economic power makes some citizens more equal than others. These reservations, thus, constitute a 'critical act', which could be expected to change the position of the sections that so far constituted a small minority in these institutions and to break the link between social structures of inequality and exclusion and their political reflection in levels of participation and influence.

19.9 CLARIFICATION OF THE TERMS USED

Welfare State : It refers to the State where the government accepts the responsibility for the provision of comprehensive and universal welfare for its citizens. Here the government provides for a wide range of social services and carries out a large number of welfare and development activities.

Equalitarian : A person who supports equal rights and responsibilities. Equalitarian society is one in which every individual is equal. This is an ideal situation. In reality the society is highly stratified.

Representative Democracy: This is a form of democracy founded on the exercise of popular sovereignty by the people's representativeness.

19.10 SOME USEFUL READINGS

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