



## **Women Reservation in Parliament & Assemblies-A Historical Study in India**

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### **Abstract:-**

"You can tell the condition of a nation by looking at the status of its women". The progress of a country can be judged by seeing the status of its women" - Pt Jawaharlal Nehru

"Woman is inferior to man", Aristotle chauvinistically remarked, ages ago. Till date, discrimination on the basis of gender remains a cardinal feature of most societies of the world. Social stereotyping and violence at the domestic and social levels are some of its manifestations. In fact, domestic violence is a great leveler, as its victims transcend all barriers of education, economic dependence, age and social strata. Still, if we cast a look at women representation in the Parliament and the state assemblies, it is found that it is strictly limited to 14% only. Furthermore, the

women ministers amount to 2% only. This scenario put a mirror with true reflections on women representation in India. Today, the first and the foremost thing for women empowerment in politics are but reservation. If the so-called reservation bill gets through the Parliament and the State legislative assemblies, women will get 33% of the total seats in the bodies concerned. Then they can contribute positively in the field of politics and the development of the nation, being instrumental in bringing about the desired changes in the political scenario. The women reservation bill is by no means an ordinary affair. Its impact may be really deep. It stands for an effort aimed at bringing changes in the shape of the patron of legislative bodies or institutions. This bill, needless to say, has capacity to cause fundamental overhauling of the Indian



Constitution. The Indian Government has tried several times to get the women reservation bill through the Lok Sabha and the Rajya Sabha so that women representation may be ensured in these esteemed institutions. If this bill were passed the total reservation for women would have been 181 seats out of 543 in Lok Sabha, 83 seats out of 250 in Rajya Sabha and 1370 seats of the total 4104 state assembly seats across India, since this bill helps women be privileged for a 33% of the total seats in the above mentioned constitutional institutions. From the day of independence to the election of the 16<sup>th</sup> Lok Sabha the rate of increase in women participation in the Lok Sabha has been 7%. If this rate is allowed to continue the magic number of 181 could be achieved in 250 years. By then, we shall find ourselves blatantly lagging behind in comparison with any other country.

**Keywords:** - Women Reservation, Parliament & State Assembly

**Introduction:-**

India is the largest democracy in the world. It has been as long as 68 years since

India got freedom. In India, new dimensions of development and progress have been achieved in diverse fields. The nation made tremendous progress in economic, social, educational, legal and political fields in the post Independence era. The nation has adopted a democratic system based upon the universal adult franchise. All the citizens of India enjoy equality of rights, and its women citizens, too, enjoy the (fundamental) rights to education, property, legal political participation. These rights, no doubt, introduced improvement in the social, economic, legal and educational conditions. However, they could not impress in the field of politics or in the matter of political participation. India, as it boasts of 50% female population, has a low percentage of political participation in case of women. Obviously, certain questions have been raised regarding women's political awareness under these circumstances. The political awareness simply means that they represent all kinds of constitutional institutions. Besides, they should be capable of ensuring their participation and taking independent decisions of their own.



In 1953, the government adopted the Women Welfare Policy and initiated the campaign to eradicate sex-discrimination. Afterwards, this journey took the shape of women development, and, now the slogan of women empowerment is reigning supreme. In India, women empowerment has assumed the dimensions of a burning issue, especially, in the field of politics. Democracy depends on participation of each and every individual. Woman voters have increased dramatically from 1952 to 2014 in India. At the same time the women representatives have been in negligible numbers in the Parliament as well as in the state assemblies. Indian democracy has traveled a long path since December 28, 1885 to March 09, 2010 in the field of political empowerment of women. The Rajya Sabha took an all time important step (since the inception of the Indian National Congress) the day it made provision of 33% reservation for women. Beginning from Annie Besant, the first woman chairperson of the Indian National Congress, there are infinite aspects of luster of female faces in

progress in such diverse fields as politics, sports, education, medications, judiciary, administration, etc.

Our social structure is no less responsible for lack of women's participation in the Parliament and the state assemblies. Here women are considered as second class citizens. On the other hand the assumption that reigns supreme that politics is the field of the male. Thirdly, the often put argument is that women lack proper and adequate understanding of politics, that they cannot form their own vote bank, cannot raise funds and other resources, and that they cannot establish themselves as elections winners. The fourth argument is that politics is never safe for women. The fifth opinion is that even the voters fall a prey to their prejudices and think that women are not competent enough in making decisions and formulations regarding policies. Public psychology has come to such a pass that, instead of focusing on the political exploits of a woman, they take rather a deeper look in her personal life. This psychological corruption hampers women's entry into

politics. Along with the reservation for women, it is also imperative that the common psychology undergoes a positive change in this regard

### **History of Women Reservation in India:**

In the politically representative institutes the question of reservation for women has been an issue of debate since the British times. In 1930, it was discussed under the constitutional reforms, too. Women were given the right to cast votes in 1921 by Bombay and Madras, in 1923 by the United States, in 1926 by Punjab and Bengal, in 1930 by Assam and the Central State Bihar, Orissa. Various social groups such as the Muslim community and the backward classes undertook severe discussions regarding women's reservation. First, in 1926, a woman was given berth in the state assembly through nomination. In 1950, Sarojini Naidu, the head of the Indian women organization, started a movement for universal adult franchise and the right to election, the movement was initiated in union with the Indian National Congress. The British government made provision for

reservation for women organizations in the act of 1935. In this act seats were reserved for women. In this act, the 'women general' was categorized in three classes The Muslim woman, The Hindu women and The Anglo-Indian women. The classification is an evidence in itself that women got reservation on the basis of religion and not as a separate social group as women.

Under the 1935 Act, The British Government reserved 41 seats for women in the state assemblies and some seats in the central assemblies. Diverse committees presented their reports on women's political participation between 1935 to 1974. In 1939, Pandit Nehru and Subhash Chander Bose Constituted National Planning Committee under Indian National Congress. This committee brushed aside the quota proposal for women. When the constitution came into force after independence the proposal was again given no thought. Our Indian constitution bestows equal rights on men and women without any distinction, and, besides, there is provision under the Fundamental rights that the state, if required,



may make special provisions for the fair sex. Both men and women are equal in the eye of the constitution. Both enjoy similar fundamental rights and, hence, women need no reservation in politics at all.

The National Backward class commission was constituted in 1953 with Kaka Kalelkar as its head. Kaka's report read that women enjoy a peculiar status in India. They live their lives under horrible deprivation and must be given the status of the backward class. However the report could not convince the government and it rubbished the proposal saying the upper and the middle class women enjoy a better position and hence do not fit in this classification. Both these types of women are self-dependent. All the same, the position of the lower class women is undoubtedly miserable and cannot be overlooked.

In 1971, after a lapse of almost 25 years post independence, the Indian Government formed the "Committee on the Status of Women in India (CSWI). The report of this committee published with

heading 'Towards Equality (1974)' surprised the masses with many glaring revelations.

The report declared that despite an increase in the number of women in election process they have zero influence over the political process. Ideologically, they happen to be the largest backward class and yet their number is almost negligible in the political institutions. The committee recommended that seats should be reserved for women in the Panchayats and the urban bodies. It is also pertinent to say that the two members of this committee, Veena Mazumdar and Lotika Sarkar, strongly recommended reservation for women in the whole legislature.

A 30% reservation for women was recommended by Rajiv Gandhi government in 1988, under the National Perspective Plan for women (1988-2000). The recommendations were focused on reservation in the Panchayats, urban bodies and political parties. The reservation provision was even put into effect in the

Panchayati Raj Institutions in such states as Karnataka and Gujarat.

In 1989, congress party passed a resolution in the Bhopal congregation in favour of 30% reservation for women in the Panchayati Raj Institutions and the urban bodies. During the Lok-Sabha elections 1989, the majority of political parties talked about promotions of women representation in their election manifesto.

The government of India has taken an important step for giving one third reservation in Local Body Institutions through 73<sup>rd</sup> and 74<sup>th</sup> constitutional amendments in 1993. The Govt. of Bihar, Govt. Madhya Pradesh, Govt. Himachal Pradesh, Govt. Jharkhand, Govt. Rajasthan and Govt. Chhattisgarh has given 50% reservation to its women in the Local Body Institutions

At present the caste-based reservation for the scheduled caste and scheduled tribes proportionate to the population in the Lok Sabha and Rajya-Sabha is in the process. But there is no provision of reservation for women under

this system. On September 12, 1996, H.D. Devgaura Government presents a proposal of such effect in the Parliament as the constitutional amendment since it failed to evoke the necessary favorable response, it was handed over to the Joint Parliamentary Committee for discussion. The committee was headed by Geeta Mukherjee. The committee presented its report on Dec. 09, 1996. Shortly afterwards, the Devgaura government came in minority and the 11<sup>th</sup> Lok Sabha was dissolved. On June 26, 1998, the National Democratic Alliance (NDA) government headed by Atal Bihari Vajpayee presented this bill as the sixth constitutional amendment in the 12<sup>th</sup> Lok Sabha. The history repeated itself again and minority government was again dethroned through dissolving the Lok-Sabha. The NDA government returned in power on Nov. 22, 1999, re-introduced the bill in the Parliament. But a lack of political consensus blocked the way and the bill met the same fate in 2002 (once) and 2003 (twice), primarily on account of the Lalu brothers.



In May 2004, the United Progressive Alliance government (UPA) promised in its common minimum programme to get the women reservation bill through the Parliament. The government tabled this much awaited and controversial bill in the Rajya Sabha in May 2008 and it was forwarded to the standing committee of related to law and justice. The standing committee put up its report on Dec. 17, 2009. Despite the brazen opposition by such political parties as the Samajwadi Party, the Rashtriya Janata Dal, the Bahujan Samaj Party, the Janata Dal United and the bill was floored in both the houses. In her address to the Parliament, the president, Pratibha Devi Singh Patil, on Feb. 22, 2010, reiterated her promise of getting the reservation bill through the Parliament at the earliest. In Feb. 2010, the Union Cabinet gave approval to take the bill in the Rajya Sabha. On 08 March 2010 the bill was floored in the Rajya Sabha. Due to the bullying threat of withdrawal of support by the Rashtriya Janata Dal and the Samajwadi Party, United Progressive Alliance (UPA) government

could not proceed with voting on this issue. Finally, this 108<sup>th</sup> constitutional amendment was passed amid great din and noise in the Rajya Sabha on March 09, 2010. The Trinamool Congress absented from the voting while the Bahujan Samaj Party blatantly boycotted the bill.

The bill continued pending waiting up to May 2014, for a thumps-up in the Lok Sabha, to acquire the form of the 108<sup>th</sup> constitutional Amendment. However, it automatically stood annulled with dissolution of the 14<sup>th</sup> Lok-Sabha afterwards.

April 2014, The Bhartiya Janata Party (BJP) declared in its manifesto that it is resolved on imparting 33% reservation to women in the legislature. In the light of this declaration the honorable Prime Minister and the President of India advocate for the women reservation.

For a powerful political participation of women, it is imperative that they are provided with reservation in the legislature keeping in view this ideal, the Government of India has put the bill in the Parliament



time and again so that women may be given reservation at the highest levels of politics.

### **Women Reservation and Parliament & Assemblies:**

Indian women do not enjoy the same facility of reservation in the Parliament and the state assemblies as they do in the Panchayati Raj Institutions. Many countries across the globe have already tried to empower women politically. Almost a hundred countries in the world have awarded reservation to women. Our neighbor and the so called fundamentalist state, Pakistan, too, has made a provision of 33% reservation for women in the Parliament. Then why should India, the largest democracy in the world, lag behind. It is surprising and shocking that an extremely Muslim fundamentalist state, Afghanistan can boast of a better political condition for its women. The Afghanistan women enjoy 25% reservation in the Parliament and the assemblies. Even in the local bodies in Afghanistan, women's presence account to a whopping 42% of the total. Our yet another neighbor again a

bigotary Muslim country, Bangladesh, has given 20 percent reservation to its women. Nepal another country in our neighborhood is making preparations for 33% reservation for its women citizens. Rwanda, Sweden, Denmark and Finland have the highest number of elected women candidates. The government of Finland laid it down that at least a 40% of the total representatives should be of women, if the body happens to be a decision making institution. The countries like Rwanda have a greater number of women parliamentarians (30%). But they are elected in far greater proportion (64%) and form than de-facto policy makers in the country. The reservation for women stands as 47% in Sweden, 45% in South Africa, 43 in Iceland, 42% in Argentina, 41% in Netherland, 22% in Morocco, 40% in Norway and Senegal. This is how various countries have honoured their women power within their territories.

Globally, there is a rise in women's political participation. They are reaching the Parliaments concerned in great numbers and are contributing in the development of their





nations as well as in the making of laws. India, in this regard, lags extremely behind. There is negligible growth in the number of women reaching the state assemblies and the Parliament. Women's condition in the state assemblies and the Parliament of India needs immediate attention and redressal of the dire problems.

It is not that Indian women are devoid of freedom to fight election. This right was conferred upon them with the inception of the constitution. Our democracy represents one of the richest democracies in the world still we lag behind in the field of women's political empowerment, why? The only reason behind this fiasco is that the government did not make any provisions for reservation of seats for them.

On June 09, 2014, the honorable President, Pranav Mukherjee reiterated the government's commitment in the joint conference of both the houses that women will be given a 33% reservation in the state assemblies and the Parliament. All the women, parliamentarians, social organizations and media welcomed the

speech. In Indian politics, there is an argument about women's participation in politics. The demand for 33% reservation for women is lying inactive at present. But this has been quite contentious. In 2010, Goa Chief Minister Digamber Kamat said "If women keep away from politics it will be in their own interest, otherwise politics will drive them mad. The path of politics is full of thorns, which is difficult to get through. They should not emphasise on the concept of 33% reservation, instead should focus on the coming progenies." The male class may agree with this statement of Kamat but the female category was greatly shocked and they criticised it.

Women population in the world is approximately 3500 millions. Out of them, fifty-five crore live in India as per the 2011 census. A 33% reservation to women in the Indian Parliament means a reservation to the 15% female population of the world. The reservation bill lies pending for years now. The only reason behind it is that perhaps no political party at heart is in its favour. Not to talk of the reservation for them, there are



attempts focused on scaring them away through violence. A report on violence against women in politics prepared by the UNO and centre for social research is stunning. The report says that in India, 45% women candidates face violence in politics. A recent study by UN Women reveals that in India 90% women avoids politics against their will as there is fear of physical and psychological violence.

A symbolic presence of women in the Parliament and the State Assemblies cannot change the status and direction of women empowerment in India. The duty in this concern does not end with enthroning a few selected ones on the posts of the President, the Prime Minister, the Speaker, the Chief Minister, the Cabinet Minister, etc. On the other hand they need to be incorporated in the main stream of our democracy. In this largest democratic state of affairs, the challenge is whether we can make women a major part of our political system, and that, too, without discrimination. It is, of course, possible, provided that we ensure their representation

at every level of politics in proportion to their population. Our reverend Parliamentarians have been talking of passing the reservation bill. However, they wish otherwise. If the women reservation bill (108<sup>th</sup> constitutional Amendment) gets through it will jeopardize the seat of almost 265 male Parliamentarians (as the total number of seats in the both the houses of the Parliament is 800 and its 33% comes at 265). In addition to that women can participate in elections independent of reservation facility too. Since this reservation bill poses no such numeric limitations in this regard. Thus, the total number of the elected women candidates may cross the 300th mark. At present, there are 91 elected women candidates in both the houses. It is evident that the leaders will destroy their own prospects by letting the reservation bill pass.

The passing of this bill may result into 50% of women participation in the Parliament as the 33% reservation will add up to those who are already well established in the political arena. Under such

circumstances, they will have to be accommodated in the cabinet. Hence the decision making power of the male category may get affected.

Just look at this peculiar side of the women reservation bill. If by chance, this bill gets through both the houses of the Parliament, what will be the possible consequences? In such a scenario, the stalwarts like Rahul Gandhi, Bhoopinder Singh Hooda, Kamal Nath, and Mulayam Singh Yadav will have to vacate the Amethi, Rohtak, Chhinadwara and Safai seats respectively-the seats they possess as if these were there paternal lands. The long nurtured seats by them may go in some women's assets. That is why all the leaders feel in the deep sea. The bill demands that each and every Parliamentary seat is to be reserved for women once in every fifteen years. However the political leaders may speak in favour of political reservation for women and an equal status, there is a huge difference in their doing and saying. The political parties that make a noise about the women reservation bill are revealed in their

true colours as elections approach. In the election of 2014 women candidates got tickets at an average of 6.1%. All the political parties are favouring the reservation bill to grind their own ends. The male members in the Parliament account to 90%. What as a proof of sex discrimination can surpass it? For this, the responsibility falls not only on our social framework but also on the political one.

The political parties do not want to replace their candidates as they fear their rebellion and the resulting shift in their vote-banks. Consequently, a particular person occupies a particular seat again and again. The case is no different when the attention is focused on the parties under control of women. The desired change is possible to enact only if the Parliamentarians and the members of the legislative assemblies are prevented from contesting elections more than twice or thrice. There are certain countries in the world where the tenure of the head of the nation is limited. Why can't we fix it in relation to our parliamentarians and the members of the legislative



assemblies? As a glaring instance of it, the President of the United State of America can't be elected for a third time.

### **Conclusion:-**

The first step towards woman empowerment is reservation. In modern age the political participation of women is not going to be different until and unless certain seats are categorically reserved for them. It is through reservation only that women participation can be enhanced up to new levels in politics. With a rise in their representation in authority, the rise in faith for them shall-develop too. How can they prove their prowess until they are given the right to formulate policies and take decisions and this is possible only when women get reservation in the current political scenario. During the freedom movement thousands of women come out of their houses at the call of Gandhiji. They played an important and active role in the movement. The perusal of the last 160 historical years reflects facts that speak volume for the bravery of women. Still their participation in politics is negligible. It is visible on papers only.

Though the constitution confers equal rights upon men and women without discrimination, yet the later are still struggling for rights and safety. Gandhiji openly announced, "Society ought to accept equality, respect and rights of women, and should consider them equal to their husbands and families." The equality of rights, freedom, liberal attitude, self-respect, progress – all these sum up in an individual's competence and ability. It makes it clear until we take women's competence to the next level, the slogan of empowerment carries no weight, no significance.

Pt. J.L. Nehru once remarked, "No law can make men and women free till they are under each-other economic dominance." The financial dependence of women is also the root cause of all the problems of women. The reservation for women gets motivation from this thought too, so that they may improve their social, legal and financial status through entering in the politics. This half of the total population craves for 33% reservation at the legislative level. It can't be called an excess demand? The fact is that



women long for this reservation so that their political participation may be ensured and the injustice meted out to women in the country may be eradicated. After independence, the successive central governments have made an attempt for reservation for women. It got a partial success with the provision of reservation for women in the Panchayati Raj Institutions. The attempts for reservation in the Parliament and the assemblies have been made since a long time. There is a good indication as the Rajya Sabha passed the Women Reservation Bill in 2010, though it failed to sail through the Lok Sabha. Even if the 108<sup>th</sup> constitutional Amendment passes the barrier of the Lok Sabha, it will still require the favour of at least 15 state Assemblies across the country. However small the success so far, it can be safely said that the reservation bill is undoubtedly a revolutionary step in the direction of women empowerment in our country.

Women represent the constructive, the creative force of society. The status of women in a way symbolizes the tradition

and culture of a nation. We have to empower women today so that the future may be set right. The need of the hour is that we bid farewell to our traditional outlook and adopt a dynamic attitude for our betterment. In the words of Ram Manohar Lohia: "Power manifests itself on the right occasion will ahead of its actual manifestation". Power gets oppressed when oppressor presses, as if it was not there, nor has ever been". Indian women are the strength of the nation. This strength in Indian society has been kept under repression since ages. Now it looks like that they stand sans faith, sans ability, sans competence. Now the time has arrived that they manifest their original glory and prove their mettle. It requires conferring rights for women in every field, most importantly in the field of politics. If women obtain 33% reservation both in the Parliament and the state assemblies, they will on the one hand, be the part of the election process and on the other will get an opportunity of getting into the active circle of politics. The reservation will act as an aid to bring them out of their

narrow and limited sphere. After all, the women reservation bill is not targeted on reserving seats for women in politics only for the sake of politics. On the other hand, it is focused on the all round development of women.

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