INDIA’S WOMEN’S RESERVATION BILL:
INCREASING WOMEN’S REPRESENTATION THROUGH
ELECTORAL ENGINEERING

by

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ABSTRACT

The Women’s Reservation Bill was originally introduced into the Indian Parliament in 1996. It promised a reservation of 33% for women in all legislatures. Since then, the Bill has been introduced and temporarily set aside three times – the last of which occurred in May 2003. All major political parties have supported the Bill regardless of their ideological stance, yet they have not been able to come to a consensus on the exact nature of the reservation.

The central question, then, is two-fold: why have politicians and affirmative action theorists advocated reservations as a means to increase the representation of women? Are reservations a useful policy to pursue? In order to answer these questions, it is necessary to examine feminist and affirmative action theories, comparative evidence on quotas, and the nature of electoral and party politics in India.

Reservations have been advocated by parties that have electoral gains to be made; conversely, parties that oppose the Women’s Reservation Bill are ones that will likely lose votes and seats. The theoretical and comparative evidence suggests reservations are a powerful and useful tool to increase the numbers of women in decision-making institutions. While there may be some problems associated with reservations, they can act as an important step in breaking the male dominance of legislative institutions, particularly when parties and institutions are not conducive to the election of women. Reservations allow for both inclusion and effective participation.
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<tr>
<td>BJP</td>
<td>Bharatiya Janata Party</td>
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<td>BSP</td>
<td>Bahujan Samaj Party</td>
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<td>CEDAW</td>
<td>Convention on the Elimination of All Forms of Discrimination Against Women</td>
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<td>CPI(M)</td>
<td>Communist Party of India (Marxist)</td>
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<td>LDC</td>
<td>Less-Developed Country</td>
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<td>MMD</td>
<td>Multi-Member District</td>
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<td>MP</td>
<td>Member of Parliament</td>
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<td>NDA</td>
<td>National Democratic Alliance</td>
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<td>NGO</td>
<td>Non-Governmental Organization</td>
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<tr>
<td>NRM</td>
<td>National Resistance Movement (Uganda)</td>
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<tr>
<td>OBC</td>
<td>Other Backward Class</td>
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<td>PR</td>
<td>Proportional Representation</td>
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<td>PRI</td>
<td>Panchayati Raj Institutions</td>
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<tr>
<td>RJD</td>
<td>Rashtriya Janata Dal</td>
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<tr>
<td>SC</td>
<td>Scheduled Caste</td>
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<tr>
<td>SMD</td>
<td>Single-Member District</td>
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<td>SP</td>
<td>Samajwadi Party</td>
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<tr>
<td>ST</td>
<td>Scheduled Tribe</td>
</tr>
<tr>
<td>UP</td>
<td>Uttar Pradesh</td>
</tr>
<tr>
<td>WRB</td>
<td>Women’s Reservation Bill</td>
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CHAPTER I: INTRODUCTION

The 1979 United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) commits its signatories, India included, to ensure women equal access to, and equal opportunity in, political and public life—including equal rights to vote and to stand for election. Furthermore, by signing the Convention, states agree to take measures, both legislative and temporary, so that women can enjoy fundamental freedoms and rights. Such a demand for equal participation is, as the Beijing Platform notes, “not only a demand for simple justice or democracy”, but “a necessary condition for women’s interests to be taken into account” (Sawer 2000: 362). Thus, there has been increasing recognition among international organizations and non-governmental organizations (NGOs) that women have been, by and large, excluded from formal politics. While women have gained rights equal to those of their male counterparts in many countries, it seems problematic that they are still not represented in proportion to their population anywhere in the world.

Indeed, the Indian government recognized problems of inequality while drafting its Constitution, and included provisions to increase the political participation of marginalized groups. Article 15 of the Indian Constitution states, “Nothing in this article shall prevent the State from making any special provision for women and children” and that “Nothing in this article...shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens…” (Nussbaum 2001: 39). The ‘special provisions’ to increase the political participation of marginalized groups have taken the form of reservations or quotas in legislative bodies.
The implementation of reservations is not a new phenomenon in India; quotas are ensured by the Constitution for India’s historically oppressed groups known as the Scheduled Castes and Scheduled Tribes. The latest proposal has been to implement reservations for women in the Indian Parliament (Lok Sabha) and State Assemblies (Vidhan Sabhas), a proposal which has been alluded to by political parties and women’s groups since Independence, but has taken on political form in the 1990s. The legislative proposal, generally known as the Women’s Reservation Bill (WRB), was presented by the United Front government in 1996. It promised a reservation of 33% for women in all legislatures. Initially, all parties, irrespective of their ideological position, agreed to support the legislation; however, due to disagreement between parties, the Bill was referred to a Joint Select Committee for review. Since then, the WRB has been introduced and shelved three times — the last of which occurred in May of 2003. The most recent Bill included, in addition to the one-third reservation, the following provisions: 1) reserved constituencies are to be determined through a ‘draw of lots’ system whereby a seat is only reserved once in a block of three elections, and 2) women from the Scheduled Castes and Scheduled Tribes category are to be given reservations in one-third of the seats already reserved for them (Kishwar 1996: 2872; Kishwar 2003).

What is curious is that while very few male politicians opposed the Bill openly and all the major political parties include reservations for women in their manifests, there has been “lack of general will among parties to pass it” (Hoskyns and Rai 1998: 348). Various reasons are given for this failure, the most common of which is that reservations for women have been linked with debates over giving reservations to the ‘Other Backward Classes’ and Muslims. Some argue that these groups need reservations
before or instead of women, while others argue giving women reservations will lead to a 'slippery slope'. The problem is, however, that giving reservations to women will undoubtedly take power away from some men, and this is the cause for concern. While it may seem surprising that there has been little vocal opposition to the WRB and that the public seems to be behind the Bill, the fact that women were considered for such a measure is not that shocking considering the historical foundations of reservation policy in India. Rather, what is more perplexing is that male-dominated political parties are willing to make such concessions to women. While some benevolence may be involved, Indian parties are not conducive to giving up power and seats in a system where both are difficult to obtain. Thus, one has to wonder why parties are supportive of, and some in fact insistent on, extending reservations to women. The question of what can be achieved from the implementation of reservations must also be addressed. Most simply: why reservations?

My central contention is that while there are several problems associated with the implementation of reservations to increase the presence of women in legislatures, reservations are the best option in the Indian political situation. While reservations cannot be expected to dramatically change the status of women or lead to the representation of women's interests, they can act as an important step in breaking the male dominance and patriarchy of political institutions, particularly when electoral arrangements and political parties are not conducive to the inclusion of women – as is the case in India. Reservations can allow for women to be included and effectively participate. Since the WRB has not been passed, my argument is based upon theoretical considerations and comparative evidence.
Chapter II will focus on theoretical considerations of representation, affirmative action, and electoral arrangements. It will examine why presence matters, why it is important that women be included in political institutions, and how to increase inclusion via affirmative action policies. It also examines some of the international experience with various types of quotas for women. Chapter III looks specifically at the Indian case – India’s experience with reservations, and the role of Indian women in party and parliamentary politics. Finally, Chapter IV provides an analysis of the WRB and the use of reservations for women in the Lok Sabha. The chapter seeks to analyze the political motivation and need for reservations, and evaluate the effectiveness of reservations in creating space for the recipients of the policy to participate in a meaningful fashion.

Effective participation in this sense entails that representatives know their roles and duties, express their opinions and concerns, and actively debate issues; it also means that representatives are able to influence decision-making and to attain the highest offices in a party or the government. It would be naïve to assume that the legislature is the real decision-making body of any democracy, and India is no exception. The Indian political system that has emerged since the 1990s is one of uneasy coalitions and electoral votebanks. Nevertheless, Parliament and the state assemblies remain the places that provide the ministers and other higher decision-makers; moreover, in a system of coalition politics, these legislatures and their members become increasingly important. Thus, an evaluation of reservations for women involves a discussion of whether they can help create inclusion and effective participation. The concern is with how women are incorporated into the existing system, and also with whether they can change the system. One of the key areas to examine is whether reservations can make political institutions
more gender sensitive. My prediction is that a legislature composed one-third of women will allow for greater inclusion in both numerical and substantive terms.

Women have been excluded from the political process for too long, and many feminists are abandoning the hope that social and economic progress will lead to greater political inclusion. Fed-up with the slow pace of such changes, they feel a pressing need for reservations and other policies. India has been an international forerunner in the area of reservation policy, and though Indian policy has flaws, it demonstrates how electoral engineering can help create a more equitable and inclusive polity. Representation is key for the functioning of democracy where every person cannot participate directly in decision-making. The implementation of reservations recognizes the importance of representation in a democracy, how some groups have been excluded from participation as representatives, and why this is problematic.
CHAPTER II: REPRESENTATION, PRESENCE, AND AFFIRMATIVE ACTION

The Concept of Representation

Representation in a democracy is generally understood to mean ‘one person, one vote’, where equality is achieved by equal voting rights. Since each person cannot represent himself or herself in a legislative body, the weight of public decision-making falls on those who are elected by the voters to represent them – the representatives. Yet, the role of these elected representatives and who or what they represent is not a clear matter. In his classic work *Representation*, Birch discusses the three main ways the term ‘representative’ is most commonly used:

1. to denote an agent or spokesman who acts on behalf of his principal
2. to indicate that a person shares some of the characteristics of a class of persons
3. to indicate that a person symbolizes the identity or quality of a class of persons (1971: 15).

The first of these is what is most commonly referred to as ‘delegate’ representation, or what Phillips Griffiths calls ‘ascriptive’ representation. This type of representation is where a representative “commits his client” to what he or she decides (1969: 135). This is similar to the Hobbesian notion of a representative, who is a man that acts in the name of another, and is free to do what he chooses (Pitkin 1969: 9). The second type of representative refers to ‘microcosmic’ or ‘descriptive’ representation where the representation is based upon similar personal characteristics such as sex or race. Finally, the last type of representation is sometimes called ‘symbolic’ representation. In addition to these, is the idea of a ‘trustee’, Burkean idea of a representative promoting the interests of the nation as a whole rather than a principle or a group (Birch 1971: 40). A representative can also be seen to represent the interests of his or her territorially defined constituency. In addition, a representative can represent the
ideology of his or her political party, and is selected as such. The problem with most of these definitions of a representative, however, is that they tell us little about what the representative actually does, and all five definitions seem to be in tension with each other. Should a representative represent the nation as a whole, personal interests, political parties, or sectional interests? Pitkin rightly notes that most arguments over what a representative represents fall into a “mandate-independence controversy” where the representative either acts as his or her constituents wish, or acts as he or she sees fit (1969: 17). However, Pitkin and others such as Young argue this delegate-trustee dichotomy is a false one, that representation occurs between a representative and the constituency and between the representatives within a decision-making body.

Another facet of the discussion is the descriptive / substantive representation dichotomy where the personal characteristics of the representative are seen to be secondary to the ideas, opinions, and interests of the representative. This is what Phillips has coined the politics of presence versus politics of ideas debate. That is, traditional liberal thinking has detached the ideas a person holds from their personal experience and characteristics (Phillips 1993, 1995, 1996, 1998). She argues that what is to be represented has taken precedence over who does the representing. However, many theorists, including Phillips, argue that such a dichotomization is false; instead, they contend there is a connection between the characteristics of a representative, the opinions and beliefs they hold, and what they do (Phillips Griffiths 1969: 142; Phillips 1995: 5). The judgements a representative makes are in fact value-laden and it is impossible to separate a person’s experience from their ideas. Similarly, Birch argues that there is no central definable purpose to representation called substantive representation that Pitkin
and others attempt to discover. Instead, Birch contends there are three central functions of representation: popular control, leadership, and system maintenance (1971: 107).

Once it has been established that representation is key in a democracy and serves many functions, the problem of under-representation arises for some. That is, are there citizens or groups of citizens that are not being adequately represented? Yet, the term ‘under-representation’ is itself problematic, and can have multiple meanings. It can denote the under-representation of interests, or of certain groups in the legislature. It can also refer to the right to act as a representative, or to all three (Sawer 2002: 5). It is the under-representation of women and other social groups in society, and how to resolve this problem that is the central concern of this thesis.

**Group Representation**

When observing the composition of most of the world’s political bodies, it is striking that the majority of them are made up of mainstream, relatively well off people, and are overwhelmingly male dominated. It is from this observation that many scholars have begun to study how and why formal politics is, in general, unrepresentative of society at large. Feminist academics such as Melissa Williams argue that the starting point for feminist work in this area is “the fundamental intuition that when historically marginalized groups are chronically underrepresented in legislative bodies, citizens who are members of those groups are not fairly represented” (1998: 3). Yet, the view that fair representation requires presence has been difficult to justify since the mainstream Pitkinesque belief has been that it matters not who your representative is, but what your representative does. Faced with such opposition and traditional thinking, feminist scholars such as Williams, Mansbridge, Phillips, and Young have attempted to
demonstrate why in fact it does matter who does the representing, and why representation of groups, such as women, in political bodies should be increased.

i. Voice, Trust, and Memory

In Voice, Trust, and Memory, Melissa Williams examines how the liberal promise of equality of opportunity is insufficient in providing real equality since it assumes equal resources and starting points. Instead, she argues both procedural (equal voting rights) and substantive fairness (fair outcome) are important. In a liberal democracy, interest group pluralism defines which groups should be represented, and it assumes that men can represent women, or whites can represent blacks, etc. because representation is about interest articulation, which is gender and race neutral (1998: 80). In fact, group representation is seen as damaging to national unity and the public good. However, Williams contends this reasoning is flawed, and that some interests will always be ignored. While not all members of a group will attach the same significance to group identity, at the most basic level, “the objective fact of marginalization gives group members a shared interest in overcoming that marginalization” (1998: 18). Furthermore, while many have ignored descriptive characteristics as a basis for representation, Williams argues, “there are good reasons to believe that members of marginalized groups, on average, are more likely to represent the concerns and interests of citizens from those groups than are nonmembers” (1998: 6). Members of groups share the experience of marginalization and a distinctive perspective on policy that stems from this experience. Thus, it is not that a woman can represent all women and their varied interests, but that women share the experience of marginalization which will influence how they articulate their opinions and ideas in the public sphere.
This is a difficult argument for academics to make since they can fall into the trap of creating an essential woman's identity with homogeneous women's interests. Yet, Williams' contention is not that there is such a thing as homogeneous women's interests, or that women form an interest group, but that women have a "distinctive voice" that leads to claims of self-representation. Therefore, it is not enough to articulate these interests to men; women must express their views themselves (1998: 119). Women's interests are not permanent and fixed, and their membership in their social group is "involuntary, immutable, and dichotomous", whereas membership in an interest groups is "voluntary, shifting, and a matter of degree" (1998: 116). Similarly, Sapiro argues that some groups, such as women, are politically relevant because of the fact that they have been denied the opportunity to form an interest organization (1998: 165). She points to differences between men and women in property matters, economic opportunities, protection from violence, control over fertility and childcare, and civic rights that have been reinforced by public policy, and how these differences lead to women having their own concerns and opinions on public policy. However, she avoids the slippery slope of homogenizing women's interests by noting:

> to say that women are in a different social position from that of men and therefore have interests to be represented is not the same as saying that women are conscious of these differences, that they define themselves as having special interests... (1998: 167).

Williams identifies two criteria to determine which groups merit recognition and self-representation: "contemporary inequality as compared to other social groups, and a history of discrimination and oppression" (1998: 176). Claims to recognition will hinge on history because there is a connection between historical oppression and contemporary inequality; this connection stems from the fact that groups that have been historically
marginalized continue to be so often because they were in the past. Williams’ case for special recognition for women as a group hinges on considerations of justice and inequality. She argues it is inherently unjust that large sections of the population are excluded from formal politics because of their group membership. This implies that without discrimination and inequalities, we would expect to see more women and members of other groups in legislatures.

ii. Should Women Represent Women?

Mansbridge’s work asks the central question: should blacks represent blacks and women represent women? She argues that opposition to descriptive representation stems from confusion between the two forms of descriptive representation – microcosmic and selective (1999: 631). The microcosmic form is when a legislative body is designed to form a microcosm, or mirror sample of the electorate; on the other hand, the selective form involves giving selected groups greater representation than they would otherwise achieve in the existing electoral system. Selective forms of descriptive representation are necessary “only when some form of adverse selection operates within an existing system to reduce the proportions of certain groups below what they would achieve by chance” (1999: 632). Thus, the advocacy of special representation rests upon the assumption that there are processes, such as poor institutional design, interfering with expected proportionality (half the legislature being women, for example). For Mansbridge, the deliberative function of democracy demands that various groups be represented because descriptive representatives can better represent interests. She refers to this as “deliberative synergy”; that is, increased representation will lead to more and sometimes better information and insight into matters of public policy (1999: 636).
Mansbridge asks several questions regarding the criteria to be employed in order to determine which, if any, groups should benefit from increased descriptive representation. What features of the electoral system have discriminated against groups? Do members of the group consider themselves as able to represent themselves? And have dominant groups ever intentionally made it difficult for members of a group to represent themselves? (1999: 639). The answer to Mansbridge’s question, ‘should blacks represent blacks and women represent women?’ is ‘a contingent yes’. She identifies four situations in which descriptive representation is a positive, sometimes necessary, measure: in contexts of distrust, in contexts of uncrystallized interests, for the construction of social meaning, and for de facto legitimacy. The first of these, contexts of distrust, refers to those situations where there has been historical distrust between groups. Here, descriptive representatives would help to facilitate communication between representatives and constituents (1999: 643).

Second, interests are uncrystallized when the issue or issues have not been on the political agenda for long, and candidates or parties have not taken positions on them. When interests are uncrystallized, or issues undefined, communication between representatives is enhanced via descriptive representation (1999: 644).

Descriptive representation can also aid in the construction of social meaning; that is, when members of a certain group have traditionally been seen as second-class citizens and as less able to rule, increased descriptive representation can undermine the perception that politics is the domain of the traditional rulers (males).

Finally, increased descriptive representation increases the “empirical legitimacy” of the polity (1999: 650) by including historically underrepresented and marginalized
groups. Thus, for Mansbridge, group representation is important when there are flaws in the political system, both systematic and systemic prejudices, which exclude members of certain groups from achieving proportionality in political bodies. The assumption is that increased proportionality will lead to increased deliberation, and the promotion of democratic legitimacy.

iii. Gender, Seriality, and Perspective

Young’s extensive writings on the subject of group or descriptive representation start from the assumption that equality as sameness is insufficient in providing substantive equality: “equality as the participation and inclusion of all groups in institutions and positions is sometimes better served by differential treatment” (1990: 195). Similarly, Gould notes that, “justice requires not the same conditions for each one but rather equivalent conditions determined by differentiated needs “ (1996: 180).

Young argues that while it is impossible to see women as a unified and homogeneous group, there are pragmatic reasons for thinking of women as a group. In “Gender as Seriality,”6 Young uses Sartre’s concept of a serial collectivity in order to demonstrate how women can be considered a category without being essentialist. She notes that recent strategies for solving the essentialist problem fail because they either acknowledge an infinite regress of identity and interests where “no single representative could speak for any group” (2000: 123), or they argue women constitute a group only for feminist purposes, which implies there is some mutual coalition among women (1999: 207). As a result, Young devises her own conception of women as a group, one that can exist independently of feminist politics.
To begin, Young differentiates between a group and a series. A group is "a collection of persons who recognize themselves and one another as in unified relation with one another" and "undertake a common project" (1999: 212); whereas, a series is a "social collective whose members are unified passively by the objects around which their actions are oriented..." (1999: 213). A series has no clear attributes; it is a "blurry, shifting, unity, an amorphous collective" (1999: 217). While all members of the series are not identical, and identification with the series can be weak or strong, the individuals in the series are interchangeable because of the relationships in which members stand to each other and those outside the series. This seriality emerges from the fact that women face exclusions, oppressions, and disadvantages due to their structural position in society. Furthermore, gender is constructed by the realities of the female body, female experiences such as childbirth and pregnancy, and the sexual division of labour (1999: 218). These differences will enable or constrain action, but they will not determine it. In other words, while each woman will face similar social positioning by virtue of her gender, her responses to this positioning will vary: "no woman’s identity, then, will escape the markings of gender, but how gender makes her life is her own" (1999: 223). Social position conditions rather than determines individual identity.

In later work, Young further develops her theory to demonstrate how these gender or structural differences, what she calls social group difference, lead to social group perspective. Being similarly situated in social positioning generates a social perspective, which derives from varied experience, history, and social knowledge (2000: 136). The key to women as a social group, thus, is not that they share common interests or opinions, but that they share a social perspective. This perspective does not contain a
specific content, but is “a way of looking at social process without determining what one sees” (2000: 137). Individuals will have a multiplicity of perspectives since they are members of various social groups. This does not mean that men cannot understand a female perspective, but that it will be harder for some males than others, and as Tremblay and Pelletier argue:

even if men are more feminist than certain women, the former cannot embody the latter through the mechanisms of power, cannot express their experiences as second-class citizens, and cannot contribute to the legitimacy of a political system overtly monopolized by one gender at the expense of the other (2000: 398).

If we recognize that deep structural inequalities and patterns of subordination and domination exist, then social group difference can act as a resource to promote justice and communication; in short, inclusion. Inclusion based on difference also promotes equal respect; maximizes social knowledge available to make decisions; and motivates people to transform political debate claims from ones of interest to those of justice (Young 2000: 115). It should be noted, however, that greater inclusion does not guarantee greater cooperation and agreement; in fact, it may lead to increased difficulties. For Young, group representation encourages inclusion and participation when groups have been historically marginalized, and when some structural groups have dominated discussion and decision-making. Group representation is thus a just response to oppression.

iv. The Politics of Presence

As noted earlier, Phillips has contributed much to the work on representation via her literature on the ‘politics of presence’. Representative democracy has led to the primary concern being what representatives represent as opposed to who they are; as a result, accountability to their constituencies is seen as a primary function of
representation. If accountability is seen to reduce autonomy, this minimizes whether a representative is a male or female (1998: 227). Moreover, if the interests of a constituency are relatively fixed, then it does not matter who the representative is because he or she can represent these interests with ease. Phillips argues, however, that representation entails both accountability and autonomy. Since interests are varied and unstable, and because representatives in fact have autonomy, it matters who the representatives are. Therefore, the lack of unified women's interests makes the case for increased women representatives. Phillips notes that the politics of ideas cannot be separated from the politics of presence: "to treat ideas as totally separate from the people that carry them is a mistake" (1996: 150), and when applied to women, the politics of presence does not seriously disrupt the politics of ideas because women have a diversity of ideas. However, this does not refute that interests are gendered. Not meaning that all women have the same interests, but they may have interests that are different from those of men (1995: 68).

The separation of ideas from presence does not deal with the fact that social groups have felt themselves excluded from politics, and their interests and opinions have been ignored. The current interest in increasing women's representation and achieving proportionality focuses on institutional solutions that can achieve more immediate changes because the process of structural transformation has been slow, and because of concerns that the range of political ideas has been constrained by the people who convey them (1995: 13). While there is no guarantee about what changing the gender composition of political bodies would do, Phillips argues that it is unlikely that a legislature with 50% women would behave exactly like one with none (1995: 83).
Phillips endorses a relationship between ideas and presence in order to achieve a fair system of representation. If we conceive of political equality as implying equal participation via equal voting, then this should logically extend to the equal right to serve as a representative (1995: 36). Thus, her central argument is that increased women’s representation should not rest on a notion of group representation (women are not a unified group), but that there should be more women representatives because decision-making bodies are so out of proportion that certain voices are being “silenced or suppressed” (1993: 99).

**Increasing Presence**

The solution to the problem of under-representation of women in decision-making bodies for some feminist writers is inclusion through institutional and legal reforms. One of the most common reforms proposed is to introduce electoral reforms of various sorts in order to strengthen women’s presence in legislative bodies. Many academics advocate such measures because they find political equality defined as equal voting insufficient, and because of frustration with the standard focus on economic or social transformation prior to increased political presence (Phillips 1996: 147). Thus, many feminists have examined how the state can act as an ally for the attainment of feminist goals, and why sex and gender are politically relevant identities, even though women are not a monolithic group. Some feminists see the state and the institutional and legal changes it can provide as being the key to including more women. They have labelled the feminist project of increasing women representatives as a ‘liberal’ venture since it involves allying with the state, and assuming that the categories of ‘women’ and ‘feminist’ substantially overlap (L. Young 2000: 4); yet, proponents of increasing women’s representation via the
state do not necessarily see themselves as liberal feminists. In fact, most challenge
traditional liberal assumptions, such as equality of opportunity and the principles of merit

Arguments in favour of increasing women’s presence in decision-making bodies
generally fall into one of five categories. These are either based upon the ‘sameness’ or
the ‘difference’ between women and men (Sawer 2000: 365). The sameness arguments
involve equality of opportunity, and how women’s representation should be increased
because they are equal to men, but have been discriminated against. The difference
arguments focus on how women will do politics differently, or bring alternative
perspectives to policy-making. The first argument emphasizes the symbolic reasons for
increasing group representation. The reasoning underlying this argument is that
increasing women’s representation will have the effect of 1) increasing respect for
women; 2) creating role models for other women; and 3) increasing the legitimacy of
institutions (Phillips 1995: 39; Sawer 2002: 6). Increasing the number of women will
legitimize their presence to the public and to other decision-makers. Most academics,
however, reject this argument as the sole purpose of group representation. Phillips, for
example, contends symbolic arguments are pragmatic, but do not justify increased

The second argument is based upon calls for justice, whereby the absence of
women in formal politics is seen to stem from discrimination and inequalities. Justice
arguments focus on the inherent equality of men and women, and how substantive
equality can only occur if the structural barriers that women face are eliminated (Phillips
1998: 230; Young 2000). The fact that women have been marginalized and oppressed
implies that equality of opportunity is not enough in achieving equal participation and representation.

Arguments about the promotion of democracy are relatively straightforward. The rationale behind such arguments is that increased participation by marginalized groups will promote better and more legitimate democracy.

The final two are difference arguments. The first is that increasing women’s presence will lead to increased representation of women’s interests. This line of thinking has already been problematized. Assuming that women have unified interests, that men cannot represent these interests, and that women will in fact do so, are dangerous assumptions that are vulnerable to attack. However, the more promising arguments in this vein are those by Mansbridge, Young, and Phillips. They argue that women do not necessarily share common interests, but that their inclusion would change the content of discussions to include other perspectives, insight, and information. Phillips notes that since voting is not reliable as the final word of preference expression, group representation can introduce those ideas and concerns that have not reached the political agenda (1995: 44). She also argues the traditional left-right spectrum cannot encompass the range of opinions and views on all issues. Similarly, Young’s use of seriality and perspective demonstrates how there can be both unity and fluidity in thinking of women as a group. Mansbridge uses a Burkean notion of representation to argue that since there are a variety of women’s interests, there should be more women representatives.

The inclusion of greater knowledge and insight, however, is not restricted to only those issues considered ‘women’s issues’. By women’s issues, I am referring to those specific issues, problems, and concerns women have because of their structural and social
positioning. Issues such as domestic violence, childcare, and reproduction are of special interest to women and are gendered; however, not all women will have the same opinion on these issues. While it is likely that women representatives would raise issues of importance to women, their participation should not be limited to such discussions.

Finally, the last type of argument concerns how women will do politics differently, and that they will bring a different voice to politics (Gilligan 1982). This argument can be problematic if it is assumed that women are morally superior to men, or that they will be less corrupt, more sensitive, and ‘better’ than men. Some theorists warn against such thinking that emphasizes the maternal qualities of women (Carroll and Zerilli 1993: 68). However, as Phillips notes, this is not to say that men and women will do politics exactly the same, but that there should not be a double burden upon women to act both like men and, at the same time, differently from them. What matters is that women are able to bring the variety of opinions they hold to political discussions.

**Affirmative Action: Definitions, Logic, Benefits, and Costs**

Of the variety of institutional and electoral reforms that could be made to increase women representatives in legislatures, affirmative action schemes are perhaps the most controversial. Many academics would rather endorse measures such as changing campaign funding laws, moving from single-member districts to multi-member ones, or changing electoral systems to ‘more women friendly’ ones like proportional representation and/or cumulative voting. Such reforms may have the effect of increasing the numbers of women without forcing the electorate to vote for more women. However, for many academics such good faith measures are insufficient in ensuring more women get elected; instead, they suggest that the best way to increase women’s representation is
through the implementation of affirmative action policies. Clayton and Crosby define affirmative action as:

positive measures taken to remedy the effects of past discrimination against certain groups. Where a policy of equal opportunity requires that employers and institutions not discriminate on the basis of group membership, and in fact encourages them to ignore characteristics of group membership, affirmative action mandates a consideration of race, ethnicity, and gender (1992: 2-3).

Clayton and Crosby argue that the intent of affirmative action is, somewhat paradoxically, to eliminate discrimination on the basis of group membership by acknowledging its existence. They argue the liberal conception of equality of opportunity is insufficient in bringing about change because it places “too much faith in the conscious control of behaviour”; on the other hand, affirmative action is predicated upon the assumption that “good intentions do not suffice” (1992: 39). While Clayton and Crosby’s definition is a good one, they overlook the fact that affirmative action measures do not only attempt to provide a remedy for past discrimination, but they also address how this discrimination has continued into the present. It is for this reason that Galanter prefers to use the term ‘compensatory discrimination’, which he argues acknowledges exclusion in the past and the present (1984: 3). Affirmative action questions two central assumptions about institutional organization: the first is that there is a hierarchical division of labour with scarce positions which is just; the second is that these positions should be distributed according to merit (Young 1990: 193). However, Young questions the neutrality of the merit principle, noting there are no impartial, scientific measures of merit. Indeed, merit is constituted by culture and normative assumptions.

Broadly, there are two forms that affirmative action policies can take: first, there are those measures that attempt to alter the composition of the labour force; the second are those policies that attempt to increase the representativeness of public institutions and
political parties. Goldman creates a further typology of affirmative action policies by distinguishing between 'weak' and 'strong' forms of reverse discrimination. He claims the weak variety occurs when the member of a minority group is preferred only when he or she is as qualified as another candidate. On the other hand, strong reverse discrimination occurs either when someone is given special consideration because of membership in a particular group, or when places are reserved for individuals from that group (1979: 9). It is important to note that there are a variety of policies within affirmative action that may be pursued, and quotas or reservations are perhaps the most severe form. In the electoral process, quotas can be placed on party lists, parliament, or other political bodies, and function by setting aside positions for members of a particular group. This places the burden of recruitment on those who control the process (Karam et al 1998: 92). While many countries have tried different types of quotas, both mandatory by law and voluntary, most feminist theorists caution against their use, arguing that quotas are "static and essentializing" (Mansbridge 1999: 653), or "inappropriate" (Phillips 1995: 167), and should be "a last resort" (Young 2000: 150).

**i. Benefits of Quota Implementation**

The arguments supporting quotas are like those that are used to defend increased group representation. That is, arguments about the symbolic benefits, justice, the promotion of better democracy, and giving space for women to express their varied perspectives are all arguments that can be made to support quotas. However, there are additional benefits and concerns that are raised when discussing quotas. In his 1984 work on reservations for Scheduled Castes and Tribes in India, Galanter identifies a "rough and redundant" anthology of arguments for and against affirmative action policies.
such as quotas (1984: 79). While Galanter’s cost-benefit conceptualization is sometimes simple and dichotomous, it nevertheless points to some interesting aspects in the debate. One of the central benefits he notes is the idea that quotas promote integration of marginalized groups into politics. By ‘integration’, Galanter is referring to the feeling of belonging and loyalty inclusion would promote, and how this would lead to social and political integration (1984: 81). Another alleged benefit noted is that preferential policies serve to redistribute resources to beneficiaries in larger measures than they would otherwise enjoy. Finally, Galanter points to how preferential policies can promote integrity for the beneficiaries by promoting pride, self-respect, and a sense of achievement in the political process (1984: 82).

One of the key arguments in favour of quotas that is often made is that they allow for a ‘critical mass’. The idea of critical mass is based upon the belief that the composition of a public body will shape its processes and policies, and suggests that the election of an adequate number of women will result in decision-making that is more responsive to women (Grey 2002: 20). The literature suggests that critical mass will allow women to impact the political agenda, political culture, and public policy (Karam et al 1998: 128; Kelly and Newman 2001: 27), yet it is unclear what this impact will be. It seems implicit, however, that critical mass would have the effect of being ‘pro-women’ in a more feminist understanding of the term. While there is much debate over what constitutes a critical mass, the most common figures noted are 15-30% (Kelly and Newman 2001). Quotas, thus, can be seen as the most logical way of creating a critical mass.
Finally, an interesting argument that is made in support of quotas is that they allow the state, government, and parties to control nominations, rather than voters. While this would seem contradictory to the freedom of choice necessary in a democracy, some argue that such state-sponsored measures are the only way to ensure fair representation (Karam et al 1998: 94). This is similar to the argument made earlier about equality of opportunity being insufficient in bringing about substantive change. Quotas, therefore, allow parties and the government to ensure that women are elected since voters, who may be biased against women and their ability to serve in office, are likely to discriminate against women.

ii. Critiques of Quota Implementation

Critics of quotas, and affirmative action policies in general, raise various points to dispute the validity of such measures. Often, it is not that they deny that certain groups have been excluded from political representation and decision-making, but that they see affirmative action as either too drastic or the wrong path to follow. Some think such policies do not go far enough in promoting the goals of representation or feminism. The key arguments against affirmative action policies can be categorized as follows:

1. there are no definable women’s interests and women do not constitute a homogenous group that needs special representation;
2. affirmative action is itself discriminatory;
3. people should receive resources and hold positions based on merit;
4. affirmative action diverts resources from those who deserve them and endorses a ‘victim mentality’;
5. group representation is a ‘slippery slope’;
6. affirmative action policies ‘water-down’ the feminist agenda and do little to actually change the status of women (Goldman 1979; Galanter 1984; Hoskyns and Rai 1998).

The first three have already been discussed, so I will spend less time engaging with them. Goldman charges that women “do not form a corporate body capable of
speaking for any common interests" (1979: 190). As noted earlier, this is true. Women
do not share a common set of interests, but this does not mean, as Voet would suggest,
there is little point to a quota system as a feminist strategy if there are no shared interests
(1992: 396). Indeed, the arguments made for increasing women's representation do not
rest on such assumptions. It is not that women will represent some common interests, but
that they will bring their unique perspectives to the forum. Furthermore, to argue that
women should either represent just women or represent political interests is problematic.
First, it places a burden upon women representatives to act differently from men (which
may or may not occur), but it also detaches being a woman from interest articulation.
Yet, as Phillips and others have argued, to detach ideas from presence is not possible.
Instead, it is necessary to disconnect the argument for increasing the presence of women
in politics from representing women as a group (Phillips 1992: 89). Related to this idea
is the argument that group representation via quotas would reduce accountability and
freeze identity. Yet, representatives are held accountable and the freezing of identities
does not occur if they are elected by the entire constituency and not just group members
(Williams 1998: 196). As noted earlier, the delegate-trustee dichotomy is a false one;
representatives can have multiple loyalties.

The next criticism is that preferential treatment is itself discriminatory, and re-
affirms distinctions among citizens, which can do little to achieve equality (Williams
1998: 179). However, as Young notes, this dilemma disappears if we "abandon the
assumption that nondiscrimination [sic] is a paramount principle of justice, and stop
assuming that racial and sexual injustice must come under the concept of discrimination"
(1990: 195). Thus, in order to achieve equality, it may actually be necessary to
discriminate in favour of members of certain groups. The inegalitarian consequences of social difference do not disappear when ignored. Similarly, Young also questions the standards by which merit can be determined. If women have been oppressed and discriminated against throughout history, how can we say the principles of merit, created by men, are value-neutral and absolute? Moreover, women who benefit from quotas would most likely be women with political experience or aspirations, and once in office, they would acquire the necessary skills and knowledge.

Some argue that groups benefiting from preferential policies will not move beyond victimhood and a sense of being dependant. Moreover, the women who would most need the resources and benefits of preferential policies would not receive them; instead, wealthier, more powerful women would be the beneficiaries. Goldman argues that not all members of groups are discriminated against; consequently, it seems irrational to compensate for past injustices (1979: 80). He also argues that reverse discrimination cannot be justified for a woman who was never discriminated against on grounds that she must have been harmed vicariously from discrimination, or that compensation will provide vicarious compensation for other women. What Goldman fails to recognize, however, is that preferential policies do not rest simply on past injury; they acknowledge that past oppression does impact future generations. Furthermore, this is to deny that women still face discrimination and that contemporary equality has not been achieved.

As for the argument that only certain women will benefit from quotas – this is undeniable. Not all women will benefit, and perhaps those in the lower strata of society will not be as likely to become representatives; yet, this can be said of politics in general.
It does not mean, however, that these women are not represented; in fact, they are more likely to have representation via quotas than without.

The 'slippery slope' critique contends it is impossible to determine which groups should benefit from preferential policies, and that there are an infinite number of groups who could claim recognition. Voet, for example, argues that such thinking would lead to the balkanization of groups and the administration of interests (1992: 394), and this could be dangerous to national unity and societal cohesion. While it is in fact possible to make judgements about claims to recognition (Williams 1998: 197), the more effective response to this critique is that the demand for fair representation does not mean microcosmic representation where every group is represented in proportion to their size. Instead, group representation is based upon selective representation, which acknowledges the groups whose proportions are below what they would achieve by chance (Mansbridge 1999). Increased inclusion, then, demands proportionate representation and political inclusion. While increasing group representation could lead to more tension and disagreement, societal cohesion can only be helped by political inclusion when citizens who were previously marginalized are able to participate and feel a sense of belonging in the political process.

The last set of arguments against the use of quotas are those that contend affirmative action policies are ineffectual and may serve to defeat a feminist agenda. Hawkesworth argues that socialist feminists are “profoundly ambivalent” about affirmative action because it poses no threat to capitalism, and in fact lends credibility to capitalist patriarchy by suggesting it can promote the interests of women and people of colour (1999: 143). Thus, affirmative action does not challenge the hierarchical division
of labour, but simply changes the racial and gender composition of the elite. Similarly, Hoskyns and Rai contend that increase political representation without reference to the redistribution of economic resources simply recognizes difference without disrupting the power relations in society (1998: 357). Increased representation will not benefit the groups it is meant to, but will co-opt them into the process that perpetuates inequality. Furthermore, those in power will able to claim they are being more inclusive while actually hand-picking who they allow to participate; this is what Hoskyns and Rai refer to as ‘political gatekeeping’ of particular interests.

While some of these may be valid critiques, to suggest feminists ignore the benefits of participation in decision-making bodies is irresponsible. It is because many feminists have become frustrated with the slow transformation of women’s social and economic status that they have turned to formal politics. It is true that the flip-side to participation is co-optation, but this is just one of many routes women can take; participation in informal politics is still important. Another important issue is that there is an assumption that women must be feminists in order to advance the cause of women and produce status change. While it seems logical that feminist women would more likely champion certain issues pertaining to women, this does not mean that the goal should be to only promote such women as representatives. Since there are a variety of women, many of whom are not feminists, it is important that as many viewpoints as possible be represented. Moreover, the central goal of increasing representation of women should not be to expect women to behave in a particular fashion, but to break the male dominance of political structures and allow for the expression of women’s perspectives.
Political inclusion is a necessary and positive step in the direction of substantive equality. Critics often contend that more women should only be included if they are somehow different or better than men, and what they represent must be different from what men stand for. Yet, I would like to suggest another possibility, one that does not question the contribution women must make or the interests they must represent in order to be included. Such an understanding of increasing women's representation acknowledges that women have everything and nothing in particular to represent (Skjeie 2001: 173), and states the aim of representation as the self-evident right to presence that is necessary for equal citizenship.

Women's Presence in Comparative Perspective

I have argued that it is not necessary for women to represent particular interests in order to increase their presence in political bodies. However, it is important to examine what the impact of female legislators is; that is, while in office, how do female politicians act and what do they do? Moreover, what has the experience with implementing quotas for women on party lists or reserving parliamentary seats been like throughout the world? Can we expect the empowerment of women, the introduction of issues of concern to women, or the advancement of a feminist agenda by increasing women's presence? In order to answer these questions, it is necessary to turn to countries where women have made strides in representation, and also to those that use quotas to ensure women a place in legislative bodies. Not surprisingly, the countries that have made strides in increasing the number of women representatives use some form of quotas. Yet, what exactly is the impact of increasing representation, if there is one at all?
The Western democratic world has seen the steady, though sometimes meagre, increase of women in legislatures. In general, Western states have the highest proportions of female representatives. The variation between countries is often attributed to different electoral systems and arrangements. The most common, well-supported argument is that women are more likely to be elected in countries that use a system of proportional representation (PR) and use multi-member districts (MMDs). From 1987 to 1991, PR countries with long-established democracies averaged 19.5% women legislators, while non-party list countries averaged 9.4% (Rule 1994: 16).

In their comparison of women candidates in Norway and Canada, Matland and Studlar found that single-member districts (SMDs) like those in Canada produce fewer women candidates (and thus fewer are elected) because of a lack of ticket-balancing, decentralized nomination structures, and smaller district magnitudes (1996: 709). They examine how contagion - "a process by which one party in a multiparty system, stimulates other parties to adopt their policies or strategies" (1996: 708) – is more effective in PR systems because of these factors. Contagion has been a major factor in adopting party quotas in countries like Norway and Germany. While in SMD plurality systems, parties will want to nominate the candidates who they see as having the best chance to win (men), in MMD systems, parties will balance their nomination by nominating both men and women. While it is generally accepted that PR MMD systems are the most conducive to the election of women and minorities, the PR systems that use party list quotas produce stable numbers of female legislators, while the numbers in PR systems that do not use party quotas (New Zealand, for example) can fluctuate. Studies
by Jones on the Argentine provinces demonstrate how the implementation of mandatory party quotas will have similar effects in varying electoral systems. He found the use of SMDs to have no salient effect on the number of women elected if party quotas are used (1998: 15). However, as Rule points out, electoral systems do not fully explain the varying proportions of women in democracies' national legislatures; she argue such factors only explain 30% of the variance (1994: 16). Other factors such as the level of education and cultural variables are of importance.

While much of the focus of research into electoral arrangements and women's presence examines the Western democratic world, it is important to see if the assumptions that may hold true in the West also do in the developing world. In his study of women's representation in developed and developing countries, Matland examines the importance of electoral arrangements in less-developed countries (LDCs) with stable democracies. Matland found the absolute level of development and labour force participation had a negative relation to levels of women's representation in LDCs. Interestingly, he also found that electoral systems, which had a large effect in developed countries, had no significant effect in LDCs. Instead, the variable of importance was cultural standing, demonstrating that either demands for representation were not being put forward, or that parties perceived the costs of nominating women as too high (1998: 119). While such studies demonstrate the difficulty in generalizing about electoral arrangements that are conducive to the election of women, there are electoral systems that are less likely to aid in the nomination and election of women.

Before examining India and its experience with reservations, it is important to look at the presence of women and their impact in various contexts and electoral systems,
both those that use some form of quotas and those that do not. A comparison of different experiences with quotas can help better understand the use and effectiveness of quotas of various sorts.

ii. Democracies without Quotas

Countries such as the US, Canada, New Zealand and Australia all have different electoral arrangements, and none use quotas of any type to increase the presence of women. Not surprisingly, however, New Zealand and Australia, who have the least majoritarian systems, have had the greatest increases in women representatives. In New Zealand, for example, the number of women representatives increased from 4% to 29% over a twenty-five year period (Grey 2002: 21). In Grey's study of critical mass in the New Zealand Parliament, she focused on women’s attitudes towards childcare and parental leave – two issues that are often gendered. She found that while some women were more responsible for the advocacy of these two issues, there were marked differences to policy attitudes depending on party affiliation. Similarly, Sawer's work on the Australian Senate noted that women were five times more likely than men to raise issues such as domestic violence and paid parental leave (2002: 9). However, Grey’s conclusion was that an increase in the number of women was insufficient on its own to radically alter parental leave policies. Furthermore, she argues that while a proportion of 20% female MPs leads to a feeling of “team spirit” (2002: 28), party cleavages, possible male backlash, and social conservatism meant 29% was insufficient to significantly alter parliamentary culture or policy decisions.

In her study of feminists in political parties in the US and Canada, Young found that the numerical increase of women allowed for the expansion of the political agenda to
include 'private' issues such as child care and reproduction (2000: 203). However, the key to party transformation\textsuperscript{12} was the involvement of feminist women in parties.

Likewise, Tremblay and Pelletier argue feminist consciousness exerts a much greater influence than gender upon liberal and gender-related issues. Unlike other studies that show non-feminist and feminist women being more alike than women and men with respect to promoting women's issues (Dodson 2001), Tremblay and Pelletier argue that in Canada, feminist men and women have more similar views than feminist and non-feminist women. This implies that substantive representation can only be achieved if feminist women are the representatives. The argument that only feminist women will advocate feminist values or goals is both self-evident and limiting. While it seems obvious that women who consider themselves as feminists would endorse certain policies, this does not necessarily entail that women who are not self-identified as feminist will not. Also, some evidence suggests that even feminist women can be pressured to not express their ideas because of institutional factors and culture (Carroll 2001: 13). Feminist and non-feminist women will have different influences on party politics and legislatures, but this does not entail that only feminist women should serve as representatives.

In the US, academics studying women legislators have tended to focus on state legislators rather than national ones, but findings are similar to other international studies. Thomas' studies on the impact of women on state legislative policies demonstrate that while women have brought forward issues to the public agenda that were previously considered private, women apply their views to more than just ‘women’s issues’ (1994: 141). Her central contention is that the capacity of women to ‘make a difference’ is
related to support from colleagues, be that from other women legislators, or from women’s caucuses. Thomas and Welch, in their twelve-state survey, also noted the importance of women’s caucuses and collective women’s action. They found four of the five top states that produced legislation regarding women or families had organized women’s caucuses (2001: 175). Carroll also argues that while 25% to 30% females does not constitute the critical mass needed to affect policies and priorities, at least 10% female representation is needed in order for women to support and voice women’s issues (1991: 970).

In her qualitative survey of women legislators, Carroll found women senators and representatives “overwhelmingly” thought that the increased presence of women affected the extent to which legislators considered how legislation would impact women. They were also significantly more likely than men to say that a bill focusing on women was a top priority (2001: 6-8). Like others, she also observed the importance of party affiliation, ideology, and feminist self-identification in the extent to which women worked on women’s rights bills: “democrats, liberals, self-identified feminists, and African American” were the most likely to “act for women” (2001: 18). Perhaps the most important finding from the American example is that women’s impact will vary by context. In Beck’s study of municipal governments, she notes how women do not make fundamentally different decisions than men in areas such as taxes and property values (2001: 64); instead, party affiliation and ideology are much stronger factors. In the countries that do not ensure women’s representation via electoral arrangements and incentives, women’s presence will vary greatly. The impact women have on policy will also depend on their strength in numbers, their feminist (or non-feminist) stances, party
support and organization, and context. The increased awareness and endorsement of women’s issues, however, seems to be positively related to the increased presence of women.

**iii. Parity Through Party Quotas: Britain, Norway, and Argentina**

Quotas reserving a certain number of candidate nominations on party lists can be either voluntary (implemented by a party or parties) or mandatory by law. Party quotas are often seen as more effective than reserved seats because they allow for voter choice while still being able to increase the numbers of women. Women’s presence will only increase, however, if women actually win the seats they are nominated for, and are nominated in constituencies that are likely to be won by the parties nominating the women. As a result, while party quotas may be more flexible than reserved seats, they do not guarantee the election of women. Party quotas of both types have been used in a surprising number of countries to increase the number of women candidates. Voluntary party quotas have been used, at one time or another, in South Africa, Mexico, Brazil, France, Britain, Germany, Norway, while mandatory gender quotas on party lists have been implemented most heavily in Latin American countries with Argentina being the most prominent and successful example.\(^{13}\)

Before the 1997 election, the British Labour Party introduced all-women shortlists in half of their ‘inheritor’ seats and half of their ‘strong challenger’ seats.\(^{14}\) Inheritor seats being those that were vacant due to the former member of parliament (MP) retiring, and strong challenger seats being those that were seen to be winnable by the Party (Norris 2001: 95). After the 1997 election, the number of women representatives doubled to comprise 18.2% of the Parliament, the equivalent of 101 MPs. Studies conducted after the election demonstrate the majority of Labour women MPs articulated women’s
concerns in debates, and their election engendered greater access between women constituents, women's organizations, and women representatives (Childs 2002: 144). Interviews found that half of the women MPs interviewed made an explicit link between the presence of women and substantive representation. However, some women expressed concerns over being stereotyped as only interested in women's issues, and many perceived a tension between representing one's constituency and representing women (2002: 146-151). While the all-women shortlists were abandoned, Norris points to the long-term consequences they have had: 1) the Labour Party was altered to consciously include more women and address issues of importance to women; 2) the increase in Labour women MPs increased pressure on the Conservative Party to respond and include more women; and 3) Parliament has been transformed so that while party affiliation is still more important than gender in decision-making, there are policy areas, especially those concerning women's rights, in which there is a consistent gender gap within each party (2001: 106).

The most prominent examples of large numbers of women legislators come from the Scandinavian countries, particularly Norway. The Norwegians have consistently elected more women than any other developed or developing nation, even without the use of quotas. The proportion of women has steadily increased from less than 10% in the 1970s to around 40% in the 1990s. One of the central reasons women became prominent in the Norwegian Parliament, the Storting, is due to the feminist movement in the country that has advocated integration into the existing political structures and lobbied extensively (Karam et al 1998: 184). As a result of feminist pressures, and the potential for electoral gains, the Socialist Left Party introduced a party quota for women
of 50% in 1977, soon after which the Liberal Party passed a similar resolution of 40%.
As a result, by 1989, almost as many women were found in ‘electable’ as in ‘decorative’
positions (Nicholson 1993: 259), and today, quotas have become “a matter of business as
usual” (Skjeie 2001: 167). Quotas have become normalized, and with the exception of
two parties on the right that have rejected using quotas, no one has challenged their use.
Furthermore, all parties have incorporated the demands of women’s organizations into
their platforms.

As with the American example, women’s party caucuses and feminist groups
have played an increasingly important role in recruitment and nominations
(Bystydzienski 1994: 57). Many authors have also noted the importance of political
history and culture in Norway, and how the prevailing conceptions of democracy and
representation in the country are conducive to women (Nicholson 1993: 263;
Bystydzienski 1994: 153). While ‘political culture’ is difficult to quantify and I would be
hesitant to attribute trends to culture, the role of the feminist movement and prominence
of the socialist left suggest the importance and pervasiveness of socialist and liberal
thinking in Norwegian society.

Once in government, female representatives do partake in some inter-party and
cross-party cooperation; however, party influence remains a strong influence, except in
issues of care politics. In such cases, women were more likely to vote against party lines.
Interviews conducted by Karam et al demonstrate that women’s issues were introduced
often, but policy preferences varied according to party ideology (1998: 187). Women
were also likely to express the need for the state to combine obligations of motherhood
with economic independence. The most common criticisms against the Norwegian
quotas are that it is difficult to find women who are willing to stand for election, and that
the number of women elected could fluctuate severely, hindering representation
(Nicholson 1993; Karam et al 1998). However, it seems unlikely that the practice of
electing large numbers of women will be reversed due to the overwhelming support and
acceptance of women. As Nicholson notes, “women are becoming candidates, and not
just women candidates” (1993: 259).

Argentina was the first country to mandate the use of quotas by all political
parties through law in 1991. The law, known as the ley de cupos, contained two
requirements: 1) that a minimum of 30% of all candidates on party lists in all districts be
women, and 2) that these women be placed in electable positions on lists (Jones 1996:
76). Lists not complying with the ley de cupos would be rejected. While the law met
initial resistance from male politicians because of its zero-sum nature, it passed because
of the efforts of women parliamentarians from all parties and then President Carlos
Menem. Subsequently, 21 of the 24 Argentine provinces enacted similar gender quota
laws. The results of the quota have been impressive: while women comprised, on
average, 4.2% of the national legislature from 1983-1991, they made-up 21% and 28% of
the 1993 and 1995 legislatures, respectively (1996: 81). There has been little research on
what impact the law has had on the behaviour of legislators; instead, much of the focus
has been on how contagion has facilitated the law being introduced at the provincial level
and the problems such a law can encounter. Jones argues that while the quota law
facilitates the nomination of more women than would otherwise be nominated, many
parties do not fully comply with the law, and most parties have adopted a minimalist
interpretation of the law with few nominating women for the primary positions on lists (1996: 89).

The use of party quotas has seen the increased election of women. While voluntary quotas like those in Norway can dramatically increase the number of women legislators, they do not ensure the election of women. In Norway, the election of large numbers of women has coincided with the contemporary feminist movement and has roots in the political (socialist-liberal) culture of the country. It is also facilitated by economic, political (institutional), and social development, which countries like Argentina lack. Thus, the adoption of mandatory quotas may be more beneficial in those countries that are developmentally lagging.

iv. Reserved Seats: Uganda and Taiwan

The most controversial form of quotas is the reserved seats system whereby the state imposes the presence of certain groups in legislative bodies. Reserved seats, or reservations, take party quotas a step further by ensuring that a minimum number of members of a group are elected to decision-making bodies. Reserved seats for women have been implemented in a diverse group of nations: Bangladesh, Eritrea, Tanzania, Uganda, and Taiwan.20

After toppling the Obote regime in 1986, the National Resistance Movement (NRM) led by Museveni made several constitutional changes that recognized the importance of women in politics. Included in these were directives stating:

1. The state shall ensure gender balance and fair representation of marginalized groups on all constitutional and other bodies
2. The state shall recognize the significant role that women play in society (Tamale 1999: 115).
The Constitution also provides that “women shall have the right to affirmative action for the purpose of redressing the imbalances created by history, tradition, or custom” (1999: 74). The affirmative action measure taken was the implementation of reservations that guaranteed women a minimum of 39 seats in the national parliament, as well as one-third of seats on local governing councils. While it is difficult to decipher the exact reasons the NRM implemented reservations for women, it is likely the new government was rewarding women for contributing to its guerrilla movement. Furthermore, it could have been a move to show the international community its commitment to democratic principles after staging a bloody coup.

At the village level, the women who have benefited from reservations are often linked to local male power structures or are related to dominant village men; as a result, dominant groups have been able to retain political power (Goetz 1998: 251). They also tend not to be linked to women’s organizations. On the other hand, since the creation of a women’s parliamentary caucus in 1996, women at the national level have had increased opportunities to address issues regarding women, children, the disabled, and workers. Tamale’s study demonstrates that while women were hesitant to say they represented women and feared backlash from men, they consistently provoked the Parliament to consider policy implications on gender relations (1999: 147). Interestingly, Tamale also found that people outside parliament— the media, grassroots organizations, and the public— seem to think that female parliamentarians have a special role in representing women. The most important factors in women legislators being able to express views on women’s issues was the absence of party divisions, and the ability of women to make strategic alliances with men. While women have successfully broadened the political
agenda in Uganda, both Tamale and Goetz note how difficult it is to promote and address women's issues in a LDC that is focusing on free markets and a neo-liberal agenda (Goetz 1998; Tamale 1999). In an impoverished country such as Uganda, which is attempting to conform to the international economic order, the role of the national legislature in deciding public policy is becoming increasingly insignificant.

The reserved seat system was instituted in Taiwan in 1953 and reserves seats in the National Assembly (elects the President, Vice-President, and amends the Constitution) and Legislative Yuan for women, racial minority groups, 'overseas Chinese', and members of occupational groups. Election law specifies that women elected to the National Assembly must be elected by registered members of the Fu Nu Huei (Women's Association) which is the only organization qualified to do so; however, women in the Legislative Yuan are chosen by the public (Chou and Clark 1994: 162). The reserved seat system reserves one seat for a woman whenever the total seats in one district are more than four, seven, or ten, depending on the type of election; therefore, most districts only have one reserved seat, and men cannot fill vacant seats. The minimum level of representation guaranteed by the system is 10%, while 25% is the maximum.

Studies of legislators in Taiwan show there is virtually no difference between male and female legislators in terms of socio-economic status; they are generally a part of the well-educated elite. Many women have husbands who are politically active or hold political office, and women legislators were much more likely than their male counterparts to come from supportive of politicized families (Chou et al 1990: 190). Chou and Clark found that men and women disagreed over whether women brought
'special' advantages to political life, and women were more likely to be positive about women's political roles. Yet, a large majority of both men and women were supportive of women's participation, and two-thirds of women legislators surveyed saw reservations as guaranteeing female representation (Chou and Clark 1986: 33). Women, however, also noted concerns about reservations acting as a 'ceiling' for the number of women representatives, as well as the increasing party control of nominations and candidates. They also cited personal conflicts between being a officeholder and family obligations (Chou and Clark 1986: 47).

In terms of their legislative activities, women seemed to have a special interest in issues of education and culture, and were significantly more liberal and sensitive to issues of gender discrimination (Chou et al 1994: 157 & 164). Generally findings suggest women have made considerable progress in overcoming legislative barriers; they now fill far more than the reserved quota and are seen to act as effectively as men. The progress in the Legislative Yuan, however, contrasts with women's near exclusion in the executive branches of government. This suggests that while the two parties in Taiwan pay lip service to the importance of inclusion and see the electoral benefits in including women in the party ranks, they would be unlikely to include such large numbers of women without the use of quotas. Chou et al also note that while the reservation system is an important factor, the cultural changes resulting from economic development have greatly contributed to the increase in women's presence (1994: 168).

The Case for Reservations: A Framework

Increasing the numbers of women in legislatures and other state institutions is of key importance if it is recognized women have been marginalized and excluded from
formal politics, due in part to systemic and systematic discrimination built into governmental institutions and the electoral process. Mansbridge notes the importance of including groups when there are processes interfering with expected proportionality. While it does matter who does the representing in democracies, the basis for the increased presence of women in politics is not based upon a notion of common interests. Rather, it centres around ideas of equal citizenship and increased deliberation via the introduction of women's perspectives on all issues, not just those considered women's issues. Increased presence is also important in order to change the patriarchal nature of electoral rules and political parties that discriminate against and exclude women. While many theorists attempt to promote or debunk increased representation on the basis that women somehow must act differently than men, I, like others have suggested that increased representation must be conceptualized outside this logic. Women should be included in formal politics because it is their self-evident right to be so. Once in office, women cannot be expected to behave in a particular fashion, either as is expected of women or just like the other parliamentarians. The fact is that once in office, some women will sometimes act on behalf of other women, but not all will all of the time. While I have argued that we should not place particular expectations on women legislators, I am holding on to the feminist expectation that a legislature composed of women is unlikely to act exactly like one composed of men.

The comparative evidence has demonstrated that women have greatly benefited from affirmative action schemes of various sorts, and women, in general, do consider gendered issues. The impact of women on the political machinery and political culture, however, will vary according to several factors, including the presence of women's
organization, support from male politicians, family background, feminist self-identification, critical mass, economic development, and electoral system. These factors are of importance in the Indian case as well. The central concern of this thesis is to examine the complexities and intricacies of the WRB, and how greater inclusion of women can be ensured through the use of reservations. The findings, however, are meant to be generalizable to the issue of women’s political participation in an international context. The goal is to examine what can be learned from the Indian experience. Why have political parties supported or resisted reservations? What role have women played in political parties and Parliament? Which women benefit from reservations? Would reservations increase participation? How do reservations impact decision-making? Does social group perspective affect the problems and policies women address? Are reservations the only option? Answering these questions can illuminate the larger question: why reservations?

Chapter I Endnotes

1 Birch defines popular control as responsiveness, accountability, and peaceful change. Leadership refers to providing leadership and responsibility in decision-making. Finally, Birch defines system maintenance as the smooth functioning of the political system via legitimacy and consent of the public.

2 The full title of this book is Voice, Trust, and Memory: Marginalized Groups and the Failings of Liberal Representation.

3 Mansbridge defines ‘essentialism’ as: “the assumption that members of a certain group have an essential identity that all members of that group share and of which no others can partake” (1999: 637).

4 Mansbridge’s article on the subject is of the same name, “Should Blacks Represent Blacks and Women Represent Women? A Contingent ‘Yes’”.

5 The deliberative function of democracy, as opposed to the aggregative, aims at understanding policies that are good for the polity, and at transforming interests and creating commonality. The aggregative function of democracy is to produce legitimacy in a context of conflicting interests (1999: 634).

6 The full title of this article is “Gender as Seriality: Thinking about Women as a Social Collective”.

7 While use of the term ‘series’ is abandoned, her definition of ‘woman as a group’ rests upon the notion of seriality.

8 ‘Interest’ is used to indicate “what affects or is important to the life prospects of individuals, or the goals of organization”, while ‘opinions’ are normative judgements or beliefs and the judgements that follow (2000: 135).
Affirmative action is sometimes referred to as compensatory discrimination, reverse discrimination, or preferential treatment. I will use these terms interchangeably.

Only a few of Galanter's costs and benefits are noted here. For the full anthology, see Competing Equalities: Law and the Backward Classes in India.

I must acknowledge that much of the comparative evidence presented is from the developed world, yet I have attempted to include as many examples as possible of LDCs that use quotas.

Young defines a political party that is transformed by a feminist agenda as one in which: 1) there is gender parity in the elite cadre of the party; 2) half of the parliamentary caucus is women; 3) party leadership is within the reach of women; and 4) there are feminist stances on issues and enactment of these issues (2000: 204).

Party quotas were introduced by the ANC in South Africa, the PRD in Mexico, CONDEPA in Brazil, and the Greens in Germany. Quotas in Britain, France, and Germany were challenged as unconstitutional and eventually abandoned. Mandatory gender quotas in Italy were also deemed unconstitutional.

Britain's electoral system is highly majoritarian, consisting of a first-past-the-post or plurality system with SMDs.

Interviews were conducted with half of the women MPs in 1997 and one-third in 2000 (Childs 2002).

Norway has a PR list system containing 19 multimember constituencies with 4-15 representatives in each constituency (Nicholson 1993: 256).

In 1971, efforts of feminist organizations led to the election of a record number of women MPs; however, they suffered a large backlash in the subsequent election.

Argentina has a PR, closed party list system, and is a presidential republic.

Party list positions are ranked according to categories of: 1) mandate positions (where election is virtually guaranteed); 2) challenge positions (where candidate has good chance of winning); and 3) ornamental (candidate has no realistic chance of being elected) (Jones 1996: 83).

Bangladesh, Eritrea, and Tanzania reserve 9%, 9.5%, and 6% of national level seats for women, respectively. Reservations are also used for women in Burkina Faso and Ghana, Hungarians and Italians in Slovenia, and the Maori in New Zealand (Norris 2001: 93).

Uganda has a plurality electoral system composed of 39 districts whereby the women who fill reserved seats are elected by electoral college (Tamale 1999: 68).

Taiwan uses the single non-transferable vote system and the national government is composed of six legislative bodies.
CHAPTER III: THE INDIAN EXPERIENCE WITH RESERVATIONS

This chapter presents a survey of the Indian experience with reservations, and women's political participation in legislatures. It begins with the historical foundations of reservation policy in India and examines reservations for the Scheduled Castes and Scheduled Tribes. I have chosen to use these groups as a point of comparison with women because like women, they have traditionally been marginalized from political participation, have had a low social and economic standing in society, and do not constitute a homogeneous group. Since the reservations for Scheduled Castes and Scheduled Tribes have been in effect since Independence, they also provide a relatively large time frame in which to examine the impact of reservations. The remainder of the chapter is devoted to examining women's participation in political parties, Parliament, and local level decision-making bodies where a 33% quota for women was instituted in 1993. Reservations for Scheduled Castes and Scheduled Tribes and women at the local level provide the most accurate comparison for parliamentary reservations for women, while current levels of women's participation in parties and the Lok Sabha demonstrate the need for the WRB.

The Scheduled Castes and Scheduled Tribes

The Scheduled Castes (SCs) and Scheduled Tribes (STs) of India have gained their low status due to their economic, social, and political isolation from the rest of society. The SCs are the victims of rigid Hindu custom and hierarchy which assigns all members of Hinduism to particular castes. The SCs are at the bottom of this social hierarchy, and have been treated as social pariahs because of their participation in 'unclean' or 'polluted' professions. The SCs, or Untouchables as they are often referred
to, are not, however, a homogeneous group. They are dispersed throughout the country, speak a variety of languages, and are composed of distinct caste groups (*jatis*) with cultural, occupational, and regional characteristics; furthermore, the various *jatis* practice untouchability themselves (Jalali 1993: 96). The SC category is defined primarily by untouchability, but there is no single definition that is used to determine group membership. Thus, the SCs lack both unity and territory. The SCs comprise approximately 17% of the Indian population; they have high levels of illiteracy (75%), and 80% live in rural areas where half of them work as agricultural labourers (Jalali 1993: 96; Suri 1995: 232).

The STs owe their ‘backwardness’ to the fact they have lived in cultural isolation on the margins of Indian society. The STs are defined as those groups possessing tribal characteristics, and are distinguished by their cultural isolation. They comprise 8% of the Indian population, and they are concentrated in the North-eastern states of Meghalaya, Mizoram, and Nagaland (they form a majority in these states), but are also present in large numbers in Orissa, Gujarat, and Madhya Pradesh. Due to their isolation, the STs are generally worse off in terms of development and education than the SCs.

i. Constitutional Reservations

The SCs gained political prominence before Independence when Gandhi, referring to the SCs as *harijans* (children of God), began to mobilize this group in anti-colonial agitations, and attempted to demonstrate their importance in society. However, Gandhi did not challenge the caste system, indeed he recognized the place and importance of it, he instead focused on ending discrimination against the Untouchables. Nehru and the progressive Congress leadership, on the other hand, saw both the caste
system and the treatment of SCs as standing in the way of a progressive and modern
state, and therefore sought to make provisions in favour of such historically marginalized
groups. Thus, the government leadership after Independence sought to implement
reservations for the SCs and STs not only because of the redistributive benefits, but also
because they wanted to be seen as liberal and democratic (Hoskyns and Rai 1998: 348).
The Indian Constitution protects not only the rights of the SCs and STs, but also protects
its own ability to make provisions for these and other ‘backward’ groups in society.

Article 46, Directive of State Policy\(^3\) states:

> The state shall promote with special care the education and economic interests of the
> weaker sections of the people, and, in particular, of the Scheduled Castes and
> Scheduled Tribes, and shall protect them from social injustice and forms of
> exploitation (Galanter 1984: 41).

Further, Article 16(4) of the Constitution permits the State to make “any provisions for
the reservation of appointments or posts in favour of any backward class of citizens,
which…is not adequately represented in the services under the State” (1984: 41).

While the Constitution gives the State the ability to make provisions for ‘any
backward class of citizens’, the SCs and STs are the only ones that have gained
reservations at the national level. They also have reservations in place at the state and
local levels. Reservations have been implemented in three areas – the legislatures,
governmental posts or jobs, and higher educational institutions. The reserved seats in the
*Lok Sabha* are accompanied by measures aimed at helping candidates such as smaller
election deposit requirements and less stringent residency requirements (Galanter 1984:
45). Seats are reserved in proportion to the SC and ST population in each state, and do
not involve separate electorates. For example, in the last elections, 81 out 543 *Lok Sabha*
seats were reserved for SCs, and 49 for STs. The reservations are subject to a
Constitutional time limit, although they have been renewed several times since their inception. The reserved seats for the STs are relatively easy to determine since the ST population is concentrated in certain areas; thus, reserved seats for them encompass the bulk of their population, and most seats are located in rural areas. Seats for the SCs are determined by the Delimitation Commission and their placement also depends on population and dispersal. However, since the SCs are dispersed relatively evenly throughout the country, their constituencies have far smaller populations of SCs than do the ST reserved constituencies (Galanter 1984: 47); therefore, the vast majority of SCs live outside reserved constituencies. The location of the reserved seats has remained relatively stable throughout the years even though there is rotation of seats.

ii. The Impact of Reservations

The SCs' and STs' experience with reservations has evolved to the point where they are now gaining substantial powers; however, this was not the case until fairly recently. Once the Congress Party entrenched reservations in the Constitution, it consequently succeeded in casting itself as the natural representative of the SCs and STs because of its ability to co-opt their leaders (Jaffrelot 2003: 90). Early on, Congress would get its SC leaders elected by mobilizing non-SC voters; since the STs were more concentrated such an effort was not needed. The SC leaders that were chosen as candidates were non-militant, and wielded little power in local or state Congress organizations. Mendelsohn and Vicziany argue the ideological stance of the Congress Party made it "less than welcoming to highly assertive advocates of the Untouchable cause"; therefore, Untouchables "tended to construct their political careers as dependents within factions led by high-caste politicians" (1998: 207). Throughout the 1960s and
1970s, even major SC figures in the Congress did not seek to mobilize a bloc of MPs in order to make gains for SCs in Cabinet, and while the Republican Party of India, an essentially SC party, won some seats, they were a minor contender and declined because of factionalism after Ambedkar’s death. A study conducted by Brass from 1962 to 1964 found that almost half of the SC MPs in the Lok Sabha did not speak a word in the Lok Sabha (Jaffrelot 2003: 101). A good example of the lack of participation by SCs and STs is the fact that the ‘Prevention of Atrocities against Scheduled Castes and Scheduled Tribes Act’ was not passed until almost ten years after its introduction; SC and ST MPs exerted little pressure in order to speed-up the vote. Although a prominent SC Congress cabinet minister named Jagjivan Ram was able to produce the first large anti-Congress vote by the SCs in North India with his departure from the Party in 1977, the majority of these voters returned to the Congress in 1980.

The SCs have been more active and effective in participation at the state level. In Karnataka in the 1960s and 1970s, for example, the SCs were active in agitation politics where they fought to have Hindu temples opened to them, formed unions, and organized student protests (Jalali 1993: 101). On the national scene, however, Jaffrelot concludes that, “all in all, the Scheduled Caste MPs achieved little on behalf of their community” (2003: 102). Not only was participation by the SC and ST MPs low, voter turnout in these areas was, and remains, lower than in non-reserved constituencies. Since the majority of voters in constituencies are not from the SCs, they have expressed indifference in voting in reserved constituencies (Diskshit 1990: 83; Pushpendra 1999: 2611). Voter turnout in ST constituencies is equally low; in fact, it is usually lower. Thus, until the 1980s, the SCs and STs were largely politically inconsequential or co-
opted into the Congress Party. The other major political parties have not been much better in promoting the involvement of SC and ST MPs. In states like West Bengal and Kerala where the Communist Party of India-Marxist (CPI(M)) has been popular, the Untouchables have rarely been represented at the highest levels of the Party (Mendelsohn and Vicziany 1998: 210). Without representation among the higher positions in government, it has been difficult to advance the claims of SCs and STs.

The renewal of SC and ST politics in the 1980s and particularly in the 1990s can be attributed to three main causes. The first of these was the formation of the Bahujan Samaj Party (BSP) by Kanshi Ram in 1982; the BSP is essentially a Scheduled Caste party, although it also appeals to other lower castes and religious minorities. The second cause was the rise of the Janata Dal Party to power in 1989. The Janata Dal government extended reservations to Buddhist SCs, passed the 68th Constitutional Amendment, which created a five-member Statutory Commission for the SCs and STs, and promised to adopt the report of the Mandal Commission, which recommended reservations for the Other Backward Classes (OBCs) (Jaffrelot 2003: 387). Finally, the re-emergence of SC and ST politics can be attributed to the death of Rajiv Gandhi and the subsequent shift of the SC vote from the Congress to the BSP and leftist parties. With the declining popularity of the Congress Party and the emergence of coalition politics, the BSP has slowly been gaining support, particularly in the Northern states of Uttar Pradesh (UP), Punjab, and Haryana. In fact, it formed the UP government in 1995 and 1997, and was part of the governing coalition in 1993 (Mendelsohn and Vicziany 1998: 219).

The BSP owes much of its success to the Chamars who are the largest Untouchable caste in India, and while the Party is organizationally weak, often facing
dissidence and defections, it has raised the profile of the SCs, and has made it difficult to ignore the SC vote. It has also stood up against members of the Bharatiya Janata Party (BJP) and Congress (the two largest parties in India) who protested against the Mandal reforms, and has attempted to create solidarity and activism in the face of increasing opposition to reservations for SCs and STs. A 1996 survey showed the BSP had 65% support among SCs (Jaffrelot 2003: 417).

The emergence of coalition politics, the increasing popularity of the BSP, and the rise of the SCs as a political bloc has forced other parties to address the concerns of the SCs and STs. All major parties now support the extension of reservations to the OBCs and the maintenance of reservations for SCs and STs (Mendelsohn and Vicziany 1998: 239). Even the BJP, which has traditionally been viewed as an upper caste party, has had to contend with pressures to include more SC members since its defeats in UP and Madhya Pradesh. The BJP now claims it has the support of a large number of SCs; however, many of the reserved seats that are won by the BJP are won with the support of upper caste votes and not SC ones (Pushpendra 1999: 2611). While the BJP is attempting to woo SC and ST votes by taking such measures as appointing a Tribal as President of the Madhya Pradesh BJP, it promotes weak members of these groups who will not attempt to further various SC and ST demands. The overwhelming sense is that there is a growing recognition of the importance of the SC and ST vote; however, parties other than the BSP nominate only those SCs and STs that do not pose a threat to the interests of the rest of the electorate. It would be safe to say that reservations are adverse to the interests of the castes that dominate politics and government.
Reserved seat legislators have come to resemble their colleagues with respect to education and occupation, and this has often resulted in a convergence of legislative behaviour (Ray 2000: 70). As was previously noted, since representatives elected to reserved seats are elected by the entire electorate, they tend not to express interests divergent from those of their constituency and party. Studies of the legislative behaviour and background of reserved seat legislators provide conflicting evidence. On the one hand, the political activity of these groups has risen, there has been a radicalization of Untouchable politics, and legislators are now more likely to portray themselves as committed to the welfare of their group. On the other hand, reserved seat legislators are still constrained by their parties. Galanter notes that reservations are designed in a way which “filters and muffles” the representation of interests of the SCs and STs (1984: 51). Similarly, Mendelsohn and Vicziany found that MPs have limited capacity to represent their communities when faced with a hostile power structure (1998: 240).

Mendelsohn and Vicziany, in their study of SC and ST members of the Lok Sabha and the Vidhan Sabha (State Assembly) of Bihar, found few SC and ST reserved seat legislators who came from the background of landless labour that typifies Untouchable poverty. Most of the legislators had received reserved education, came from a background of steady income, and were involved in reserved posts of governmental service. Only two of the legislators they interviewed had come from a particularly low caste (1998: 248). Some of the Members did not identify with their group because of their higher social status; for example, Mendelsohn and Vicziany interviewed one MP who was raised and lived in an urban area, was married to a Brahmin woman, and did not live in the constituency he ran in. They noted that he seemed to be out of touch with the
problems of the Untouchables (1998: 253). Yet, both the authors of this study and Galanter note there is a tendency to impose a higher moral standard upon SC and ST legislators. Galanter argues that low participation does not mean that SC and ST legislators are ineffective; indeed, there is evidence to suggest that reserved seat legislators have been prominent and sometimes influential in matters concerning preferential policies (1984: 53). Similarly, Mendelsohn and Vicziany found that SC politicians were sympathetic to SC problems, and often despaired at their own ineffectiveness. The amount of political leverage enjoyed by a MP varies with the balance of party power. In Karnataka, for example, the election of a prominent SC as Chief Minister led to several positive developments for the SCs. The Karnataka government implemented land reform laws, increased the enforcement of minimum wage laws, released bonded labourers, created housing schemes, and provided services of free legal aid to SCs (Jalali 1993: 102). The mere presence of SC and ST members has assured that their concerns are not dismissed.

The opposition to reservations tends to come from the educated, urban, upper castes who have lost positions to SCs and STs. It is worth mentioning that most of the opposition to reservations comes with respect to reserved positions in educational institutions and government jobs; it here that the upper castes feel they have been treated unfairly and lost opportunities they deserve. Opposition to reserved seats usually stems from the fact that most SC and ST MPs are not representative of their community. Since SC and ST legislators overwhelmingly tend to be from an emerging middle class, critics charge the people who really need to benefit from reservations are not benefiting (Suri 1995: 239). They argue reservations have created a SC and ST elite, often called the
'creamy layer' in Indian rhetoric, who use reservations to move up the socio-economic ladder, and do not care about their communities. While it is true that few benefits have reached vast amounts of landless labourers in villages, reservations have created an educated middle class (Galanter 1984: 551).

Reservations are seen by the majority of non-SCs and STs as a ploy by parties and the government to win electoral support, and they have good reason to think so. There are numerous examples of politicians mobilizing the SC and ST vote to win elections or ward-off political challenges. The 1992 Hegde government in Karnataka, for example, treated 92% of the population as 'backward'; also, V.P. Singh used job reservations for OBCs to meet the political challenge posed to his leadership within his party (Suri 1995: 243). Another problem is that reservations for the SCs and STs are increasingly being equated with reservations for the OBCs, and the common belief is that enough is being done for these groups. Faced with such opposition, groups benefiting from reservations are becoming increasingly militant and determined to safeguard reservations. There is no one kind of SC or ST politician, and while they share some common characteristics of social status, it is difficult to identify common legislative behaviour. It is safe to say, however, that reserved seats have not stimulated inclusion apart from what is mandated. SCs and STs have been notably unsuccessful in winning non-reserved seats. As Galanter notes,

We may safely conclude that the presence of the Scheduled Castes and Scheduled Tribes in legislative bodies is accounted for largely by the provisions for reserved seats...Thus reservations do provide for a substantial quantitative presence that would otherwise be lacking (1984: 50).

The changing nature of electoral politics in India and the increasing fluidity of the system are allowing for SCs and STs to challenge norms and advance the concerns of
their communities. Moreover, reserved seats provide the basis for them to be present in leadership positions. The increasing importance of votebanks in India demonstrates the importance of the SC and ST vote, and has meant that parties have been forced to promote SC and ST issues and politicians - even if these moves are purely symbolic. The leadership of the SCs, and to a lesser extent the STs, now demands equal treatment in the political process (Brass 1996: 2419). Reservations, along with educational and employment opportunities, have turned an inarticulate and ignored section of society into a potent political force.

**Women, Political Parties, and Parliament**

The 1974 Committee on the Status of Women in India concluded that no party recognized women as a source of political support or contenders for political power (Kidwai and Kumari 1994: 41). Since women’s exposure to political debates and issues has traditionally remained indirect and almost exclusively on the basis of what was reported to them by male relatives, the dominant belief has been that women are not interested in politics because of their own backwardness or ignorance (Kidwai and Kumari 1996: 3). While women were mobilized in the Independence movement, they were confined to playing supportive roles due to the use of religious symbolism, which portrayed women as the bearers of culture and tradition. While women have generally been excluded from formal politics, women’s organizations and politically active women have been present in India throughout the last century. The major concern of these women has been to obtain full citizenship rights, and until recently, the focus was not on political institutions or inclusion (Hoskyns and Rai 1998: 349). This coincides with an increased interest by women in actively participating in politics. However, the majority
of women still face obstacles to participation such as domestic responsibilities, lack of financial power, the rising criminalization and corruption of politics, and the failure of parties to nominate women. Moreover, the majority of women in India (60%) are illiterate and not exposed to the political process in any meaningful way (Desai and Thakkar 2001: 113). The current Lok Sabha has the highest percentage of women India has ever seen at 8.5%.

**i. Political Parties and Policy**

The women's wings of parties that were formed during the nationalist movement were sidetracked and assigned to only those areas concerning women and children after Independence. Today, all the political parties have women's wings, but the wings have little power and virtually no influence in decision-making. Membership of women in parties does not exceed 10-12% (Thakkar 1992: 205), and most of these women are relatives of male members of parties who use women to enhance influence and strengthen alliances. Many women who are interested in development and social work do not join parties, instead opting to work in NGOs or other organizations (1992: 207). Women who are involved in political parties have diverse experiences depending on the party they are involved in and how much political influence they wield. For the sake of brevity, I will be examining three of the major political parties in India – the Congress Party, the BJP, and the CPI(M) – and their policies and attitudes towards women members and women's issues.

Women in the Congress Party have generally been wealthy and educated, and have had kinship connections to Congress leaders. The Congress Party has been supportive of the WRB and presently has a woman as leader of the Party (Sonia Gandhi);
however, the Party’s lack of coherent ideology does not allow for a clear stance on women’s rights or issues. The Congress Party was once considered a ‘catch-all’ party, meaning that it was an umbrella organization composed of various factions, and while it does not have the success it once did, it is still considered a ‘centrist’ party. The Congress Party, like many other Indian parties, decides policy based on electoral calculations.

Two good examples of the Party’s ambivalence concerning women are the Shah Bano case and subsequent passing of the Muslim Women’s Protection of Rights on Divorce Act of 1986, and the sati\(^6\) (widow self-immolation) incident at Deorala in 1987. The Courts awarded Shah Bano alimony past the three-month \textit{iddat} period stipulated by Muslim law. Initially, Congress supported the ruling, but faced with conservative Muslim pressures, passed the Act which disallowed women from getting alimony beyond three months, essentially taking away Muslim women’s rights to appeal under secular law. In the process of enacting this law, Congress did not consult any Muslim leaders, Muslim women, or women’s organizations; female Congress MPs who were against the Act succumbed to party pressures and voted in favour of it (Kidwai and Kumari 1996: 49). The second incident was the infamous incident of \textit{sati} in Deorala, Rajasthan where a 19-year old woman committed \textit{sati}. After the occurrence, women’s organizations demanded the Government and police take steps to crack down on both voluntary and involuntary \textit{sati} (the \textit{sati} at Deorala was widely believed to be involuntary). However, the Congress government of the time, facing pressures from the practicing (and influential) \textit{Rajput} caste, did nothing. Electoral concerns outweighed commitment to policies.
Kumari and Kidwai interviewed several female Congress members and found they had little support within the Party. One of the prominent members said that she found it difficult to stand for election with no party assistance or infrastructure, and lamented, “‘if this could happen to me with all my influence, then what happens to ordinary women who have no power?’” (1996: 64). The President of the Mahila Congress (Congress Women’s Wing) said that women’s issues are rarely supported by male or female MPs, women are given ‘soft’ portfolios, and social conservatism is enforced by men in the Party (1996: 62).

The BJP is a right-wing party that has its roots in the Hindutva (‘the Hindu way of life’) movement. While the Party has tried to distance itself from these origins to some extent in order to gain support, the BJP’s ideology concerning women is largely unchanging and contradictory. The BJP now vehemently supports the WRB, but most who are familiar with Indian politics argue the Party is using reservations to ‘carve out’ a constituency among upper caste and class women (Thakkar 1992: 203; Kidwai and Kumari 1996: 208). The women’s organization within the BJP is the Rashtrasevika Samiti (‘National Women’s Volunteer Committee’), which encourages women to join violent Hindutva activities. The ideology of the BJP sees women as repositories of culture and provides them with little space to move away from traditional roles (Kidwai and Kumari 1994: 44). Recently, the BJP has been moving away from communal rhetoric, attempting to portray itself as a more liberal party; as a result, it has been trying to change its anti-woman image, and younger, educated, women members of the Party have protested against party decisions. Women MPs within the BJP have expressed
concern about their limited access to power within the Party, and advocate the WRB (Kidwai and Kumari 1996: 127).

The CPI(M) is perhaps the only Indian party with a clear ideological position on women; it sees the problems women face as a result of unequal structural and economic relations. While the Party is the most progressive and liberal with respect to women’s rights and supports the WRB, it has found it difficult to prioritize women over other social groups. The CPI(M) only had two women in its 1982-87 Left Front Government in West Bengal, and had no women in the 1998 National Politburo. Kidwai and Kumari noted women in the Party found it difficult to prioritize women’s issues over economic ones, and women were generally ignored with respect to internal party politics (1996: 172). Much of the Party’s policy concerning women has been informed by the All-India Democratic Women’s Association (AIDWA), which is linked to the CPI(M), and has been the only organization to mobilize on issues which are perceived to conflict with tradition.

All of the major political parties support reservations; however, they have done little to nominate female candidates in elections, and women are generally given nominations in those ridings that are considered to be un-winnable. In the 1999 elections, for example, there were 277 female candidates out of 14,000 candidates in total running for 544 seats, and 47 won (Thakkar 2001: 104). While it is interesting to note that women candidates were more successful proportionately in getting elected than were men, it is equally interesting to see that the parties who championed reservations did not nominate many women. The Congress nominated 50 female candidates, while the BJP nominated 54. Given the inaccessibility of party and legislative positions to women,
Kidwai and Kumari found that while female party members did not support quotas per se, they felt there was no alternative given the hold of traditional and conservative attitudes (1996: 216).

ii. Women Parliamentarians

A 1991 to 1996 study by Rai found that the majority of women parliamentarians were well educated, middle class professionals with few links to the women’s wings of their parties or to women’s organizations in general (1998). Women MPs tend to be assigned ‘soft’ portfolios of health, education, and child welfare, but do not have women’s issues high on their priority lists; instead, women MPs respond to the same institutional incentives and disincentives as men. However, parties encourage women to intervene in debates on issues such as the welfare of women and children, and violence against women. The factors that seem to be important in the selection of women as candidates by parties are education, personality, family background, and political and social connections (Thakkar 1992: 205). Family background seems to be of key importance in all the studies examined; women often belong to families where another member of the family is also an MP (Guha 1996: 143; Hoskyns and Rai 1998: 357). State politics also demonstrate the electoral success of women from influential families. Recently, however, there has been a shift away from elite political representation to lower caste women being nominated and elected. Interviews with women MPs also indicate that once these women are in office, family background mattered little when addressing constituent concerns and fulfilling the role of a representative (Kidwai and Kumari 1996: 65).
Women’s experience in Parliament is diverse. While women generally do not cross party lines to converge on women’s issues, they have done so in the past on certain issues. For example, in the 1970s, a woman MP from the Socialist Party and another woman MP from the CPI(M) mobilized women in Bombay in an anti-price rise agitation (Kumar 1995: 64). These women later joined with other leftist MPs to form a parliamentary lobby to campaign for new legislation against dowry and custodial rape. Women parliamentarians have also crossed party lines in the past over dowry legislation. Ironically, while almost all women parliamentarians support reservations for women, they have had to toe the party line on the issue, but since most female MPs are from the Congress or BJP, they have openly supported the WRB. Thakkar notes that women legislators face a ‘double-edged sword’: on the one hand, they fear being branded as ‘women’s only’ MPs; on the other hand, there is an expectation from voters and women’s organizations for female MPs to play a role in women’s issues (1992: 207). Kidwai and Kumari found that women MPs identified the ticket allotment stage of elections as the greatest point of discrimination (1996: 212). All the women they interviewed also said the political environment was not conducive to women’s participation, and only family status protected them against harassment and discrimination (1996: 213).

**Reservations for Women in Panchayati Raj Institutions**

*Panchayats* were a pre-colonial form of local governance in which village councils administered local concerns. Once India achieved Independence, the various institutions comprising the *Panchayati Raj* system were re-established in an attempt to implement Gandhi’s philosophy of self-sustenance and autonomous village republics (Kudva 2003: 448). However, *panchayats* in their various forms remained largely
insignificant until Rajiv Gandhi and his Congress Party sought to give them greater scope and control. In 1993, the Government passed the 73rd Constitutional Amendment known as the Panchayati Raj Bill, which laid down guidelines for establishing panchayats, and gave them direct control over issues of agriculture, health, employment, and primary education (Pande 2002). Previously, the form and power of panchayats varied from state to state, and some states had reservations for women OBCs, while others did not. The 73rd Amendment stipulates some of the following provisions:

1) Panchayats are considered political institutions in a truly decentralized structure
2) The gram panchayat will be the ‘life line’ of panchayats and voters of the village(s) will constitute its members
3) There will be direct election in all three tiers of government. These three tiers are the gram panchayat at the village level, taluka panchayat at the block level, and zilla panchayat or parishad at the district level
4) One-third of seats shall be reserved for women, out of which one-third will be reserved for SC and ST women
5) Each panchayat has a tenure of five years (Mohanty 1995: 3346).

Each level of governance is considered a panchayat, and the three levels together form the Panchayati Raj system. While the Bill stipulates these guidelines, the actual enactment of the Bill is left to individual states; as a result, the extent of power of the Panchayati Raj institutions (PRI) varies according to state. For example, West Bengal defines panchayats as “vibrant institutions of self-government”, while Haryana describes panchayats as a means for achieving better rural administration (Kudva 2003: 448). The Bill gives local governance more credibility, yet it also brings the panchayats under direct control of the central, not state, government. Consequently, the panchayats tend to be involved mainly in the administration of national governmental policies. Urban areas also have a system of local or municipal governance composed of three tiers, but these depend on population and are called municipal committees (population between 10 000 and 100 000), municipal councils (population between 100 000 and 500 000), and
municipal corporations (population greater than 500,000) (Arora and Prabhakar 1997: 918). The provision for a 33% reservation for women in 
panchayats and councils was passed relatively easily and without much debate. The reservations have led to over one million women being elected across India in the recent local government elections. Several studies have been conducted on women in PRI both before and after the implementation of reservations for women. I will next examine evidence from both these periods since many states already had reservations in place for women before the passing of the 73rd Amendment. The rural and urban differences will also be accounted for in the data.

i. Socio-Economic Background of Women in Local Government

The socio-economic background of women in local government varies greatly by state and by residence; thus, it is difficult to generalize about the women who run for office. However, there are some common factors that can be ascertained with respect to women in rural areas: elected women tend to be from the higher classes and castes, and often run for office because of family pressures. D'Lima's study of women in PRI in Maharashtra found that women were selected to run because of the political affiliation of their family, and most women came from families with "a considerable degree of political influence and involvement" (1993: 22). Nearly half the women interviewed belonged to the Brahmin and Kshatriya (i.e. upper) castes, and most came from large land-holding families. D'Lima identified the most potent entry factor as the political motivation of male family members. Similarly, a study by Maydeo et al in Maharashtra found that a substantial number of women who contested seats were the kinswomen of politicians who wanted to keep the seat in their family (1993: 61). While the majority of
women were affiliated with a party, there were women who ran without any party support. Generally, these women were members of women’s groups or social workers. The Congress Party, which has always had a strong base in Maharashtra, used reservations to nominate women from politically influential families who, by and large, had no political experience. Moreover, women were not nominated for non-reserved seats unless there was little chance of getting a man elected in the seat, or the woman was assured of winning.

Studies from Karnataka paint a similar picture; both Kudva and Mohanty found family connections and support served as the main entry point into PRI. Mohanty noted that women from the dominant Lingayat and Vokkaliga castes comprised 60% of the elected women in zilla parishads in Karnataka (1995: 3348). In Karnataka, most of the women were married, and were literate (as is common in much of South India), except in the ‘backward’ districts. Rajput’s study of Punjabi women panches (council members) showed that the majority of these women had no education and were from the predominant Jat caste of Sikhs. Most of these women were motivated to stand for election by family members or other villagers; only 4 out of 30 women said they decided on their own to enter the election (1993: 38). Jyoti et al’s comprehensive study of the Karnal District in Haryana found most of the women politicians to be illiterate (60%) and not from a political background (1997: 41-49). Interestingly, they noted that the women’s husbands or male relatives were better known as the elected representative, and this was the case for all castes. A large number of panches said they contested because others (family, villagers) encouraged them to do so, and that they would not have contested were it not for this support. The women who were active in politics were
associated with national political parties. In one village, the authors found the women panches were chosen because prospective candidates were promised money in the event their panchayat could be formed without elections (1997: 57). Likewise, a study of tribal women in Orissa found that the majority of women who ran for reserved seats were elected uncontested and occupied positions “unwillingly under force and compulsion of local non-tribal elites whose contestants could not contest in the election because of reservations” (Sahoo 2000: 65). Not surprisingly, the majority of these women were illiterate - most could only sign their name - and their family income was well below the poverty line.

Political parties tend to play a significant role in urban politics. National and state political parties often participate indirectly by giving support to candidates without formally allowing them to use party symbols. For example, 70% of women in municipal elections in Bangalore, Karnataka had the financial support of a party, and 82% had campaign support from a party (Subha 1994: 138). The overwhelming majority of women interviewed stated that they had contested the election because a party had asked them to do so, and needed the financial support of parties in order to run for office. In Bangalore, local subcastes (artisans, carpenters, etc) ran female candidates from their respective groups, actively registered voters, and made alliances with other subcastes to maximize electoral gains (Arora and Prabhakar 1997: 925). The majority of the elected women were young, reasonably well educated, and married housewives.

ii. Political Awareness and Knowledge

One of the most striking findings about women in PRI is the fact that the majority of women are not aware of their roles and responsibilities as representatives, nor of the
mandate of PRI. The Karnal District study by Jyoti et al found that half of the women respondents did not know about the Panchayat system at the time of deciding to contest, and while all of them knew their constituency was reserved, none was aware of the 73rd Constitutional Amendment (1997: 65-71). Only 3 out 121 surveyed were aware the PRI have powers in matters of finance and taxation; the authors noted major ignorance among the women regarding financial aspects of panchayats. None of the ST women interviewed in Orissa were aware of their role as a representative, or of PRI. The women were clearly dependent upon their husbands for their knowledge, and the husbands often responded to questions asked of the women (2000: 63). Manikyamba’s study in Punjab also found that most women panches did not know their role, or how the panchayats functioned (1989: 41). Many of the women stated they were satisfied with the prestige of being a panch. D’Lima’s study also noted that women expressed interest in their position because of the prestige it brought to them and their families (1993: 28). She also found that these women politicians did not know each other and did not cooperate on issues.

Kudva’s study, which examined women politicians during two periods (1988-1993 and 1994-1999), found that women expressed feelings of fear and diffidence due to a lack of understanding of their roles and functioning of PRI during the first time period studied (2003: 453). However, women who ran for a second term had a greater awareness of their roles and responsibilities. Mohanty also noted that the elected women of zilla parishads in Karnataka had become increasingly aware of their responsibilities within two years of election (1995: 3348). Women interviewed in cities had, on average, better knowledge of their responsibilities than did women in rural areas. In Mumbai (Bombay), women who were illiterate or not familiar with their duties were aided by
male corporators in secretarial activities (Barry et al 1998: 264). Women also expressed the need for training programs to educate them about the functions of the Corporation and their rights and duties and corporators (Maydeo et al 1993: 100).

iii. Participation and Activities

Women’s involvement in PRI varies according to factors such as education, income, previous experience, family support, and attitudes of male colleagues; however, men remain the main actors in reserved constituencies. They control the nomination process, especially the upper caste men who want proxy candidates – this has been found to be true in both rural and urban areas (Maydeo et al 1993: 103; Mathew and Nayak 1996: 1771). The Maydeo et al study in Karnataka found that many women felt intimidated and did not participate as a result. Surprisingly, the authors note women from upper castes were especially uncomfortable with participating because they considered it improper to speak in front of men (1993: 81). Mankiyamba also found that caste was more relevant in candidate selection than in participation (1989: 63), and d’Lima also identified education as a larger factor in participation than social background.

D’Lima also notes there are several positive effects associated with women’s participation at the panchayat level. Her research suggests: 1) the majority of women expressed they had gained “personal confidence and social awareness”; 2) although many were unprepared, their regular attendance sparked interest in a variety of political issues; 3) participation led to an increase in leadership abilities, and 4) leadership developed among ‘backward’ women in spite of the elitist influence in PRI (1993: 27-28). Jyoti et al found that even if women attended meetings regularly, they were rarely consulted on issues by the male members of panchayats (1997: 202). Manikyamba found that women
members of the panchayats in Haryana were discouraged from attending meetings by male members (1989: 42). In ST reserved areas, the involvement of ST women was largely constrained by socio-economic pressures, feudal attitudes, and family status (Sahoo 2000: 62). Similarly, female panches in Punjab were passive members who acted as a rubber stamp for the decisions of the male panches. They were asked to put their thumb impression on documents, but were not consulted or informed about decisions; however, the women were not bothered by this and accepted their minimal roles (Rajput 1993: 40-41). The only women panch who said she had argued with the sarpanch (head councillor) and brought problems to the attention of government officials was a woman with graduate qualifications. The woman said she faced character assassination as a result of speaking out against the sarpanch.

Women often face ridicule, hostility, and sometimes even physical violence if they are too vocal. Two alarming examples of this are the 1995 sari stripping of a sarpanch in Salheona, Madhya Pradesh, and the gang rape of a woman sarpanch in 1994 in Gujjarkhedi, Madhya Pradesh (Mathew and Nayak 1996). In the first incident, the sarpanch, who was elected in a reserved post, was stripped because some of the male villagers were upset that their candidate had not won the election. The gang rape of the other sarpanch was led by the husband of a woman who was defeated in the election.

Urban women were more likely than rural women to see themselves as active participants. Subha found 89% of women councillors in Bangalore attended meetings regularly, and 90% wanted to continue in political office at the local, state, or national levels (1994: 120). Most of the respondents said reservations were the only way women would be able to participate in political institutions, and saw themselves as role models.
for other women. Both Subha’s and Barry et al’s studies suggest that the women did not feel isolated or inferior; Barry et al note that both men and women said women were not “pushovers” (1998: 263). In fact, women were seen to be able to cross party lines more easily than men, and were considered more approachable by constituents.

Many studies found that education, drinking water accessibility, and infrastructure development were high on the priority list of women representatives (Mohanty 1995: 3349; Desai and Thakkar 2001: 118; Pande 2002). While gender concerns are often mediated by male influence, it seems that developmental and women’s issues are of importance to women. Jyoti et al’s study found that drinking water and sanitation were the main concerns of women representatives, and the welfare of weaker sections of society, public health, and family welfare was close behind (1997: 81). D’Lima’s study also found that securing basic amenities was the central concern of women.

Women politicians have been successful in implementing various developmental schemes. Local women politicians in Rajasthan run a women’s dairy cooperative and have initiated several small credit and loan schemes for poor, landless women (Pande 2002). Women have also actively fought against alcoholism and corruption. A panchayat member in Uttaranchal successfully mobilized women villagers to shut down a liquor vendor (“Women Justify” 2001), and ST women in Orissa have also launched movements against the government on issuing licenses to liquor traders. Women have taken up the cause of decreasing liquor accessibility and consumption because of its role in domestic violence and alcoholism in rural areas. ST women have also been successful in claiming the due market value for the forest and agricultural products collected by the STs (Sahoo 2000: 66). The emergence of all-women panchayats in states like
Maharashtra and Tripura has also been significant. In Maharashtra, the panchayats have made drinking water accessible, have helped decrease the incidence of alcoholism, and given land to women. These panchayats are also praised for their low levels of corruption. Kudva argues the absence of corruption in all-women panchayats is the "single most important feature" that distinguishes all-women panchayats from others (2003: 455). She also argues the main impact made by women has been to increase the effectiveness of program and service implementation. At the municipal level, women are also seen as less corrupt than their male counterparts. Barry et al argue that women’s links with civil society operate through family, friends, and women’s groups which are seen as less vulnerable to corruption than links with business (1998: 265). Women corporators in Bangalore focused on increasing access to state services by women (for example, in getting ration cards for food supplies, smokeless cooking stoves, and the like), and were seen as more approachable by women in the public.

All the women corporators interviewed in Mumbai and Pune emphasized the need to pay attention to issues concerning women’s issues, but said they needed approval from their families to enact meaningful change (Maydeo et al 1993: 98). Women in the Bangalore Municipal Corporation said the welfare of women came up occasionally, and that indifference on the part of men was the most significant reason for the neglect of women’s welfare issues (Subha 1994: 127). Women often approached the female corporators about frequent problems such as widow pensions, schools for children, and inadequate medical facilities. They also consulted the corporators about marriage difficulties and economic problems. Kudva contends that it is difficult to say that increased representation creates priority for women’s concerns because members focus
on the implementation of governmental programs. However, she notes two important changes: increased governmental accountability and decreased fear among women politicians (2003: 457). The role of NGOs has been a crucial factor in changing the priorities of panchayats and the role women play within panchayats. Mohanty, Kudva, Sahoo, Jyoti et al all note the importance of NGOs in shifting the developmental goals of panchayats, and their need – as well as the government’s – to continue to provide education and training to women.

The intersection of gender with class, caste, and ethnicity determines the manner and impact of women’s participation. This is apparent in the notable absence of Muslim women from political participation. Furthermore, institutional design and socio-economic conditions of the region are equally important; such factors make it difficult to generalize. The rural-urban divide demonstrates the differences between the perceptions of women about their roles and the level of activity of women. Rural women are more influenced and manipulated by powerful men than are women in municipal politics. The states of Maharashtra and Karnataka are also seen to be more conducive to women’s participation than others such as Orissa and West Bengal.

Women’s active participation has been low, but this has been changing with successive reserved seat elections. Furthermore, the short time period that reservations have been in place does not demonstrate their full potential. While women are often discouraged from actively participating, women in both rural and urban areas are finding ways to make an impact. While it cannot be said that women see themselves as representing the interests of women, they are concerned with issues that disproportionately impact women. Moreover, the evidence demonstrates that without
reservations, and even with the lip service parties pay to greater inclusion, women are unlikely to be given the opportunity to participate – effectively or not – in formal politics.

The experiences of the Scheduled Castes and Scheduled Tribes with reservations are varied and have changed dramatically over the years. Reservations have enabled these groups to become electorally valuable, which has resulted in their demands being taken seriously. Socio-economic gains, however, have arisen not so much from reservations in legislative bodies, but from those in educational institutions and government employment.

Chapter III Endnotes

1 The Hindu caste system is composed of four distinct varna (strata) based on traditional occupation: the Brahmins (priests), Kshatriyas (warriors and princes), Vaishyas (merchants), and Shudras (labourers). The Scheduled Castes have such a poor status that they are not even considered a part of this hierarchy, but fall below it.
2 The SC population in the North-eastern states is negligible and no caste is considered scheduled in Nagaland (Suri 1995: 232).
3 Directives are not legally-binding provisions so much as they are rules to consider when forming governmental policies.
4 B.R. Ambedkar was the unofficial spokesman and leader of the SCs (then known as the ‘depressed classes’) during the later stages of the British administration. He was critical of Gandhi’s attitude towards the SCs and demanded separate electorates for the SCs, a demand he later conceded in order to establish reservations (Bose and Jalal 1998). After Independence, Ambedkar founded the Republican Party of India and acted as the most vocal and influential advocate for the rights of SCs.
5 The ‘Other Backward Classes’ are those groups that are not as ‘backward’ as the SCs and STs, but are nonetheless socially, politically, and educationally marginalized. There have been several commissions, notably the Kalekar and Mandal Commissions, which have recommended that reservations for these groups be implemented. Some estimates place the OBC population at 50% of the total Indian population. While reservations for OBCs have not been implemented nationally, some states make provisions for this group.
6 Sati is an ancient Hindu custom among the upper castes, which involves the widow burning herself on her husband’s pyre. Part of the problem with sati is that it is often forced upon women by relatives. Sati was outlawed by the British colonial administration, but incidents of it take place to this day.
7 Hindutva includes to the understanding of Indian culture as the monopoly of the Hindus, and sees other cultural traditions as anti-national.
8 Thumb impressions as signatures are used widely in India by the illiterate population.
CHAPTER IV: RESERVATIONS FOR WOMEN AND THE ROAD AHEAD

The Current Impasse

The latest negotiations among parties regarding the WRB took place in the spring of 2003. While the BJP government promised that it would push the Bill through Parliament with or without the support of its allies in the National Democratic Alliance (NDA), it failed to do so. Three key NDA allies – the Samata Party, the Janata Dal (U), and the Shiv Sena – joined the Rashtriya Janata Dal (RJD) and Samajwadi Party (SP) in opposing the Bill in its present form. The RJD and SP demanded a reduction in the percentage of reservations, and a quota for OBC and minority women, while the Shiv Sena wants the quotas for women to take the form of mandatory party quotas, not reservations (Katyal 2003). The BJP has the support of the Congress Party, the BSP, and the leftist parties, and as a result, has been accused of abandoning its allies to join forces with the Opposition. While the Bill was never formally introduced in the House, determined and angry RJD and SP leaders “raised a ruckus” in the Lok Sabha (as they had also done previously when the Bill was up for debate), and vowed they would not approve the Bill (Katyal 2003). In the end, the BJP succumbed to pressures from its allies in the NDA, and agreed to temporarily set aside the WRB to enable yet another round of consultations.

While many opponents of the WRB have argued they oppose the Bill because it does not include OBC and minority women, many of these parties are more concerned that the Bill will cause them to lose votes (Sahay 1998). On the other hand, the parties that tend to support the Bill have also done so because of electoral calculations. The BJP is hoping the reservations will create an electoral votebank among upper caste and class
women, while the Congress also sees the potential electoral benefits of reservations. The BJP and Congress are the largest parties in India, sharing the majority of votes; consequently, they have the most to gain from reservations for women. The BSP is also supportive of the Bill because it makes provisions for a quota for SC and ST women, which would increase the number of seats it holds in the Lok Sabha. The CPI(M) has more ideological reasons for supporting the WRB, but also loses nothing from the implementation of reservations. The key is that all these parties have potential gains to be made from reservations. This is not to say that genuine concern for democracy and women’s rights may not be a motivating factor, but that electoral gains are the primary motivation. The Congress and BJP have no clear ideological stance on women’s rights or issues; both parties have made pragmatic decisions based on electoral gains or losses with regard to women. Women’s groups that have been supportive of reservations have realized these parties do not endorse reservations because of deeper sentiments, but have forged uneasy alliances with them in order to get the Bill passed. Reservations for women will undoubtedly give power to some at the expense of others, and this has determined which parties support or oppose the Bill.

The central concern of this thesis has been to answer the question ‘why reservations?’ The answer that has been provided thus far is that reservations have been chosen by political parties to account for the increasing importance of the women’s vote. The social and economic gains women have made have resulted in increased political awareness; however, this has not translated into large gains in political power. Women’s organizations have demanded reservations in order to acknowledge the persisting discriminations women face, and to demonstrate that equal citizenship must entail
political participation and power. However, reservation policy is about more than the political motivations behind it. Reservations are meant to be useful in increasing women’s political participation, and creating inclusion in an environment that has been hostile to women. Thus, it is necessary to examine whether the promises of greater participation and inclusion hold true by evaluating reservations, the Women’s Reservation Bill in particular, in light of the data presented on quotas for women and the SCs and STs.

Lessons Learned

**i. Potential Problems**

Along with the arguments parties have presented, reservations, and preferential policies in general, have been criticized for various reasons. The most common criticism that was noted in Chapter I was that women do not form a homogeneous group with definable interests; thus, reservations tend to freeze identity and reduce accountability to the entire constituency. The issue of women constituting a ‘group’ as such has already been addressed at length. Reservations and group representation are not based upon a notion of common interests, but do involve a concept of Young’s seriality in which women share a common social group perspective.

The question of reduced accountability, however, does raise important issues. The assumption is that if women do not form a homogeneous group then reservations are inconsequential because the women holding the reserved seats are not accountable to women. While it is true that reserved seat legislators would not be accountable to women as a group, this is not possible, they would be accountable to the entire constituency. Reservations are not meant to only create accountability to women, but to all members of
a constituency. As the experience of the SCs and STs demonstrates, SC and ST legislators are accountable. In fact, it is has been noted that since SC and ST politicians are accountable to people other than SCs or STs, they have had little opportunity to address the concerns of their groups (see Galanter 1984). Regardless, Kishwar argues reservations would reduce accountability since the reserved seats would change with each election (1996: 2871). If seats are rotated by a draw of lots system with each election, there is no motivation for the legislator to nurse her constituency. On the other hand, rotating constituencies could in fact encourage the legislator to nurse her constituency, and pay close attention to its concerns since the seat may not be reserved in the next election.

The rationale behind rotating seats is that since the distribution of women is proportionate, every constituency should have the potential to be reserved. It is difficult to assess from the SC and ST experience how rotating constituencies would impact accountability or women’s ability to effectively nurse her constituency; however, it is important to note that these groups have won very few non-reserved seats. This would suggest that women would have a difficult time being re-elected to non-reserved seats. Parties may also be unlikely to nominate the same woman when a seat is no longer reserved; instead, they may opt to nominate a male candidate.

Some critics also contend that reservations are discriminatory and do not account for merit. As a result, the women who are elected will not be seen as qualified or deserving the positions they are gaining. First, as Young notes, equality as sameness is insufficient for promoting substantive equality (1990: 195). Discrimination in favour of marginalized groups, then, can be a means to promoting equality. Moreover, it should
not be assumed that non-discrimination is paramount to other objectives like equality.

Merit, as we saw in Chapter II is itself a problematic concept. The idea that merit should be the basis for distribution of resources is flawed in that it assumes merit is a neutral and measurable concept. Merit, however, is variable according to who sets the criteria. In India, it is laden with patriarchal and capitalist understandings of achievement and distribution. Furthermore, merit does not take into account the structural obstacles women face and how men have not gained power through merit alone. It would be a mistake to assume that women have been excluded from formal political participation because they lack merit. Even if we were to accept that merit should be the primary means of distributing political power, it does not hold that the women who run for office would be without merit. Studies on women parliamentarians demonstrate that these women are well educated and come from a political background (Rai 1998). Parties are also likely to choose the most competent candidates for nomination since they will be competing with other parties’ nominees. Political participation is too important to be based upon standards of merit alone. If full and equal participation is seen as a right, and some groups have not been given equal access to this right, merit cannot be the means for distribution of political power.

Another problem associated with reservations is that they promote separation and produce a ‘victim mentality’. Group consciousness, then, can be seen to create disunity and a feeling of victimization. In India, many opponents to reservations for the SCs and STs argue that such a policy does not help these groups become integrated into the political system, but produces the feeling – among SCs and STs, and the public in general – that they are different and cannot compete in the system without special provisions.
The general public perceives the SCs and STs as weak and less competent than other politicians, and there has been a large backlash against these groups. However, there are two reasons to believe women would not face the same animosity the SCs and STs encounter. First, there is the fact that Indian society sees untouchability as an indicator of incompetence more than gender. Society has not been able to overlook the traditional occupations and ‘backwardness’ (educational, cultural, economic, etc.) of the SCs and STs, and the stigma attached to these groups remains high. On the other hand, female politicians are well respected and not seen as inferior to male politicians. Second, the backlash SCs and STs have faced is due more to the fact they have reserved positions in educational institutions and governmental jobs, than to the reservations in Parliament. Since women will not receive reservations in educational institutions and government jobs, they will face far less backlash.

The emergence of the BSP is seen as the biggest example of how reservations create fragmentation, and not integration. Yet, ignoring group difference and discrimination does not help national unity, and leads to feelings of exclusion. It is unlikely many SC and ST candidates would be elected without the use of reservations, and the same can be said for women at the panchayat level. Political parties are not likely to entertain the concerns of groups without their presence in numbers. The SCs and STs have become a potent force in the system, and no party can afford to ignore their concerns. In Norway, party quotas for women have become a “matter of business as usual” (Skjeie 2001: 167), and have allowed for the integration of women. National unity is often used to justify or condemn policies, and keep certain voices silenced. Issues once considered ‘private’ were kept out of the political arena because they were deemed to be
disruptive to national unity. Recognition of difference, however, does not necessarily entail divisiveness. Instead, reservations recognize the exclusion of women and seek integration and the promotion of new ideas.

Galanter notes one of the costs of preferential policies as being the problem of ‘diversion’ (1984: 81). That is, reservations will not redistribute political power. First, the WRB does not address the Rajya Sabha or decision-making bodies such as Cabinet. However, since women would form 33% of the Parliament, it would be difficult to not promote women to positions in Cabinet or committees. The other problem noted is that reservations will only benefit women from affluent backgrounds, or those with family connections. Indeed, the evidence on SCs and STs MPs suggests that they are not representative of their communities. They are well educated and not typified by a background of landless labour. The SC and ST who have used reservations to climb the socio-economic ladder – the so-called ‘creamy layer’ – have been the ones to benefit from reservations.

Similarly, women MPs tend to be middle-class professionals from politicized families, and in PRI, women tend to be from higher castes and clans with political influence. The problem with women who are nominated is not so much that they are unrepresentative of Indian women in general, but that political parties nominate women with political ties. It would be impossible to have women legislators that are representative of all women. Indian parliamentarians are often more educated and wealthy than the population at large, and it would be unfair to expect reservations to account for this disparity with respect to women. It is the responsibility of parties to nominate appropriate candidates. The problem is that parties have tended to nominate
women from influential political families at the both the national and municipal levels (Maydeo et al 1993: 64; Subha 1994: 138). Similarly, in *panchayats*, political castes, clans, and families have used reservations to keep seats within their influence. This has meant that the women elected to national and local bodies are ones with political ties, and women who do not possess these ties have had little chance of being nominated or elected.

The RJD and SP have opposed reservations based on the fact they do not account for OBC or minority women. Muslim women, as well as others, are grossly underrepresented in political institutions; however, some states make provisions for OBC women at the state and local levels. The fact that OBC and minority women are not accounted for in the WRB is a problem for some political parties. These parties support reservations for OBC and minority women because they would help keep or gain their share of seats, not because they see necessity in extending more reservations. On the other hand, others argue that extending reservations to women will lead to a 'slippery slope' whereby every cleavage (OBC, Muslim, etc.) will need to be accounted for.

Reservations for women without making provisions for OBC and minorities are not so problematic if it is recognized that reservations do not stem from microcosmic representation whereby political institutions reflect all societal groups. Reservations do not assume that all groups in society can or should be represented; instead, the argument is for the representation of groups that have been historically excluded, or groups whose proportions in institutions are below what they would be by chance. (Mansbridge 1999: 632).
The final set of arguments against reservations are those that see preferential policies as a form of co-optation or ‘gatekeeping’. Hoskyns and Rai argue reservations will not benefit particular groups, but are a way of co-opting them into the process that perpetuates inequality (1998: 358). Furthermore, the political establishment will choose who is allowed to participate, ensuring certain interests and opinions are kept out. Some feminists worry this would merely change the gender composition of the elite, and lead to a ‘watering-down’ of any feminist agenda that seeks major structural changes (Hawkesworth 1999:143-149). Many examples suggest that women are often chosen to run for office because of their family or caste background. In panchayats, it was often the case that women were encouraged by male family members to run for election; in fact, some were coerced and forced into standing for election (Sahoo 2000: 65). Parties often use reservations to nominate women from influential families who had no political experience. Several studies demonstrated that panchayat women were not consulted on issues, and were often used as a ‘rubber stamp’ to seal the decisions that male villagers had made (see Jyoti et al 1997 and Sahoo 2000). Studies on women parliamentarians in India also demonstrate the importance of family background in nomination; however, Kidwai and Kumari found that family background mattered little once in office (1996: 65). Instead, the largest factor in women’s participation is party affiliation.

The SCs and STs who have traditionally been co-opted by the Congress Party were very un-active Members of Parliament until relatively recently. The reservations for SCs are designed in such a way that concerns of the group cannot be actively addressed. Mendelsohn and Vicziany found that many SC MPs felt ineffective and constrained by their party (1998: 240). Most SCs and STs (and the public at large) see
reservations for these groups as a ploy by parties to gain electoral support, and not as a provision for increasing participation. Yet, SCs and STs have begun to play an important role in Indian politics; their concerns are no longer easily ignored. The advent of the BSP has a lot to do with the emergence of the SCs as a political bloc, but so does the fact that SCs and STs are no longer a safe votebank of the Congress.

Thus, evidence suggests co-optation may be a necessary evil needed in order to include more women. On the one hand, there is a need for the inclusion of those who are willing to challenge the existing political system; on the other, there is the reality that political institutions are difficult to penetrate, and change may only arise as a result of allying with those (men) possessing power. The importance of support from male colleagues was evident in international examples and in Indian municipal corporations (see for example Barry et al 1998). The SCs and STs are a good example of how co-optation is avoidable once a political voice has been established. Furthermore, women’s integration into the existing political system does not necessarily advocate co-optation and the status quo; mere inclusion challenges the status quo.

Kishwar argues reservations are flawed because they create a ‘glass ceiling’, whereby women will be expected to only contest reserved seats, and face backlash if they run in non-reserved constituencies (1996: 2872). She argues this would lead to the ‘ghettoization’ of women, and will force women to compete rather than unite on issues. The SCs and STs demonstrate that parties may be hesitant to nominate women in non-reserved constituencies; SCs and STs are rarely nominated in non-reserved constituencies. However, countries such as Norway and Taiwan, where women have
been elected in numbers larger than their respective quotas stipulate, demonstrate that quotas are not an automatic glass ceiling.

**ii. Reasons for Optimism**

While symbolic arguments alone cannot justify increasing presence, they demonstrate the importance of numbers. Symbolic arguments stress the need for increasing the number of women because it will increase respect for women, create role models, and increase the legitimacy of political institutions. Though increasing political legitimacy via reservations may only be in numerical and not substantive terms, the symbolic shifts in public perception should not be overlooked. Particularly in urban areas, studies found women corporators were likely to see themselves as role models for other women (see Subha 1994; Barry et al 1998). Barry et al also found that the majority of male municipal corporators acknowledged the important contributions women made to the Corporation. Symbolic changes are difficult to measure, yet they can be effective in changing both men’s and women’s perceptions about the role women should and can play in politics.

Justice arguments in favour of women’s increased presence are of importance for two reasons: they stress the discrimination and inequalities women face, and they acknowledge the importance of redistribution. It is apparent women face societal discrimination and inequalities, but they face them at the institutional level as well. Political parties have not been conducive to women’s inclusion. While parties have endorsed the WRB, they have done little to nominate women as candidates, or to increase the importance of their women’s wings. Women MPs said the greatest point of discrimination against women in the electoral system was the ticket allotment stage, and
that the political environment was not conducive to women’s participation (Kidwai and Kumari 1996: 212-213). Women parliamentarians also noted the lack of political resources made available to them by parties. The Indian electoral system does not help in reducing the inequalities women face in elections. India’s first-past-the-post system with single-member districts acts as a barrier to entry for women since it reduces incentives for parties to nominate women (Rule 1994; Matland and Studlar 1996). While Matland’s study noted electoral system to be of less importance in LDCs, he found women were not nominated in LDCs because parties perceived the costs of nominating women as too high (1998: 119). Increasing presence, therefore, can redistribute political power that is unfairly skewed to favour men.

Williams, Mansbridge, Young, and Phillips all noted the importance of increasing women’s presence in order to allow for the inclusion of different perspectives, insight, and information. Tied into this is the idea that women will bring a different voice to politics. This is not to say that women will be better than men, but that because women share a social perspective, they have important contributions to make to politics. My contention is that it is not possible to predict how women will act in political institutions, nor can we expect them to act in a particular fashion. There are real dangers in labelling women as naturally possessing ‘feminine’ characteristics that will bring certain qualities to politics. While some women may fit this gender stereotyping, not all women will. For example, Kudva (2003: 455) noted the absence of corruption in all-women panchayats; however, it is difficult to generalize about the behaviour of all women legislators from this example. Rather, it is important to recognize the variety of
women, the multiplicity of political and societal views women hold, and the range of decisions that will result from these views.

I have chosen not to focus on the 'feminine' qualities women bring to politics, but have focused instead on how their presence can change the content of discussions and decision-making. Various studies from around the world demonstrate that women often prioritize issues differently than men. Sawer's study of New Zealand MPs found women were more likely to raise issues about childcare, domestic violence, and parental leave (2002: 9). Similarly, Young noted that Canadian women parliamentarians had helped expand the political agenda to include private issues. Women in the Norwegian Parliament were likely to vote across party lines in issues of care politics (Karam et al 1998: 187). In India, women MPs have crossed party lines in the past to unite on issues regarding dowry and rape. Women in various countries have, however, expressed concerns over being stereotyped as 'women's only' MPs (see Hoskyns and Rai 1998; Childs 2002). The majority of studies also noted the importance of party affiliation and support in raising gendered issues. The concern is not that women legislators agree on such issues – party affiliation, personal views, and constituent concerns will influence this – but that the political agenda be broadened to include them nonetheless. Some authors noted women 'do politics differently'; that is, they are less corrupt, more nurturing, etc. While I would argue such characteristics are not shared by all women or restricted to women (they are constructed rather than natural or essential), it is important to point out how greater inclusion can allow for different ways of 'doing politics' to emerge. Formal politics have been dominated by 'masculine', patriarchal tendencies
(aggression, competitiveness, confrontation), so it is important to introduce and include other ways of participation.

Women in *panchayats* were much less likely to be aware of their roles and responsibilities than were women in municipal corporations and in the *Lok Sabha*, but these women overwhelmingly focused on issues that directly impacted their day-to-day lives such as education, drinking water accessibility, and infrastructure. In Rajasthan, women have formed their own dairy cooperatives and developed a scheme for small loans for women. In small villages, many women *panchayat* members have rallied their villages to restrict liquor vendors. Corporators in Mumbai and Pune had more room to discuss particular women's issues. They emphasized the need to pay attention to women's issues, and were often approached by women constituents concerning family and economic matters.

While women may be initially unaware of their roles and intimidated by the political process, studies show that women's interest and participation in politics has increased because of reservations. For example, D'Lima study noted women gained "personal confidence and social awareness", even if they were not very active (1993: 27). Subha found 90% of women corporators interviewed wanted to continue in office (1994: 120). Women did not feel isolated or inferior, and men did not see the women as ineffective or as pushovers. One of the most important factors in generating interest and experience for both rural and urban women was regular attendance, as well as serving in office for more than one term. It is unlikely women at the national level would suffer from the lack of resources, political experience, and interest women in PRI face; rather, it seems they would have the greatest ability to raise women's issues.
I have defined effective participation as requiring that representatives know their roles and duties, express their opinions and concerns, and actively debate issues. Effective participation also means that representatives are able to influence decision-making and have the ability to achieve the highest office in a party or government. The comparative evidence demonstrated the ability to effectively participate depends on a number of factors: the presence of women's organizations, education, support from male colleagues, critical mass, feminist self-identification, economic development, and electoral system. Women's organizations at the national level have been important in advocating the WRB; however, women MPs usually have few links to women's organizations or the women's wings of their parties (Hoskyns and Rai 1998: 358). This does not mean, however, that women have been silent on women's issues or issues in general. Furthermore, international examples suggest that links with women's organizations increase as the numbers of women in legislatures increase (See Young 2000; Thomas and Welch 2001).

The findings in international examples also suggest that level of education is positively correlated with participation. At the PRI level, this seems to hold true. The majority of women legislators in rural areas have very low levels of education, and many are illiterate. These women have little idea of what their roles and responsibilities are, and are often not expected to actively participate in decision-making. In municipal corporations, however, women are significantly more educated, which has resulted in a better understanding of their roles and more active participation. Women in the Lok Sabha are well educated and aware of their responsibilities as legislators; however, their participation is constrained by party influence and male domination.
Studies also suggest the importance of support from male colleagues in increasing participation. Barry et al found that both men and women municipal corporators saw women as important in decision-making, and male corporators often helped the new women with office duties and secretarial support (1998: 264). Rural women, however, had little support from men and faced opposition and antagonism from men. Women MPs noted similar fears of backlash from men. As a result, all women MPs agreed that the political environment was not favourable to women. All of them, however, supported the WRB as a result. The passing of the WRB and the implementation of reservations would allow for the critical mass needed in order for women to participate more actively.

Different studies point to different numbers as constituting a critical mass. They also note party cleavages and social conservatism as hindering the possibility to alter parliamentary culture or decisions (Carroll 1991: 970; Grey 2002: 28). While critical mass itself may not be able to dramatically change political institutions, it does allow for the expansion of the political agenda and party interests. Carroll noted that women legislators in the US were significantly more likely than men to have a women’s bill as their top priority (2001: 168). Reservations for SCs and STs, as well as for women in PRI also demonstrate how increased numbers create a situation where the demands and concerns of these groups cannot be overlooked.

The impact of feminist self-identification on political participation was not a clear factor in any of the studies examined, therefore, it is difficult to assess the factor in the Indian case. Comparative examples would suggest feminist self-identification would be of importance in raising feminist concerns, but not for levels of participation.
Tamale’s study of Uganda noted how governmental emphasis on a neo-liberal agenda had greatly reduced the importance of the legislature in decision-making (1999: 1). India’s developmental concerns have also been with pursuing free market and neo-liberal policies. Economic concerns of the government have outweighed social ones, and parties have been reluctant to take ideological stances on most social issues. While women occupying reserved seats in urban areas tend to be more aware of their roles and generally more active than women in rural areas, it is difficult to measure how much of this is due to the level of economic development. Instead, it seems education and perhaps economic independence play a larger role. Also, the level of economic development impacts the priorities of women legislators. Rural women focused more on basic necessities like drinking water, sanitation, and infrastructure – issues that are not necessarily ‘women’s issues’. Women in urban areas were afforded more opportunities to address women’s issues, but were mainly occupied with administrative concerns.

As noted previously, the type of electoral system a country has will affect the numbers of women nominated and elected. Since India is not about to change its electoral system to PR, some type of quota is needed. Some women’s organizations have suggested going the way of countries like Argentina and instituting a mandatory quota for women in party nominations, rather than the outright reservation of seats. Such a policy is seen to be more democratic since it accounts for voter choice. Reservations, however, do account for voter choice. All voters, not just women, in a constituency are able to vote, and they can express their preference by voting for a party or the candidate of their choice. Examples from Argentina and Taiwan also warn against strict party control over the nomination process. In Argentina, parties have adopted a minimalist interpretation of
the quota law, and Taiwanese women noted increased party control over nominations as a problem (Chou and Clark 1986: 47). Thus, one of the benefits of reservations is that they ensure the election of a certain number of women, and allow for more state, not party, control over nominations. Parties are the ones who will ultimately have to nominate women as candidates, but they will have to conform to national laws.

The Indian political system that has emerged over the past decade features uneasy and varied coalitions. This has resulted in the increased importance of votebanks such as minorities and women. SCs and STs, for example, have achieved increasingly gained more political power and attention since parties are trying to woo their votes. A quota for women of 33% will undoubtedly force parties to compete for the ‘women’s vote’, and will give women parliamentarians the political influence they need to be active participants.

**Conclusion**

It is not clear whether the BJP or any future Indian government has the political will to pass the Women’s Reservation Bill in its present, or any other form. What is clear is that parties either support or oppose the Bill based on electoral calculations first and foremost. However, even parties opposing the WRB have realized reservations are a politically powerful concept whose appeal is not likely to diminish anytime soon. Quotas for women in other countries, for the SCs and STs in India, and for women in PRI in India demonstrate the importance of preferential policies in creating greater inclusion for marginalized groups. While much opposition to reservations comes from their static nature, reservations seem to be the only viable option in India. The WRB and reservations are not the solution to the problem of women’s inequality, but they are a
positive step in the right direction. If the expectation is that reservations will
dramatically change the existing political structure in composition and character, lead to
major socio-economic changes, or advance ‘women’s interests’, then reservations are
doomed to fail. Reservations tend to benefit the elite, and party influence and control
play a major role in participation. If, however, there is recognition that parties and
institutions are not likely to include more women without such measures, and that the
system itself is discriminatory, then there is a case to be made for reservations.

The WRB should be implemented in order to challenge the male dominance of
politics, to allow for the inclusion of different perspectives, and to recognize women’s
right to equal participation. Over the past fifty years, the SCs and STs have made large
strides in overcoming their low political, economic, and social status. They are no longer
marginal, inarticulate groups that can be mistreated; in fact, they have begun to advocate
issues that specifically impact their respective groups. Comparative evidence on women
also gives reason to be optimistic. Studies show that women can make a difference in
institutions regardless of the constraints they face. Women not only help increase the
gender sensitivity of political institutions and decision-making, they can form the critical
mass that is necessary to change the political agenda. Yet, women should not be included
simply because some of them will raise women’s issues, but rather because they carry a
particular perspective and a variety of opinions that need to be acknowledged in all types
of decision-making.

Reservations as a theoretical concept or in comparative evidence cannot fully
illuminate the consequences of such a policy for women in Indian legislatures. However,
reservations demonstrate they can fulfill the promise of greater inclusion and
participation that are necessary for equal citizenship. The Women’s Reservation Bill, and reservations in general, are not likely to disappear. This speaks to the fact that reservations have been a successful venture for the Indian polity. Women have, and will continue to be a potent force in political institutions, and their increased participation will result in further social and economic gains. Reservations for women in India also demonstrate how women’s representation is possible without being static or essentializing, yet can give voice to women’s issues. Most importantly, the Indian example reveals the important social changes that can occur when political representation and participation are available to marginalized groups, and the crucial role the state can play in providing these benefits.
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