



CLRA Policy Brief for Parliamentarians

Women's Reservation

A Long Delayed and a Much Needed Step

"Achieving the goal of equal participation of women and men in decision making will provide a balance that more accurately reflects the composition of society and is needed in order to strengthen democracy and promote its proper functioning... Without the active participation of women and the incorporation of women's perspectives at all levels of decision-making, the goals of equality, development and peace cannot be achieved."

- Fourth World Conference on Women, Beijing, 1995: Article 181

Introduction

Women represent more than half of the world's population and just less than half of the global electorate. Nevertheless, women constitute a marginal proportion of representatives in the world's legislative bodies. In 2008, the average rate of female representation in national parliaments stands at a meagre 18 per cent.

India has of yet managed notably limited success in rectifying these imbalances, with women currently holding only 8 per cent of parliamentary seats. Although India was one of the first democratic nations to grant women the vote, women are neither represented in the legislative spaces nor contributing towards the formation of national laws.

After twelve years of the Women's Reservation Bill lying in limbo amid intermittent and embarrassingly hot-headed scenes in the House, it was finally introduced in the Rajya Sabha during the last day of the Budget Session, 2008. As it is a Constitutional Amendment Bill, it must now acquire a two-thirds majority to be passed in the Parliament.

CLRA presents this policy brief for parliamentarians to encourage them to take action at a critical juncture for India's institutions of governance, interest groups and the male and female electorate. Once again, parliamentarians have the opportunity to enhance women's representation, strengthen democratic governance and enable access to decision making bodies for India's most sizeable and potentially must subjugated minority. For these reasons, it is essential that the Bill gets passed in the next session of Parliament, with the political will for its implementation during and after the 2009 general election.

The arguments in favour of reserved representation can be simply delineated:

- Women represent half of the population of a country and therefore have the right to half of the seats, since decisions made in parliament have a direct impact on their lives.
- Women have different social and biological experiences which should be represented in institutions of governance.
- Women and men have partly conflicting interests.
- Women in positions of power can inspire more women to place themselves in influential and decision-making roles.

Implications of the Bill

The main provisions of the Bill, as introduced in the Rajya Sabha in May 2008, are:

- (1) Not less than one-third of seats to be reserved in the Lok Sabha and State Legislative Assemblies for women;
- (2) One-third of the total number of seats reserved under clause (2) of article 330 (the existing quota for Schedule Castes and Scheduled Tribes) to be reserved for women belonging to the Scheduled Castes or the Scheduled Tribes;
- (3) Reservation of seats to cease to exist or expire after 15 years of the commencement of the constitutional amendment;
- (4) To select women candidates through a system of rotation, by which one third of the total number of constituencies to be reserved for women candidates will be determined through a draw of lots;
- (5) To consider extending the reservation to Rajya Sabha and the Legislative Councils of States, without making any definite provisions within the scope of the current Bill.

Women's Rights and Social Development

"I measure the progress of a community by the degree of progress which women have achieved."

- B.R. Ambedkar

Taking measures to enhance the status and visibility of women is critical for sustainable progress against the range of human development indicators, both because women are particularly vulnerable to social and economic marginalisation when resources are scarce, and because women are critical agents in the development processes. According to various international reports, development in India is being severely hampered by the breadth of the gender gap and limited female participation in traditionally male dominated institutions and social strata (See box no. 1).

Box no.1: India and the Gender Gap

The World Economic Forum's annual Gender Gap Report (2007) affirmed that there are just six countries - Iran, Bahrain, Oman, Pakistan, Saudi Arabia and Yemen - performing worse against economic parameters, with women constituting a mere 3 per cent of legislators, senior officials and managers and making up 90 per cent of informal workers in the economy. Against other major indicators, there is also immense cause for concern: India has the largest number of maternal deaths in the world and shocking rates of female malnutrition, and a woman in India has lesser chance of survival than in all but 2 of 128 countries. The oft-discussed imbalance in the sex ratio can be attributed - not only to female infanticide, as is often assumed - but to sustained neglect from infancy of female health, nutrition and wellbeing. A girl child is up to 3 times more likely to be malnourished than her brother (UN), and is also significantly more likely to drop out of school before completing a full eight years of education. As well as passive neglect, violence against women and girl children is on the rise: the number of rapes per day has increased by nearly 700 per cent since 1971, and thousands of dowry deaths occur each year (National Crime Records Bureau).

There are countless studies to demonstrate the effectiveness of women's empowerment as a tool for development. For example, Kerala and Manipur have experienced rapid progress in improving health and reducing mortality and fertility rates - the benefits of which affect men as well as women - and in these states women also play a vital social and economic role. This correlation should not be surprising, given that nutrition and child health generally fall within the remit of the woman's household decisions. Ultimately, healthy, educated and empowered women are more likely to raise healthy, educated and confident children and engage positively with the life of the community (UNICEF).

To eliminate gender discrimination and promote female empowerment, women's decision making capacity must therefore be enhanced within the household, the workplace and the political sphere. Increased political influence should have reverberations for women's equality in the other two

realms, which will in turn have implications for India's performance against all milestones for social progress.

Reservation of seats is a basic, consistent and logical step towards both women's emancipation and inclusive development - particularly for a government which promised that the "equal access to participation and decision making of women in the social, political and economic life of the nation" would be at the heart of its agenda (National Policy for the Empowerment of Women, 2001).

A Meaningful Democracy

"The concept of democracy will only assume true and dynamic significance when political parties and national legislatures are decided upon jointly by men and women in equitable regard for the interests and aptitudes of both halves of the population."

- Inter-Parliamentary Union, 1994

Whilst there is no universally accepted definition of 'democracy', any functional analysis must include two fundamental principals: all members of the society must have equal access to power, and all members must enjoy universally recognised freedoms and liberties. The Indian model of democracy also prioritises representation so as to avoid the pitfalls of "majority rule". On this basis, there already exists a quota for Scheduled Castes and Scheduled Tribes.

It is clear from the statistics alone that women do not have easy "access" to traditional power structures. Their entry into public spaces is persistently disabled by prevailing historical constructions of gender, created and perpetuated by the dominant institutions such as family, religion, education and the State. Nevertheless, the nature of this relationship also means that the same institutions which created the imbalance can take responsibility for its repair.

The final objective of reservation is to increase women's visibility in all policy decisions on the basis that all policy decisions affect women as well as men, and affect women differently to men. This applies equally to the "harder" issues such as trade, industry, agriculture, defence, employment etc., as it does to those "softer" issues which are traditionally assigned to women politicians.

Political participation of all sections of society is essential for building a functioning and representative democracy. Women must therefore be present in new arenas of decision making, with their experiences, perspectives and visions of the future informing public debate. Reservation will provide elected women with the ability to compliment elected men in making the rules that apply equally to both sexes, and which women are equally expected to abide by.

Political Participation and Mobilisation

"It is important for women to know that they have to be there (within the political process) where it matters. Whether it is at the rural council, urban council or other levels of policy making, they have to be there to ensure their lot is addressed".

- Gita Welch, United Nations Development Fund for Women (UNIFEM)

Of those states reported on in the Election Commission's Report, 2004, the average differential between voter turnout for men and voter turnout for women amounts to approximately 7 per cent, and rises to substantially more than this within certain states. In one 1996 study - four years after the adoption of the 73rd Amendment - more than one in three women said that they were not interested in local elections at all, in contrast with one in every 5 men.

There are multiple explanations for this discrepancy. For one, women are more likely to be uneducated or illiterate, which has limited the dissemination of political ideas and engagement. For another, women are currently an unrepresented political minority amongst political institutions that have consciously and subconsciously excluded them from their registers. Meanwhile, those policies that were originally designed to protect women's rights and level the playing field have rarely been implemented on the ground, further disillusioning large sections of the female population.

A democracy grants political sovereignty to the people: the people must therefore retain a fundamental belief in its ability to represent their needs and act in their interests. In terms of countering apathy, reservation for a sub-group of the population can open up the system and demonstrate that a democratically elected government works for them, and that is not just an elite bureaucracy functioning solely for the dominant sections of society. Indeed, economic and social empowerment cannot be sustained unless women are politically aware, active participants in all levels of decision making. It is thereby imperative that women are politically mobilised and engaged with political processes, and for this to happen they must believe that their voices are being heard within the legislative spaces.

Women's political participation can provide the inspiration for women to take action on a vision of a better and more equal society, and to make meaningful contributions towards inclusive national development. Women are and have been politically active throughout India, and the large and expanding mass of women's groups and advocacy efforts are testament to this. However, their participation has been within movements, not structural politics. The questions of women cannot be asked, certainly not answered, by individual groups, and women's questions need to be seen as matters of public interest

not matters of specifically female concern outside of the political sphere. They must be raised and debated at all levels, with "women's issues" becoming public issues.

At the same time, women will become visible as competent individuals capable of holding positions of power, enacting laws and demanding accountability for their implementation within political spaces. There can be no equal society until women help to elect lawmakers and make laws.

Lawful Representation

"There is nothing so unequal as the equal treatment of unequals".

- Aristotle

The Constitution of India is a progressive document that guarantees equal rights for both sexes, and entitles women to enjoy economic, social, cultural and political rights on an equal footing with men (Article 325). It proceeds to consider the appropriate use of legislation to redress inequality and prevent the further infringement of women's fundamental democratic freedoms and human rights. Under Article 15 (3), the State is thereby empowered to make "special provisions", legislative or otherwise, to secure women's socio-political advancement. Indian case law has already interpreted the Equal Protection provisions to allow for affirmative action for women.

In addition, India is a signatory to a number of international agreements that support proactive state measures for women's political development:

- The **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)** was ratified by India in 1993. Article 3 discusses appropriate measures, including legislation, to ensure the full advancement of women. Beyond this, Article 7 affirms that signatories should take all appropriate measures to eliminate discrimination against women in the political and public life of the country. It recognises that, unless countries take active steps to promote this integration, women will never be able to fully enjoy the basic human rights guaranteed in international law.
- The Inter Parliamentary Union's (IPU) **Universal Declaration on Democracy (1997)** asserted that "the achievement of genuine democracy presupposes a genuine partnership between men and women in the conduct of the affairs of society in which they work in equality and complementarity, drawing mutual enrichment from their differences."
- The **Beijing Platform for Action (BPfA), 1995** affirmed that women's persistent exclusion from decision making was substantially hampering the achievement of democratic transformation,

Box no.2: Global Progress

In 1990, the United Nation's Economic and Social Council endorsed the implementation of measures to reach a target of 30% women in national legislatures by 1995. Nearly 20 years later, women occupy only 18% of parliamentary seats around the world, and at the current rate of progress it has been estimated that gender parity in parliaments will not be achieved until the turn of the twenty-second century (Norris: 2004). More countries are therefore deciding to implement a "fast track" route to tackling structural discrimination and increasing female participation. During the last 15 years, nearly 50 countries have introduced legal quotas for women, which guarantee a minimum representation of women in their highest decision making bodies.

Percentage of women representatives in Parliament:

Nordic countries - 41.4%

Americas - 21.8%

Europe (excluding Nordic countries) - 19.1%

Asia - 17.4%

Sub-Saharan Africa - 17.2%

Pacific - 13.4%

Arab states - 9.6%

In the high performing Nordic countries, no constitutional clause or law demands a high representation of women; rather, women's groups have exerted sustained pressure on the major political parties to voluntarily ensure increases in the number and calibre of female candidates being fielded through party lists. However, this was not introduced until women were already present in the Parliament, and already holding between 20 and 30% of the seats. Elsewhere, there have been numerous problems with implementation and enforcement of party quotas. In France, for example, many political parties have preferred to pay fines rather than put their women candidates up for election.

In October 2003, Rwanda came closer than any other country to achieving parity between men and women in a national legislature, with reservation of seats securing 48.8% women in the Lower House and 34.6% in the Upper House. Neighbouring countries such as Pakistan and Afghanistan have laws that currently give women a higher representation than India (about 25%) in their national parliaments.

However, many countries have implemented only symbolic policy under external pressure from interest groups and the international community, desiring to appear "modern" without intending to make any genuine difference within the existing power dynamics. This is particularly the case in countries where the chosen quota type does not match with the electoral system - as in Uganda, for example, when a woman's seat is merely attached to that of an existing male member's. Such policies rarely induce lasting change once the quota is removed, since women fail to gain their own power base and networks (See Box no. 3).

In contrast, Taiwan has introduced an outwardly complicated but well-functioning system of reservation. In addition to a stipulated number of seats reserved specifically for women, there is also a policy of reserving every fifth seat in a district for the best performing female candidate. It is therefore in the interests of the parties to nominate women of the highest possible calibre so as to guarantee winning the "woman's seat". Moreover, the women are directly elected and are therefore treated as legitimate political actors.

Currently, women ministers remain concentrated in social areas (14%) rather than legal (9.4%), economic (4.1%), political (3.4%) and executive (3.9%), and there are just 13 female heads of state across the globe (International Women's Democracy Centre, June 2008).

women's empowerment and achieving the goals of sustainable development. The BPfA therefore endorses affirmative action for women in the political spheres.

Under the Constitution and other national and international Commitments, the State is thereby under an obligation to protect and promote the human rights of women, including the right to political equality, without any discrimination on the basis of sex.

Reservations on Reservation

Inclusion of an OBC/Muslim Sub-Quota:

The greatest impediment to the passing of the Bill is the insistence from certain political lobbies on a "quota within a quota" for women of other backward classes (OBC). The concern is that, without these provisions, elected women will come from the ruling classes alone and will selectively represent the interests of this socio-political elite.

OBCs and Muslim women are not currently represented within the Women's Reservation Bill simply because there is no *general reservation* for OBCs and Muslims, and as such a sub-quota within the Women's Reservation Bill may be unconstitutional. Whilst it might be possible to add a sub-clause, the push should first be for a Constitutional Amendment that enables a general OBC quota and/or a non-secular quota for Muslims.

This was the recommendation of the Joint Select Committee formed in 1996, which responded to a common delegation of backward caste MPs with the assertion that sub-reservations for OBC women were not legally permissible until a separate constitutional amendment established a general quota. In addition to a number of minor technical adjustments, the Committee then recommended that the bill be passed into law as soon as possible.

Interestingly, neither Mulayam Singh Yadav of the Samajwadi Party nor any other leader has of yet brought a proposal for reservation for OBCs or other minorities to be debated and discussed in the parliament. Once the Women's Reservation Bill is passed, quotas for general reservation for other social groups can be raised in the parliament as a separate issue, with one third of the seats within these distinct quotas subsequently reserved for women.

Even with no general quota, it is difficult to understand why it is assumed that OBCs will be less well represented upon the implementation of women's reservation. To quote the former Judge of Delhi High Court, Justice Rajinder Sachar (PUCL Report, 2003), "There are about 200 OBC candidates in the Lok Sabha... It is not their public service, but merely the caste configuration that has preferred them. Similar results will follow even after the reservation for women."

Subsequently, women's organisations and the National Commission for Women (NCW) have accused detractors in parliament of making demands for OBC sub-quotas simply to undermine the bill and safeguard their own seats, or alternatively to keep their Muslim and OBC vote bank intact at a highly opportune time. They claim that, within the parties most protesting about the need for female representation from backward classes, there are remarkably few female candidates or elected representatives: the Samajwadi Party (SP), for example, has 2 women representatives out of a total of 39 MPs. If these MPs were truly concerned about the lot of OBC women, it should have been possible before now to distribute party tickets to female candidates from OBCs and other minorities.

There are also very real dangers in compartmentalising the issue of women's empowerment. The NCW have noted that quotas are one of the few issues to unite women in parliament from across party lines - often because many of these women have personally witnessed the systemic discrimination that impedes women's participation in electoral and political procedures. Reservation is a tool that begins to repair the damage caused by centuries of discrimination that exists ubiquitously across political parties, across social classes and across community divisions.

Of any excluded group, the most deprived member will always be a woman. 22.5 per cent of seats in Parliament are already reserved for SC/ST - of which just over 7 per cent are held by women - and around 200 MPs are from OBCs (well over a third of the Lok Sabha). In contrast, just 8 per cent of seats in the national legislature are held by women.

There is undoubtedly a need to further the participation of lower castes and classes, but an alternative prop is needed to the Women's Reservation Bill. The government cannot continue to be sidelined on this issue because there are men in Parliament who apparently possess more pressing concerns than the liberation of half the population. Ultimately, men's very presence in Parliament will always enable them to shout louder and more often until the Bill is passed.

Would it be preferable to reduce the number of reserved seats for women and thereby secure the number of seats held by OBC/SC/ST men?

Some vociferous critics of the current Bill are arguing for a reduction in the proportion of reserved seats for women to as little as 10 or 15 per cent. Discussions between party leaders are rumoured to be taking place that aspire to a compromise of 20 to 25 per cent without any provision for an OBC sub-quota. This would pay no more than lip-service to the principles of egalitarianism - symbolic policy under

external pressure that is intended to effect no real or sustainable change within existing structures. Global experiences have demonstrated that restricting women's presence to a point below critical mass can inspire little lasting change in existing dynamics and leave elected women vulnerable to stigmatisation (see box no. 3). Furthermore, this cap is actually less likely to open access to the legislatures for women of lower socio-economic status - ironic, given that this is the overt justification for the reduction in the allocation of seats.

The demand for 33 percent reservation is partly based on research that took place in the United States in the 1970s, which concluded that 30 per cent representation by minorities in a decision making body could significantly influence the majority verdict. It is far below the proportion of women in the general population.

How do we avoid electing only "proxy women" to the Parliament?

It has been raised as a concern that only women from the ruling classes will be elected, and that these women are likely to be "proxy women" acting under direction from husbands, family members or party officials. One response to this has been to recommend a clause that restricts the participation of women who are directly related to a serving politician. However, electoral politics is centred around such networks, and it is surely unrealistic to throw the charge of tokenism at women as if men are wholly autonomous of networks and party connections. Ultimately, male politicians are equally dependent on the political leadership for their (re)nomination.

Women are bound by double standards when it comes to politics. They are at once too uneducated or too elite to participate in politics; they do not represent women enough or they do not behave like "real" politicians, i.e. men. Undoubtedly, there are women in politics who will fit these criteria; there will also be women who are part of clans, dynasties, party networks and so forth. However, there are also men who obtain their position through precisely such networks, and find they can then use their elected positions as they wish within the party limits. Once a woman is elected, she will have to perform her duties, attend parliament, attend events etc. This cannot be done by any non-elected agent in her place: she will have to think for herself, and, if a Bill is to be passed in a non-discriminatory form, policy makers must believe that she is capable of doing so.

Is reservation itself discriminatory, in that it offers voters only a choice of candidates selected against pre-defined criteria rather than merit?

Parties already select candidates who will stand in

a given constituency, i.e. it is not a completely free choice by the electorate. Since women have been unable to participate alongside men as equals, there is a need for differentiation which tackles injustice, so as to enable a route to cultural de-differentiation, i.e. a levelling of the current imbalances in the power dynamic that has of yet chosen to ignore the “merits” of half the population. Discrimination is different treatment of equals, whereas affirmative action is an attempt to do justice and redress entrenched privilege that has created inequality. Given such insignificant progress in enabling women's access to national legislatures, it is naively optimistic and extremely detrimental to sit back and assume that prejudice against women will simply disappear over time.

Will affirmative action end after 15 years?

A more substantial criticism concerns the longevity of the terms of the Bill. Reservation of seats is designed as an interim measure to enable women to overcome the historical disadvantages they face in accessing traditional systems of power. The worry should not be that the quota will remain after fifteen years, but that, without supporting measures, fifteen years may not be long enough to rectify centuries of historical damage exerted by disabling women's access to the public domain.

This is not to say that reservations do not work, but that they cannot exist in isolation: they constitute *necessary* but not *sufficient* reform. The Human Development in South Asia Report, 2003 discusses an “embedded system of patriarchy in South Asia”, which has meant that “discrimination against women in South Asia is far worse than in most other developing countries.” Even where the physical and economic condition of women noticeably improves in the region - as has been the case in Sri Lanka - the social *position* of women rarely changes. To improve women's social standing, political participation is crucial, but unfortunately political participation does not exist outside of the “embedded patriarchy”. Examples from South Asian countries have demonstrated that, when quotas are removed, the

situation can decline rapidly to reveal few systemic improvements from the point of inception of the quota.

Quotas can form only one part of a multi-faceted strategy for tackling the exclusion of women, and are not an end in and of themselves. Reservation is, of course, a means of providing the opportunity to participate, but from there significant will and commitment will need to be invested to render this participation meaningful. Amongst other measures, women's participation must be translated into all decision making bodies - including committees and advisory boards.

Finally, it is important to understand that political equality inside the governing institutions can only exist in duality with the promotion and protection of women's rights on the ground. For sustainable change, increased political participation must thereby feed into and emerge from wider redistribution of socio-economic resources, with continuous assessment of how resources, opportunities, responsibilities and rights are distributed, accessed and reinforced.

Only with this depth of commitment will there be any possibility of achieving sustainable change within a fifteen year timeframe.

Will the system of rotation result in political chaos?

Under the present bill, a system of rotation will be established which will randomly determine one third of the total number of constituencies to be reserved solely for women candidates. The key concerns with this system are that:

- The lottery system for earmarking reserved constituencies will provide few incentives for aspirants and incumbents to nurse their constituencies, as neither men nor women will know in advance which constituencies will be open to them until the elections

It should be disheartening to openly assume that politicians will refuse to work for the public good if they do not have absolute guaranteed certainty of standing again, since this is in effect the nature of elections and democracy. Politicians are ultimately accountable to the political parties which they represent, and it is not in party interests to have a poor or non-performing member within any particular constituency.

- Reserved constituencies may not correspond with the location of the most meritorious female candidates.

It should not be assumed that there will be no good women candidates in any constituency: if there are men who are capable of running for election, there will

Box no.3: Experiences of Affirmative Action in South Asia

In Pakistan, time bound affirmative action lapsed after the 1988 election and in 1993 just 4 women (out of a previous 24) were elected to Parliament. In Nepal, 8 women were returned in the general elections of 1991 and 7 in the 1994 mid-term elections (less than 4 per cent). In Bangladesh, six women remained in the House in 2004 after the lapse of reserved seats in 2001. Reports suggest that this failure to secure sustainable political influence for women was not because female representatives were incapable of high performance, but because of limited numbers, a lack of direct election, inability to obtain critical mass and the intransigence of male colleagues.

also be women. In practice, it is in party political interests to nominate the best possible female candidates in all reserved constituencies, since they will be competing against women from the other political parties and need to have the best possible chance of winning. The advantage of the quota system is that it forces the nominating bodies, especially the political parties, to engage in an active recruitment process (see Krook, 2005). In doing so, they will need to address the conditions and culture in which party politics plays out, thus taking positive steps to make political participation more attractive for women. This will be especially important in areas where there are not already clearly identified female candidates.

- It might be unlikely that any woman will get elected more than once to the Lok Sabha or State Assemblies, which will effectively mean that women candidates enjoy no more than a token stint inside the legislative bodies.

With support from political parties, four or five years should be long enough for women to demonstrate their capabilities and win over the public vote. It is not, in practice, a short space of time. However, the current Bill will also allow for reservation of seats to be frozen for two consecutive terms, which will provide women members with more time to establish stable networks within existing systems. In either case, it will be imperative for parties to secure lasting power bases for women members during the period of their tenure, so as to ensure that women candidates remain electable once the seat is unreserved.

In some ways, quotas are a remedy to a disease, but in some cases they can lead to another disease. As we have seen in Central and Eastern European countries, quotas have led to a ceiling. They have led countries to not develop a political culture whereby women are integrated into the political system.

- Christine Pintat, Inter-Parliamentary Union, Switzerland

For this reason, it is essential that political parties take steps to “integrate” women into political processes and ensure that they capture equal influence among key stakeholders.

Political Promises: More than Empty Words?

“That should be our aim: a situation in which all individuals are enabled to maximise their potential, and to contribute to the evolution of society as a whole.”

- Kofi Annan, Former United Nations Secretary-General

Various Indian political parties nominated female candidates at the time of the elections to the Lok Sabha in 2004. The Congress has 15 women out of a total of 152 party members in the parliament: about 10 per

Box no.4: Experiences in Panchayati Raj Institutions (PRIs)

The challenges faced by elected women in local government are often extreme, and have been widely documented by both proponents and critics of women's reservation. However, it is important to note that there are also many success stories from within the PRIs. Where women's presence has been meaningful, they have been able to make a significant contribution to the life of the community and offer an alternative perspective to the traditional status quo. Women's panchayats have also successfully campaigned and taken action on pressing issues that impact on women's rights such as alcoholism, child marriage, domestic violence and gambling. Nevertheless, the experiments with reservation in PRIs have demonstrated that it will be necessary to ensure that women access equal opportunities to progress within the political system, and that fixed reservation in the Lok Sabha does not act as a seal on participation. Few women from PRIs have of yet managed to progress through the ranks and enter State Assemblies, national legislatures etc. Processes of promotion within decision making bodies must therefore be facilitated, for it is overly simplistic to imagine that prejudice is not dispersed within the institutions of governance themselves.

cent. In terms of percentage, the CPI (M) fares better, with 5 women MPs out of 43 and 12 per cent representation. The BJP has 11 women MPs among its 129 MPs - 9 per cent. The DMK has 19 per cent women's representatives in the parliament, which amounts to 3 out of its total of 16. The NCP has the highest percentage (36) of women's representatives: 4 out of 11. The figures are not impressive, but a majority of the political parties claim to firmly support the Women's Reservation Bill and included it as a matter of primary importance in their 2004 election manifestoes.

Box no.5: Statements made by the political parties/alliances, 2004

BJP- Commitment to women's all-round empowerment. The BJP is ready to back “any consensus formula” to ensure early legislation for women's reservation in Parliament and State Legislatures. In 2007, the party announced 33 per cent reservation for women in its organisational set up

NDA- “The Bill for 33 per cent reservation for women in Parliament and State Legislatures will be introduced in the very first session of Parliament. The NDA will work for speedy passage of this progressive legislation based on a consensus.”

INC Congress “Our party pledges to press for the Constitutional Amendment to reserve one-third of seats in the Lok Sabha and in Vidhan Sabhas for women.”

CPI (M) - While holding the NDA government squarely responsible for the shameful failure to pass the Women's Reservation Bill, the CPI(M) pledges to continue its firm support for one-third reservation for women in the legislatures and to work for its passage in the new parliament.

DMK “Our party will strive for passing the Women's Reservation Bill and for empowering them with more seats in the parliament and in the state legislatures.”

Policy Recommendations

- Strong political will and commitment will be instrumental in facilitating the passing of the Women's Reservation Bill. Constitutional and political action needs to play a proactive role in extending women's reservation by passing it as an Act of Law, rather than leaving it to the good faith of the political parties.
- The Bill needs to be passed in the monsoon session of the parliament so as to enable women to enter politics in larger numbers and ensure greater gender equity within parliament.
- Time frame and targets should be established for achieving women's equal representation and participation at decision/policy making levels.
- Reinforce government policy commitments such as CEDAW, MDGs, NPEW, 2001 and NCMP, 2004.
- Hold regular reviews of the effectiveness and degree of women's participation once the Bill is enacted.
- Make women's membership of decision making bodies such as committees/sub-committees, arbitration councils etc mandatory. This will prevent their exclusion from decision-making processes within the Parliament.
- Sensitise male members as to the necessity of women's inclusion in the business of the elected body.
- Hold a review after 15 years and thereafter to see whether there is a need for extension of provisions for reservation. It must be ensured that female participation does not decline once the provisions are removed
- To enable full and meaningful participation, reservation must also be extended to the Rajya Sabha and State Legislative Councils.
- Augment a pool of state funding for female contestants who are standing outside of reserved seats - in particular once the reservation on a seat has come to an end. This will enable women to run a campaign for election that is on a par with male candidates, particularly in the case of party political preference for men.
- Ensure that political parties increase their number of women candidates, that is to say, women candidates with a fair chance of winning. The quota must be embedded in the selection and the nomination processes from the very beginning.
- Consider freezing rotation of reserved seats for two consecutive terms to allow time for the full integration of women candidates into the political system.

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