

From Social Action to Political Action: Women and the 81st Amendment

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# From Social Action to Political Action

## Women and the 81st Amendment

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*If women manage to push the 81st amendment bill through the parliament, it will topple all current assumptions about hierarchies of caste, class and gender. The legislation will mean large-scale reorganisation of constituency allocation in order to accommodate women, and thus fewer seats for men. It also creates possibility for an SC woman to represent not only men of her own caste, but upper caste men and women as well.*

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THERE has been considerable tension in the past few weeks over the 81st amendment. Sources (close to the horse's mouth) had already revealed that the bill would cool its heels as there was a lot of dismay within political parties (even those pushing the bill) about its implications. The National Alliance of Women spearheaded a campaign where women's groups across the length and breadth of the country sent telegrams to leaders of parliamentary parties to issue a whip to party members to vote in favour of the bill. This was to prevent the bill not being passed for want of quorum in the event of honourable parliamentarians leaving at the critical moment to take a snooze or a smoke. However, the OBC lobby had by then flexed its muscles with members declaring to the press that even if a whip was issued they would disobey it.

The Universal Declaration of Human Rights states that everyone has the right to take part in the government of his/her country. The United Nations Economic and Social Council endorsed a target of 30 per cent women in all levels of decision-making by 1995. In spite of this, globally women constitute only 10 per cent of legislative bodies and less in parliamentary positions. We need to ask the question why? *"The power relations that prevent women from leading fulfilling lives operate at many levels of society from the most personal to the highly public."* This is no feminist manifesto but a direct quote from the Platform for Action which is the document of the Fourth World Conference on Women held at Beijing last year. It further points out that equality in decision-making provides the leverage without which an integration of the equality dimension in government policy is not feasible.

Women's participation in the political process is critical both to the strengthening of democratic traditions and to their struggle against oppression. Political activism (both as part of oppositional movements and as part of state processes) for women, as for

other underprivileged groups, is integral to social transformation. Oppositional politics by itself will define effectively the limitations and constraints of existing political processes, and in the process outline alternative democratic structures that will transform existing social relations. The next step would of course be to give a concrete shape, direction and legitimate democratic space for the transformations to be sustained to a point that they take root. And that is possible only through appropriating spaces in mainstream political arenas and reshaping them. The value of legislations like the 81st amendment therefore cannot be understated. This is no simple demand for justice or democracy but a critical condition for women's interests to be taken into account. The word 'interests' immediately takes us to the many conflicting interests that come into play, some to prove that 'women's interests' means the 'creamy layers' others conjuring up the bogey 'feminist' to finally finish off all doubts and unite the opposition to the bill.

The Rambhau Mhalgi Prabodhini, an autonomous research and training institution headed by the BJP general secretary, Pramod Mahajan, released a report of a study on the possible impact of the 81st amendment. The study inferred after interviewing roughly 350 women councillors from a dozen municipal corporations in Maharashtra that the notion of political participation should be inculcated in women's minds from the rank and file upwards, and not through a top down effort like legislation. Further, the head of the research team, a woman teacher attached to the Centre for Women's Studies, Shivaji University, felt that the entire struggle over the 81st amendment was one between the state and the 'feminists', in which the state was gradually losing ground to the feminists, thus creating the conditions for a male backlash. Today, any move towards pro-women policies/legislations leads to direct confrontations between women and agencies of state. The dividing line between 'feminists' and women gets increasingly blurred, so for

political parties of every hue, party hegemonomies can only be asserted and sustained by splintering struggles and forcing women to prove their loyalty to the 'larger cause'. There is an assumption on the part of those opposing the bill that what is in fact being done is a bid to take over the political arena by non-dalit women of the majority community. What is lost in this entire process is the texture of the ongoing debates on the 81st amendment at the grass roots level where issues of representation within the one-third are being discussed, dalit women being an integral part of that discussion.

It would be interesting to look at the arguments of the anti-bill lobby. This lobby consists of politicians, overwhelmingly male, belonging to the Janata Dal, the Bahujan Samaj Party, the Samajwadi Party, one faction of the Bharatiya Janata Party led by Uma Bharati, the Shetkari Sanghatana women's front, the Shetkari Mahila Aghadi, and independent intellectuals like Madhu Kishwar of the women's magazine, *Manushi*. Put in a nutshell, the case for blocking the bill is made (a) because there is no reservation for OBCs within the 30 per cent; (b) the OBC bases needed to be consolidated through a show of solidarity; (c) the biggest fear however is that the reservation policy once implemented will signal the march of the "biwi brigade" to use Kishwar's words.

These arguments must be considered very carefully, because, a cursory look does give the impression that these are after all valid points that merit serious consideration. Let us first take up the question of reservation for OBCs. Nobody who firmly believes in affirmative action would oppose reservations for OBCs. Further, when women are today asking for proportionate representation, to deny it to backward classes would be a gross self-contradiction.

The struggle for reservations for the OBCs in general is yet to make significant headway, unlike SC/ST reservations which are already guaranteed by the Constitution and hence become operative within the women's quota as well. Right now, the urgency is to articulate a demand for OBC reservations in parliament, which will then automatically become operative in the women's quota. The test will be when, if OBC quota is granted, how easily it will include 33 per cent reservation for women within that quota. And that really is the key question that nobody against the 81st amendment is even thinking about. What Uma Bharati and Phoolan Devi, the latter still too young in politics, will soon realise is that they too, in their defence of the rights of the OBCs, will very soon have to shift their gaze to think of how women's interests can be contained in the arguments of the OBC lobby which is far too overwhelmingly and self-centredly male.

To say reservations are necessary, and all socially deprived and discriminated against groups in society must have proportionate representation constitutionally provided for is one thing, and it is an ongoing struggle for one amendment after another, some coming before others, but all agreed to in principle; but to refuse the right of one section, a major one at that, to be represented, and to vote against a reservation policy that would make way for a more democratic polity overall would only imply that this time it is the excuse of lack of OBC reservations (which women are not responsible for), the next time it will be the desire to keep the social fabric intact and prevent further divisions in society by introducing reservations for women.

The Shetkari Mahila Aghadi in a statement released to the press said that quota for women is being pushed by "women in the creamy layer consisting of professional politicians and activists in funded non-governmental organisations". Further, the statement went on to say, "The actual experience with most states has confirmed the apprehension that reservation of seats for women has resulted in the womenfolk of the established leaders parading themselves as representative of women with no improvement in performance and no reduction in corruption." It is significant that precisely at the point when women's struggles gain momentum and move in the direction of concrete political gains, whether it is the anti-liquor struggle or the movement in favour of the 81st amendment, intellectuals with known commitments to peoples' struggles move in too quickly to discredit the struggles, and to deny poor women of any agency in it.

The "biwi brigade" argument is all too familiar. Nepotism, corruption and the degeneration in Indian politics is complete without women having any part in it. The anxiety that these will come to typify the new order if women enter politics is ridiculous to put it mildly. It is a fact that with the 73rd and 74th amendments, some women have got elected to various local bodies through the influence of their men and communities, and they lack the political will or decision-making power to be effective in politics. Surely the solution to this lies in increased and diverse representation and greater exposure, rather than in political decimation.

Individual cases cannot be confused with matters of principle. In asking for reservations for women, women are fighting for the principle of representation. It can be argued as Gail Omvedt and others in the Shetkari Mahila Aghadi have done that reservations cannot solve the problem of gender injustice. This is a matter of opinion. It cannot form the basis of the denial of a right. At a time

when it is increasingly evident that women have the key to the future in their hands (*not wombs*) it will not be possible to achieve a transparent and accountable government unless they are empowered and their autonomy guaranteed. The crisis of legitimacy of most governments is indicative of this. And examples that spring to mind as counter-arguments – the Sonia Gandhis, the Jayalalithas, the Lakshmi Parvathis – are actually part of the "biwi brigade". They are not the creation of an 81st amendment, but of the political bankruptcy of their cadre. To imply therefore that women who enter politics through reservations can only be "biwis" is to be both simplistic and short-sighted.

It is true that a large part of the lobby in parliament that is pushing for the 81st amendment consists of rightwing and centrist forces (including the established Left) that are unlikely to assume unqualified stands on the issue of reservations in general on a matter of principle. Nor for that matter are these parties full of men who believe unequivocally in women's rights. These are parties which have clear histories of undermining women's issues. But why are these parties pushing for it? Who are the individuals within these parties that are bringing the pressure? Sushma Swaraj (BJP), Mamata Banerji (Cong I), Margaret Alva (Cong I), Jayanti Natarajan (Cong I), Girija Vyas (Cong I), Geeta Mukherji (CPI), Bhargavi Thankappan (CPI) – all women from parties that have considerable political clout; all women who have considerable political experience and clout and have independent identities in the mainstream political arena. It is of course significant that a minuscule number of women in mainstream politics have in fact managed to wrest a voice for themselves that is loud enough to be heard through the din of male chauvinist cacophony. It would however be unwise to attribute the entire strength of the demand for the 81st amendment to the presence of these women.

We need to recognise the historical context as well. At a deeper level, the reason why this negligible group is able to speak out so loud and clear is because masses of underprivileged women have a far more important political presence that overruns and refuses to be contained by the vote bank politics of mainstream parties. The masses of underprivileged women have actually been able to force accountability on women in politics, irrespective of political affiliation, far more effectively and in a shorter time span than their male counterparts. To give the entire credit for the effort to secure political representation for women to these few women in mainstream politics alone or to women from funded NGOs is to be blind to the dynamics of the movement.

The Beijing Conference and women's movements mobilisation worldwide at the successive conferences preceding Beijing (from the UNCED at Rio, the UNCPD at Cairo and the UNHRC at Vienna) have placed gender justice firmly on the agenda. States' parties have made commitments to ensure women's share in power and decision-making. As part of the preparatory processes to Beijing there has been intense lobbying with women in political parties on gender issues cutting across party lines. At the same time political mobilisation at the grass roots has made women realise their capacity to make or break governments. And it is in recognition of this power that party after party in its election manifesto has promised women their political dues. This is no longer a welfarist measure but a concession of a right that women have struggled for and demanded. To undermine that struggle and that strength in the interests of short-term political gains or show of strength is rank opportunism.

The crux of the matter is that if women actually manage to push the legislation through what is at stake is (a) the political bases of male politicians across the board, and (b) the socio-political hegemonies in the existing social order. This legislation will mean a large-scale reorganisation of constituency allocation in order to accommodate women and fewer seats available for men to contest with no guarantee that they will be allowed to contest in constituencies they have ruled in for years. The real fear therefore is, not so much that men will rule through proxies but that they might not rule at all! On the other side there have been cases where women mayors have not been able to find male deputies, so it has been necessary for women to be appointed on all the lower rungs as well. Clearly the problem is not one that mainstream politicians alone face, but one that is endemic to the larger society. And that is what is most disconcerting to the opponents of the 81st amendment. It topples all current assumptions about hierarchies of caste, class and gender. It creates the possibility for an SC woman to represent not only men of her own caste, but upper caste men and women as well. And that is beyond the parameters of comprehension of our parliamentarians.

Women have demonstrated their political will time and again in this country. In Andhra, women forced state accountability on the liquor issue in no uncertain terms. The failure to pass the 81st amendment will be far more serious. It is no longer a mutual bargain between politicians of different hues. These politicians have to go back to the hustings sooner or later and that is where the scores will finally be settled.