

# The Road to Legislature for Women: A Case Study of the Indian Parliament

SUMAN MISHRA

*Nari Shiksha Niketan PG College*

Women's under-representation in the legislature has been a matter of concern globally. There are three gateways namely: eligibility, selection, and election which a candidate must pass through to become a member of a legislative body in a country. The main objective of the present study is to examine the willingness or unwillingness of the political parties in promoting women candidates to become members of legislative bodies. Hence the study analyses the role of political parties as "gatekeeper" for the selection of women as party candidates in elections at national level. Secondary data was used for the analysis and to reach the conclusions. The study demonstrates only a marginal increase during the study period (1999 to 2019) in the nomination of women candidates by national political parties. The study also suggests that the success rate of women candidates in the general elections was relatively higher compared to their men counterparts despite party barriers at the pre-selection level. Therefore, it can be argued that one of the major reasons for women's under-representation in legislative bodies in India is exclusionary practices of political parties in the pre-selection of women candidates despite their relatively higher winning ability in elections.

**Keywords** parliament, women representation, political parties, reservation

The issue of the under-representation of women in the elected institutions including legislatures is not a new one (International IDEA, 2016). There has been constant debate on the under-representation of women in political institutions and in governance all over the World (Milazzo & Goldstein, 2019). Questions and concerns have been raised on the democratisation and legitimacy of the institutions when they fail to give equal opportunities to women as men in becoming a part of the decision-making process. It seems that the political system is not fully open to them (Lovenduski, 2005; Burns, Schlozman & Verba, 2001; Carroll, 1994). A cursory look at the male female ratio in the elected lower Houses across the globe presents a stark contrast in the statistics. For example, the Inter-Parliamentary Union (IPU) reported that the world average of women representation in the lower Houses of parliament is only 23.6 per cent (IPU, 2018). According to the data provided by IPU the average regional representation of women in the lower Houses is 19.5 per cent as against the maximum being 41.4 per cent for the Nordic countries and the minimum being 15.5 per cent for the Pacific countries lower Houses. America, Europe (excluding Nordic countries), Sub-Saharan Africa and Arab States fall within these percentages regarding the representation of women in their respective countries (IPU, 2019). The representation of women in the lower House in Asia is on average 19.5 per cent and 17.2 per cent in the Upper House or Senate.

The above data shows that the global trend regarding representation of women in the elected House has not been very satisfactory and the global average of women in national parliaments increased just slightly from 22.6 per cent in 2015 to 23.6 per cent in 2018. Research shows many obstacles in the path of women to make their way to the institutions where they can raise their voice, discuss the issues related to them and be a part of the decision-making process. These obstacles may be socio-economic, religious, or simply the unwillingness of the institutions to open their doors for women which are traditionally male dominated (International IDEA, 2005). In this discussion, the role of political parties as an institution of gender advancement is of utmost importance for increasing the representation of women in legislatures. Before a person – men or women- can be elected to legislature, it is important for him or her to be "pre-selected" by a political party to become an official party candidate in an election (exception being elected as an independent candidate). Out of the

three gateways namely: *eligibility, selection, and election* which a candidate must pass through to become a member of a legislative body in a country, the “selection” gateway is fully controlled by political parties. In most countries, candidate selection is an essential function of political parties (Caton, 2007; Bille, 2001; Rahat and Hazan, 2001; Gallagher and Marsh, 1998; Norris, 1993).

In this context, the aim of this study is to assess the role of political parties in improving the gender parity in elected legislative bodies namely state and national parliament in a country. Therefore, the first research question is how willing or unwilling the parties have been in promoting women? The second research question is whether women candidates do better or worse than men candidates in general elections? A case study of the consecutive five general elections for Lok Sabha, the lower House of the Indian parliament has been carried out to answer these questions. Political parties can promote the participation of women at various levels such as office bearers of the party, parliamentary committees, and ministerial berths etc. However, the focus of present study was restricted to the number of candidates given “tickets” or endorsed as bona fide candidates for a constituency in the general elections. Becoming a member of a legislative body like parliament or a State Legislative Assembly is the ultimate seat of power for any man or woman's political career.

### **Methodology**

To understand the obstacles faced by the women in entering legislatures and to find out which party characteristics are instrumental in the parliamentary representation of women, this paper relies on the methodology adopted by Caul (1999) and reasons listed by International IDEA (2005). The main reasons or barriers for women in entering legislatures suggested are socio-economic factors, cultural biases, the traditional role played by the women and men in that society, literacy rate, electoral systems etc. Despite many barriers, the focus of this paper is on the role played by political parties for the enhancement of representation of women in legislative bodies. Whether women candidates perform better or worse than men candidates, is assessed by calculating the percentage of women candidates winning the elections.

The study focuses on the performance of women candidates in the consecutive five general elections of 1999, 2004, 2009, 2014 and 2019 for Lok Sabha (lower House) of the Indian parliament. Secondly, the data was collected regarding the pre-selection of male and female candidates by the national parties. The National Parties recognised by the Election Commission of India were selected for the study. The statistical data pertaining to election results, performance of national political parties and performance of women candidates were taken from the website of the Election Commission of India This is worth mentioning that a candidate can stand for election as an independent candidate, or it may be selected (Election Commission of India, n.d.) by a regional or national party as a preferable candidate. However, the focus of the paper is only on women candidates who were chosen by national parties to stand for election and subsequently their performance in the election. The data does not include the independent candidates and the candidates fielded by regional parties. Overall, this paper looks at the percentage of female candidates fielded by national political parties and the percentage of women elected to the national legislature to assess the role of political parties in the representation of women.

### **Case Study of India**

The under-representation of women in legislative bodies all over the World, including India is a reality (Rai & Spary, 2019; Rajya Sabha Secretariat, 2003). In the 2019 general election for Lok Sabha only 78 women were elected out of total 542 members that constitute only 14 per cent of the total strength of the lower House. This was less than the global average of 24.3 per cent (IPU March 2019) and despite having a 33 per cent quota for women in village panchayats and local councils. Ironically, this was the highest number of women MPs in the Lok Sabha since independence.

The Constitution of India made no provision for reserving seats exclusively for women in Parliament and state legislatures. Only the socially and economically weaker classes (scheduled castes, scheduled tribes and other backward classes) were given reservation of seats in local self-government, central and state assemblies, public-sector employment, and educational institutions by the Constitution (Basu, 2019). The 73rd and 74th Amendments to the Constitution introduced a 33 per cent quota for women in local self-government institutions. These Amendments implemented in 1993, created 1,000,000 slots for elected women representatives. So, the idea behind it was to increase women participation at local governance level such as village panchayat level, block level and municipal council level. At that time, it was speculated that these elected women will have career progression and automatically move upwards to state and national level legislatures in future. Later, with an aim to increase gender balance in the national and state legislatures, the Eighty-first Constitutional Amendment Bill was introduced in 1996. This Bill proposed to reserve one-third of seats for women in the Lok Sabha and state legislatures. To the dismay of many, this Bill encountered fierce parliamentary opposition, even though all main national parliamentary parties (Congress, Janata Dal, Bharatiya Janata Party, Communist Party of India and Communist Party of India (Marxist) had committed themselves to the principle of a one-third quota for women. Moreover, while the common minimum programme of the then United Front government provided for a one-third quota for women in parliament and government, many United Front MPs threatened to defy the government whip and filibuster the bill. Amid the parliamentary conflict the bill was referred to a joint committee of the parliament. However, it eventually lapsed with the dissolution of the parliament.

After 1996, the Constitutional Amendment Bill on reserved seats for women was reintroduced in each new session until 1999 but could not pass. The Bill was again introduced in the Rajya Sabha on May 6, 2008 and was referred to the Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice for further consideration. After that the Rajya Sabha passed the bill on March 9, 2010. However, the Lok Sabha never voted on the bill, and it lapsed after the dissolution of the 15th Lok Sabha in 2014. In September 2017, Congress leader Mrs. Sonia Gandhi wrote a letter to Prime Minister Narendra Modi, urging him to introduce the bill passed in the Lok Sabha by taking advantage of the BJP's majority in the House. Despite wide speculation and relentless demands by women's groups and the main Opposition Congress party, the women's reservation bill was not tabled by the NDA government in the Parliament. At present the Bill is still pending with Lok Sabha and has not seen the light of the day. Traditional role of women in the Indian patriarchal society, socio economic factors, the predominant male oriented political culture, all these are among many factors for not getting enough women into the political system (Rai 2002). In the Indian context since the society is patriarchal with low literacy rate and even lower female literacy rates, any attempt to implement something from 'above' may lead to 'proxy representation' as evident in the case of reservation of women seats at local councils / panchayat level (Mohanty, 2003; Rai, 2003; Chowdhury, 2002; Nanivadekar, 1998) where without popular support and capacity building majority of the new women politicians remain no more than tokens.

It has already been discussed that there are three main gateways namely: eligibility, selection, and election which a candidate must pass through to become a member of a legislative body. The current study investigates the reasons for lower number of women in legislative bodies in India, therefore it analyses all the three aspects. The first is the eligibility criteria for a candidate and the Constitution of India adopted in 1950 gives equal opportunity to all its citizens irrespective of their gender. To stand as a candidate for Lok Sabha from a parliamentary constituency, a person must be a citizen of India [Article 84(a) of the Constitution] and must not be less than twenty-five years of age on the date of scrutiny of nominations [Article 84(b) of the Constitution].

The Constitution of India does not make any difference based on gender and any citizen of 25 years of age can stand for election. Therefore, women can take part in elections as an

independent candidate and/ or by getting nominated by national, regional, or unrecognised parties. Moreover, every citizen of India has been given franchise and there is no exclusion based on class, caste, religion, and gender. Thus, there is no hindrance regarding the eligibility for women candidates aspiring to join political institutions. The second gateway is the preselection or endorsement of a candidate by political parties. In India this is commonly known as getting the “ticket” from a political party for a constituency. A candidate endorsed by a party gets full financial and institutional support during the whole election process. The literature shows among several factors responsible for lower representation of women in legislature it is “selection” where the political parties act as “gatekeepers” (CMI Brief, 2016; UNDP Report, 2012; Norris, 1996).

The role of political parties is very crucial in a parliamentary system like India because they play an integral part in the composition of Parliament. Political parties preselect or nominate candidates for all the constituencies throughout the country. They give their entire support to the candidates pre-selected by them to win a majority of seats. National parties as compared to regional parties and individual candidates, are stronger in their organisational base and financial resources. In a country like India, big parties use all the strategies to make an impact on electors during the election period. Therefore, it can be argued that if a political party having a stronghold on electors’ backs a candidate with all its resources, the chances of winning an election for that candidate are higher. In that case if more women are pre selected or nominated by a national party, chances are more for them to get elected in larger numbers. It reinforces the argument that the nomination of a candidate from a national party is very vital in their election.

As described in the methodology section the gender wise data related to candidates contested and candidates won during the last five general elections was collected for each of the national parties shown in Table 1 to 5. The data from Table 1 to 5 shows that only a marginal increase of 3.8 per cent was observed during the study period from 1999 to 2019. Women candidates were allotted 8 per cent, 8.1 per cent, 8.2 per cent, 9.1 per cent and 11.8 per cent seats by national parties in 1999, 2004, 2009, 2014 and 2019 General elections respectively. Tables 1 to 5 indicate that during a span of 20 years, only a little increase has occurred in the number of women candidates nominated or pre-selected by national political parties. Interestingly, on an average about 10 per cent of the total membership of the Rajya Sabha i.e., the Upper House was women during the study period (the representation of women has never gone beyond 11.98 per cent the highest being in 1980 since its inception in 1952). Both data corroborates that national parties have provided only 10 per cent ‘space’ for women in the highest elected legislature namely the Indian Parliament (Women members of Rajya Sabha, 2003). Another interesting finding from the study is that the relative success rate of women contestants is higher than the national average. In the present study of five General elections, the success rate of women was 34.7 per cent (2019), 24.6 per cent (2014), 32 per cent (2009), 27.2 per cent (2004), 33.6 per cent (1999) as compared to national average of 28.1 per cent, 21.4 per cent, 23.1 per cent, 26.9 per cent, 28.4 per cent respectively in 2019, 2014, 2009, 2004 and 1999 for the national parties. Therefore, the present study reveals that the success rate of women candidates in general elections is relatively higher than national average despite many barriers at the pre-selection level.

TABLE 1: Lok Sabha election 2019: Participation of women in National parties

<i>Party Name</i>	<i>Total candidates contested</i>	<i>Women candidates contested</i>	<i>Total candidates won ( per cent of column2)</i>	<i>Women candidates won ( per cent of column3)</i>
A I T C	62	23 (37 per cent)	22(35.4 per cent)	9(39.1 per cent)
BJP	436	55(12.6 per cent)	303(69.4 per cent)	41(74.5 per cent)
BSP	383	24(6.2 per cent)	10(2.6 per cent)	1(4.1 per cent)
CPM	69	10(14.4 per cent)	3(4.3 per cent)	0(0 per cent)
INC	421	54(12.8 per cent)	52(12.3 per cent)	6(11.1 per cent)
NCP	34	1(2.9 per cent)	5(14.7 per cent)	1(100 per cent)
	<b>1405</b>	<b>167(11.8 per cent)</b>	<b>395(28.1 per cent)</b>	<b>58(34.7 per cent)</b>

TABLE 2: Lok Sabha election 2014: Participation of women in National parties

<i>Party Name</i>	<i>Total candidates contested</i>	<i>Women candidates contested</i>	<i>Total candidates won ( per cent of column 2)</i>	<i>Women candidates won ( per cent of column3)</i>
BJP	428	38 (8.8 per cent)	282(65.8 per cent)	30 (78.9 per cent)
BSP	503	27 (5.3 per cent)	0	0
CPI	67	6(8.9 per cent)	1(1.4 per cent)	0
CPM	93	11(11.8 per cent)	9(9.6 per cent)	1 (9 per cent)
INC	464	60(12.9 per cent)	44(9.4 per cent)	4(6.7 per cent)
NCP	36	4(11.1 per cent)	6(16.6 per cent)	1(25 per cent)
	<b>1591</b>	<b>146 (9.1 per cent)</b>	<b>342(21.4 per cent)</b>	<b>36(24.6 per cent)</b>

TABLE 3: Lok Sabha election 2009: Participation of women in National parties

<i>Party Name</i>	<i>Total candidates contested</i>	<i>Women candidates contested</i>	<i>Total candidates won ( per cent of column2)</i>	<i>Women candidates won ( per cent of column3)</i>
BJP	433	44(10.1 per cent)	116(26.7 per cent)	13(29.5 per cent)
BSP	500	28(5.6 per cent)	21(4.2 per cent)	4(14.2 per cent)
CPI	56	4(7.1 per cent)	4(7.1 per cent)	0

CPM	82	6(7.3 per cent)	16(19.5 per cent)	1 (16.6 per cent)
INC	440	43(9.7 per cent)	206(46.8 per cent)	23(53.4 per cent)
NCP	68	7(10.2 per cent)	9(13.2 per cent)	2(28.5 per cent)
RJD	44	2(4.5 per cent)	4(9 per cent)	0
	<b>1623</b>	<b>134(8.2 per cent)</b>	<b>376(23.1 per cent)</b>	<b>43(32 per cent)</b>

TABLE 4: Lok Sabha election 2004: Participation of Women in National parties

<i>Party Name</i>	<i>Total candidates contested</i>	<i>Women candidates contested</i>	<i>Total candidates won ( per cent of column2)</i>	<i>Women candidates won ( per cent of column3)</i>
BJP	364	30(8.2 per cent)	138(37.9 per cent)	10(33.3 per cent)
BSP	435	20(4.5 per cent)	19(4.3 per cent)	1(5 per cent)
CPI	34	2(5.8 per cent)	10(29.4 per cent)	0
CPM	69	8(11.5 per cent)	43(62.3 per cent)	5(62.5 per cent)
INC	417	45(10.7 per cent)	145(34.7 per cent)	12(26.6 per cent)
NCP	32	5(15.6 per cent)	9(28.1 per cent)	2(40 per cent)
	<b>1351</b>	<b>110(8.1 per cent)</b>	<b>364 (26.9 per cent)</b>	<b>30(27.2 per cent)</b>

TABLE 5: Lok Sabha election 1999: Participation of women in National parties

<i>Party Name</i>	<i>Total candidates contested</i>	<i>Women candidates contested</i>	<i>Total candidates won ( per cent of column 2)</i>	<i>Women candidates won ( per cent of column 3)</i>
BJP	339	25(7.3 per cent)	182(53.6 per cent)	15(60 per cent)
BSP	225	11(4.8 per cent)	14(6.2 per cent)	1(9.9 per cent)
CPI	54	4(7.4 per cent)	4(7.4 per cent)	1(25 per cent)
CPM	72	5(6.9 per cent)	33(45.8 per cent)	3(60 per cent)
INC	453	51(11.2 per cent)	114(25.1 per cent)	14(27.4 per cent)
JD(S)	96	5(5.2 per cent)	1(1 per cent)	0
JD(U)	60	3(5 per cent)	21(35 per cent)	1(33.3)
	<b>1299</b>	<b>104 (8 per cent)</b>	<b>369(28.4 per cent)</b>	<b>35 (33.6 per cent)</b>

## Discussion

The data provided by the Election Commission of India reveals that the total number of women contestants between 1957 and 2019 have increased from 45 to 716 (Statista, n.d). This indicates that the participation of women in the electoral process since independence has increased only gradually and they continue to constitute a very small percentage of the total number of contestants. Despite this 16 times growth in the number of women contestants from 1957 to 2019, the current study shows that the national parties have fielded or given party tickets to only about 10 per cent women candidates during the last five General elections. This finding corroborates the fact that parties are unwilling to preselect the women candidates in larger numbers and act as one of the “barriers” for women entering the national Parliament and making the road to legislature for women a distant dream.

Measures have been advised globally to enhance the number of women in elected legislatures (Krook & Norris, 2014). Institute for Democracy and Electoral assistance (IDEA, 2016) published a framework for developing gender policies for political parties. This framework includes measures like a formal quota for women in party constitution and informal measures like candidate support, capacity building programs, funding women’s training etc. Since 1997 the British Labour Party has implemented the All-Women Shortlist principle. Under this principle the party selects women in half of all winnable seats. As of the end of 2015, 43 per cent of members of the House of Commons from the Labour Party are women, while women make up 29 per cent of the total number of seats in the House (International IDEA, 2016). Reforming their nomination procedures, many socialist and social democratic parties globally have amended their statutes to establish gender quotas (Kittilson, 2006; Krook, 2009). Political parties are a vital instrument in a representative democracy. If they adopt measures promoting gender equality, women’s participation in political life can be enhanced.

However, political parties in India have been very slow in applying the suggested policies. One of the ways through which a political party can support women candidates is in the form of a voluntary quota that they can provide to women in their candidate lists. The present study suggests that without the active support of political parties it is not possible to achieve the desired level of representation of women in legislative bodies. A few political parties, mainly regional, have taken proactive measures for gender advancement. For example, for the first time All India Trinamool Congress (AITC) provided one third voluntary quota for women at preselection level during 2019 general election. The party fielded a total 62 candidates, out of these 23 were women. Finally, 22 candidates won their elections including nine women. The results were encouraging as shown in Table 1 where 37 per cent candidates were women and out of these 39.1 per cent had won the elections.

Similarly in one of the Indian States in Odisha, Biju Janata Dal (BJD) also pre-selected one third women to contest in the election. Seven out of total 21 candidates of BJD contested in Lok Sabha Election 2019 were women. Party won 12 seats and out of these five were women. The winning percentage of women candidates was 71.43 per cent. There is a hypothesis in the literature that left parties provide greater support to women in the candidacies because they espouse egalitarian ideologies (Caul, 1999; Beckwith, 1992). However, this hypothesis does not prove to be true in this case Study as Trinamool Congress is not a leftist party and has a hybrid ideology (Howladar, 2016). Another political party Biju Janata Dal in Odisha promoting women in candidate selection is also a centre-left party promoting the ideology of social democracy and social liberalism. Despite this oddity, both these examples show the determination of these parties in the winnability of women. Therefore, it can be argued that if more women are preselected by national and regional political parties, their chances are more to pave the way for Parliament. The national parties need to emulate the example of AITC and BJD.

## Conclusion

The under representation of women within the political structure is a matter of concern across the Globe. The situation in India is not very different as evident from the data. Despite the reservation of seats for women at the local council level in India, the number of women in the state legislatures and the national parliament is insignificant. Political parties should be encouraged to remove all barriers that directly or indirectly discriminate against the participation of women. Parties need to reform their organisational structure and institutional rules to include more women in party positions and decision-making process. It can be concluded from the study that without active support of political parties it will be very difficult to increase the representation of women in legislative bodies. In case of India there has been increase in participation of women in fields like industry, bureaucracy, armed forces etc. with active pro-women policies, however, concomitant progress is not visible among political parties as they have pre-selected and given “tickets” to only about 10 per cent women during last five general elections. This shows that political parties need to be more gender sensitive and promote women to have gender-balanced legislatures.

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