

Feminist Research Seminar, 19-20 October, 2017

Opposition to the Political Participation of Women and Gender Justice Advocates, Building a Feminist Research Agenda

White Paper Prompts

1. What are the distinctions between backlash, resistance, opposition, and violence? Why do they occur and how do they matter?
 2. How should scholars capture and measure resistance, backlash, and violence? How might feminists respond effectively?
 3. What differences in identity, national context, and other mediating factors influence understandings of these issues?
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Shirin M Rai

University of Warwick, UK

White Paper – The Indian experience of quota legislation and what we can learn from it?

...one of the big battles we fought in the House was for the passage of the Women's Reservation Bill...After being introduced in 1996, the bill had gone to a Joint Select Committee – headed by senior CPI MP, Geeta Mukherjee – of which I was member. It lapsed when the United Front government fell.

Then in 1999,...Law Minister Ram Jethmalani sought to introduce the bill. Before he could do so, the bill was snatched out of his hands by a member of the Samajwadi Party (SP) and torn...We organized marches to Parliament, with huge demonstrations on Parliament Street, and dharnas and sit-ins...the bill was listed again...Women MPs supporting the bill got into the Well of the House and formed a chain to prevent members of the SP RJD...to oppose the proposed legislation – from getting to Ram Jethmalani...Renuka Chowdhury and I stood in front of Mulayam Singh Yadav...Renuka [said] 'We will block you here and the women of India will throw you out in the elections' (MP interview, 2016:302).

Why and how has the political alliances for and against quotas at the parliament and State levels been mobilised to stop the Women's Reservation Bill being passed in parliament? Taking into account the historical debates on caste, the emergence of coalition politics, the strength of the women's movement, and the engagement of women's groups with the politics of difference, I suggest that

- The lines between backlash and resistance are visible, as are those between opposition and violence.
- Both discursive and physical violence (and the threat of such violence) needs to be measured and countered – gendered and feminist performances of opposition to such violence can be seen and analysed in different registers, even though the impulse and outcome of this opposition is the same.
- Context matters – and intersectional analysis of why certain measures attract more or less opposition is critical.

Why quotas – Reservations for ‘backward’ communities has been an uncontested – if resented – part of the Indian legal and political landscape. It is uncontested because it was designed to acknowledge the historical wrongs that were done within the Hindu caste system to Dalit and Tribal communities – to classes of citizens, not to individual citizens. It was also a recognition that while political representation matters, socio-economic contexts also matter – so the reservation regime under the 9th Schedule of the Indian constitution - addressed both, quotas for legislative seats at all levels and also for places in education and state employment. The advantages of these reservations were supposed to ‘trickle down’ to the poorest and the marginalised and transform Dalit lives within in a generation or two – hence the reservations were initially for 20 years but have now been extended through to 2020. The position of Dalits has improved, but not of all Dalits; the Indian Supreme Court coined the term ‘creamy layer’ to identify the rise of a sub-elite among Dalits who, so thought the Court, were monopolising the benefits of the quota system.

Given this history, women’s groups have since the 1980s argued for a quota for another class of citizens, also marginalised in the political system. However, the argument for greater political presence of women in legislative bodies has not been extended to education and employment. The 73rd 74th Amendment Acts introduced 33% reservation for women at the village council (panchayats) level; this was part of the empowering of these institutions. If this was the legislative context, the wider context was one of liberalisation of the economy, increased engagement with international NGOs working on women’s issues, a cementing of coalition politics, multiple political parties representing different interest groups, often based on regions and caste. Once the panchayat quotas were successfully introduced, the natural next step was to press for extending these to the State Assemblies and the national parliament. The argument was pretty straightforward – women’s representation had until recently not gone beyond 7% (even today it is 11%). Good governance was on the agenda of international institutions; the 1995 UN Women’s Conference was approaching and India was under pressure to respond to the agenda of increased representation of women in political institutions. The National Commission for Women, set up in 1991, supported the demand for a quota at the national level, and indeed, called for women voters to vote for women, regardless of their political party.

Here is where the backlash occurred.

There are several elements of this backlash –

1. Institutional Politics
2. Intersectional Politics
3. Performative Politics

Institutional Politics – Institutional politics matters. In a parliamentary system, political parties matters a great deal. In India, as political parties multiplied and coalition politics took shape, women were identified by most parties as one of the most important, and possibly the most neglected, constituency that needs to be brought in to the political mainstream. The terms of engagement of various political parties have differed: the right wing and centre parties has supported an undifferentiated quota for women, and parties with significant lower caste constituencies have been generally more ambivalent or hostile. Samajwadi Party, and the Rashtriya Janata Dal – have taken the position that to be fair, the Women’s Reservation Bill has to reflect the caste distinctions prevalent in the country; these parties demand that the 33 per cent quotas be differentiated by a fixed quota for women belonging to OBCs (Other Backward Castes and minorities). And then they have put forward arguments that reflect what Hege Skeije has called ‘the duty to wait’ - ‘The country is facing many serious problems ... it was not the right time to bring the Women’s Reservation Bill’,

said Prabhu Nath Singh of Samata (Equality) Party in the parliamentary debate on the Bill; this is a divisive argument and has no place in the urgent policy measures needed now! That urgency has eluded the supporters of WRB until now.

Institutional politics matters also in the context of coalition politics – the fracturing of the 'one party dominant' system of governance in India led to many caste based political parties emerged, which wish to protect the interests of the dominant and politically powerful groups of their support base.

Finally, institutional politics matters because it sets the parameters of debate and of legislation. Some women have opposed the focus on reserving constituencies which will force women to contest only against other women and will 'ghettoize' them.. As a senior woman MP told me:

the general objection in that 33% is too much – should be 15% for parliament and 18-20% for state assemblies. I pleaded with activists to accept this –prominent women like Soniaji; Sushma Swaraj; or Mayawati will obviously fight from general seats– activists let us down by insisting a 33% or nothing – I think if we accept 15% and go ahead with it

Further, with rotational seats and clear implications of male MPs' feeling that they will be unseated to make way for women, it has meant a coalescing of a powerful institutional bias against passing the Bill.

Intersectional Politics – The opposition to the Bill has been not only party political, but has also focused on identity politics. This has ranged from the familiar meritocratic argument: Reservation of seats in parliament restricts choice of voters to women candidates. The argument then goes that alternate methods such as reservation in political parties and dual member constituencies need to be explored instead. Also, rotation of reserved constituencies in every election may reduce the incentive for an MP to work for their constituency as s/he may be ineligible to seek re-election from that constituency.

The argument is also made that the quota bill is 'the creation of a new constituency which is not defined by social or economic criteria, strictly speaking, and whose characteristics are, in fact totally unknown - even the representatives of this [reserved] constituency would be unable to say what it is that women stand for and men don't...' (Editorial, The Stateman, 13 July 1998). "This bill aims at depriving the backward castes and Muslims of the chance of getting elected. It will only help elite upper caste women get elected," Sharad Yadav had said'; OBC vote bank politics has compelled the leaders to toe the conventional path. One issue that has been underlined by a rather vicious debate on quotas is that of the elitist character of parliamentary politics.

If we examine the social profile of women MPs in India, most are middle-class, professional women, with little or no links with the women's movement. As a result there seems to be little regular contact between women's groups and women MPs – other than the women's wing of political parties or left-wing MPs and some autonomous women's groups. However, there is the consensus that has emerged among women's groups and political parties that quotas are a valid and much-needed strategy of enhancing women's participation. However, they have not agreed on how to respond to the backlash – should they a) compromise on a lesser figure for quotas? B) allow for OBC sub-quota to be introduced? How, in effect, should they answer the charge of elitism? In India, and more broadly, the greater representation of women in politics is taking place at a time when the conditions of women with the least access to resources and the fewest privileges are steadily deteriorating. We need a more reflective approach to construct a politics of alliances that women and women's organizations must engage in now if they are to be effective.

Performative politics – In my recent work on parliament I have argued that the symbolic and the performative not only help us understand the histories and culture of institutions but also the everyday performance of members of political institutions. As Goffman points out, institutionalised practices discipline individual behaviours; for example they ‘do not so much allow for the expression of natural differences between the sexes as for the production of that difference itself’ (Goffman 1977, p. 324) – individuals, both men and women, are encouraged to ‘fit in’, ‘be good’ and ‘not make a scene’ through such disciplining. Fitting in norms are particularly disciplining of women, and carry higher levels of reputational damage, if broken. Masculinities are played out and supported in different ways. In the debate on quotas for example, the attacks on the Bill as well as individual women have been vicious.

The debate on the quota bill has been bitter. Feminists and women's groups have come in for violent verbal abuse from those opposing the bill. They have been caricatured - 'short-haired (par-katti) memsahibs' and as 'biwi (wife) brigades'; their agendas have been called divisive for the country, wishing to keep low-caste women out of the equation, and therefore working against the interests of the 'ordinary Indian woman'. Sonia Gandhi, leader of the Congress Party, has been particularly abused on grounds of her 'foreign-ness'. The right-wing media, and increasingly social media trolls, have targeted individual women politicians as well as circulated stories of elitism of women MPs (male MPs don't seem to attract this critique). Westernisation and recently, foreignness, have been mobilised as narratives to undermine the Bill.

However, this has provoked a cross-party work among women. Sonia Gandhi, Sushma Swaraj, Brinda Karat and of course Geeta Mukherjee – were able to inspire and mobilise other women MPs to stand together to support this Bill. As the Indian Express newspaper reported:

It is three women versus three Yadavs, when it comes to the passing of Women's Reservation Bill in Parliament. The women are — Sonia Gandhi, Brinda Karat and Sushma Swaraj. They are pitted against — Mulayam Singh Yadav, Lalu Prasad and Sharad Yadav. Besides the number game, which favours the women, these days all of them, though political opponents, have joined hands. While Sushma and Brinda exchange greetings in the Central Hall, Sonia and Sushma are seen making gestures in the Lok Sabha, assuring each other that they will ensure the smooth passage of the bill¹.



¹ <http://www.newindianexpress.com/opinions/2010/mar/08/3-women-versus-3-yadavs-on-reservation-bill-137311.html>

Barnes has argued in the context of Argentina (2016) that weak party constraints over MPs' results in more collaborative work; a male-dominated party leadership results in greater disciplining of cross-party work (p.37; 39) and that seniority matters – 'women with previous experience in the legislature [are] more likely to defy party norms than their junior colleagues' (p 43), which makes the issue of re-nomination and incumbency even more important. I would suggest that the performance of unity across party lines – as evident in this photograph – also matters; the fact that women from the right, centre and left parties can celebrate the passing of the WRB in the Rajya Sabha (upper house) in a public way.

There have been shifts to the quota politics:

1 JD(U) –on of the parties opposing the Bill now supports it: "It should be passed without ifs and buts. If there are any conditions, then people will get an excuse to delay it. This (sub-quota) is our wish, not our condition."²

2. The pressure on the government to reintroduce the Bill and its safe passage continues: Congress president Sonia Gandhi wrote to Prime Minister Narendra Modi, urging him to get the women's reservation bill passed in the Lok Sabha, taking advantage of the BJP's majority in the House and assured support of her party.

What is to be done?

Faludi brought backlash to feminist articulations of mainstream resistance and identified the media as one of the important drivers of this backlash. She unpicked what we would recognise today the 'post-truth' statistics (Harvard-Yale study) and their circulation (Newsweek). Whatever our assessment of Faludi's analysis – and these have divided feminist opinion – Faludi points to two sources of backlash against women – the media (print, film and fashion) as well as the right-wing politics – the New Right – and its attempt to turn back the gains of the feminist movement. All of this can be seen in one way or the other in the opposition to the WRB outlined above. So, what is to be done?

1. We need to widen our analysis and assessment of the arguments we make for quotas – we need to make the argument for historical wrongs and for justice. We need also to examine the issue of who benefits from quotas – social profile of women and their political affiliations become important here. Finally, need to disassociate the argument for greater presence of women in parliament from their articulations in the name of women of women's interests – we need to re-politicize this debate.
2. We need to take the context of and detail of institutional politics seriously – how do major shifts in political systems affect the alliances that can be built for and against quotas? Political parties are major players in politics – so how do we engage them, pressurize them; much more work needs to be done on these institutions. The experience of established and consolidated democracies cannot not made the benchmark for our analysis of institutions. We need to understand how best to mobilize international discourses and institutions – this is an issue of political judgement.
3. Performance matters – Challenging the right-wing media is not easy but needs to be done; a media strategy for progressive women, of women crossing party-lines in the interest of passing the legislation that will benefit women, challenging norms of debate that permit abuse against women – all these elements could be mobilized for change.

² <https://thewire.in/66260/womens-reservation-bill-in-lok-sabha/>

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