

Democracy and Equality : The Issue of Gender Parity and Women's Representation

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Certified that the dissertation entitled "**Democracy and Equality: The Issue of Gender Parity and Women's Representation**" submitted by **Amrita Mukhopadhyay** in partial fulfilment for the award of the degree of Master of Philosophy is her original work. This dissertation has not been submitted for any other degree to this university or to any other university to the best of our knowledge.

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To
Ma and Baba
for whom I was never a liability but an asset of great
potential

Anil

Who helped me to explore my potential

and

The millions of women who struggle in their own ways
against their subordination and take pride in being
women.

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Amrita Mukhopadhyay

PREFACE

I stood for two hours in a que to cast my vote for in a legislative Assembly election. The scorching sun did not deter me nor did I complain about the long que. As I returned from the polling booth I was happy and proud - happy to have cast my first vote and proud to realize that I played some part in electing a government. My experiences in JNU Student Union elections only reinforced my belief that democracy was something valuable and inherently good; though I never spared a thought as to why was democracy considered valuable and good. The dissertation provided me with the opportunity to explore the concept of democracy and the issues related to it.

Democracy as a form of government has been in existence for a long time. It originated sometime in the fifth century BC in Greece. Today democracy has emerged as a popular form of government with nearly all political systems claiming themselves to be democratic. Simply stated the meaning of democracy is encapsulated in the phrase coined by Abraham Lincoln - namely, that democracy is government of the people, by the people and for the people. At first sight this meaning of democracy seems to be adequate and as requiring no further explanation or elaboration. This feeling emanates from the belief that democracy is something which 'we' already have; it is something obvious and known to everyone. Hence any attempt to analyse democracy would seem to be useless or self defeating.

However this is not the case because as a concept it has no single precise and agreed meaning. Analysis of democracy is important in order to understand the different interpretations of democracy.

Democracy was first practised in Athens, Greece. The importance of the Greeks in democratic theory stems from the fact that they invented the idea and practice of democracy. For the Greeks democracy was the participation of the citizens of the state in collective deliberation of decision. However Greek political theorists - Aristotle and Plato - did not defend democracy. For Aristotle, the end of the ideal state is not merely to produce the conditions for maintenance of the life of citizens. The 'single highest end' of the state is to promote the 'good life' of the citizens (Everson 1988, xxi). The good life is described as 'eudaimonia'. It implies 'happiness or human flourishing' and indicates a condition which is complete and lacking in nothing (Ibid, 1988, xxii-xxiii) For Plato and Aristotle, it is only the philosophers who have knowledge about what constitutes 'the good life'. Democracy is unacceptable to both the theorists because it marginalizes the wisdom of the philosophers and provides for a form of government based on the participation of the 'majority'. This majority is the great mass of the poor people who crowd the Assemblies to approve or disapprove policies. In doing so, they are never guided by the conception of 'the good life'. For Aristotle democracy is a perverted 'government of the many' which rules with a view to the private

interests of citizens and never for the common good of all. Hence democracy was thought as 'dictatorship by the majority' or as 'sectional rule by a group of people in its own interests' (Harrison 1993, 33) Neither Plato nor Aristotle favoured democracy despite the fact that democracy was conceived by excluding large sections of the population - namely, slaves, women and metics (foreigners).

Subsequently when democracy emerged in the seventeenth century, it was defended as a form of government by political theorists like Locke, Bentham, James Mill and JS Mill. A large number of citizens were granted the right to participate in the political process with certain qualifications. However women were barred from participating in the political realm. They were thought of as suffering from certain 'political' or 'electoral disabilities'. A woman's 'proper sphere' was considered to be the home and she was thus confined to a role in the domestic sphere. Gradually women gained employment outside the home but were denied the franchise. The issue of gross gender inequality was first raised most comprehensively by Mary Wollstonecraft. A long period of discussion and debate finally stirred the women to launch the suffrage movement. Women seized on the 'language of equality' and made out a case of their own. They argued that women were entitled to equal political rights as men rather than just duties and responsibilities of home. In the twentieth century women in different countries gained franchise. Today democracy is

based on the assumption that every adult citizen of a country - male and female - have a right to vote and stand in elections. Participation in the political process is considered as a means of protecting the socio-economic rights of individuals and as providing access to the legislative bodies.

However the initial enthusiasm over the success of women's franchise has waned with the realization that women are unable to translate their franchise into presence in legislative bodies. Feminist studies reveal that franchise guarantees formal equality but does not tackle the structures of oppression which continue to subordinate women. In abstracting from the real inequalities that structure women's lives, formal equality reinforces the marginalization of women in politics. At this juncture it is increasingly being argued that women need to be present in legislatures and that this can come about only through special measures based on a notion of group representation.

My study revolves around the above related issues. Democracy as has been conceived in different times - Athenian Democracy, 'Protective Democracy', 'Developmental Democracy' is based on the participation of citizens in the political process. The significance of participation in democracy is revealed in the conceptualization of democracy as 'rule of the people' or as 'rule of the people through representatives'. Chapter I explains the ideas implicit in the notion of 'rule of the people'. More specifically, it explains the different

conceptions of democracy in different times and the related issue of participation of citizens. It reveals that the progress of democracy was accompanied with the increase in the number of participants in the political realm. While men of the working class gained franchise in the nineteenth century, women continued to be denied franchise. A long period of discussion on women's franchise and an increasing desire on part of women to participate in democracy precipitated the women's suffrage movement. The suffrage movement started in Great Britain and Chapter II draws the contours of this movement. It deals with the ideas and strategies of the suffragists and provides a contemporary interpretation of a movement which brought the issue of gender parity to the foreground for the first time. The success of the suffrage movement was linked with the expectation that equal political rights would provide women with an easy access to legislative bodies and enable them to improve their position in society. However this has not been the case. Chapter III analyses the causes of the inability of women to translate their franchise into presence in legislative bodies. It provides an account of the feminist responses to the problem and makes a case for gender parity through group representation. Group representation of women has emerged as an important issue in India with the formulation of the women's Reservation Bill. In this light, the last chapter focuses on the Indian debate regarding the representation of women in legislative bodies.

CHAPTER - I

DEMOCRACY : THE ISSUE OF PARTICIPATION

Today democracy is commonly understood as meaning 'government by the people' or atleast by the 'people's elected representatives' (Arblaster 1994:3). It has emerged as the most popular form of government in contemporary times. Different political systems from the communists to the capitalists have labelled themselves as people's democracy or representative democracy. Infact "democracy surrounds us like tables and chairs and the air we breathe, normally totally taken for granted" (Harrison 1993:1). Democracy has been linked with the ideas of freedom, justice or rights. W B Gallie once observed that democracy is an 'essentially contestable concept' (cited in Arblaster 1994: 6). Nevertheless at the root of all interpretations of democracy is the idea that it is rule by the people, that sovereignty resides in the people and the people are supreme. This idea is even embodied in the word democracy which is a combination of two Greek words - demo (people) and kratia (rule of) - thereby meaning rule of the people.

However 'banal' or 'simple' the definition of democracy, it soon turns out that it cannot be used as a 'plain uncomplicated term' (Arblaster 1994: 5). The idea that people rule over themselves and that they are sovereign has led to controversies regarding the nature

and extent of popular participation in democratic government. Broadly, 'rule of the people' can mean two things. At one extreme are those Rousseauian theories in which popular participation is 'central' to the very conception of democracy since participation enables individuals to form a 'common view of the general interest' (Weale 1999: 85). At the other extreme is liberal constitutionalism in which primary function of democracy is 'protective and popular participation' through elections as a means of controlling representatives (Ibid 1999: 85). Starting with the first, 'rule of the people' implies the involvement of the individuals in the direct creation of the laws by which their lives are regulated (Held 1987: 75). The sovereign authority is the people making the rules by which they live. In Rousseau the idea of self rule is posited as an end in itself; a political order offering opportunities for participation in the arrangement of public affairs should not just be a state, but rather the formation of a type of society; a society in which the affairs of the state are integrated into the affairs of ordinary citizens (Ibid 1987: 75). The participation of all individuals in the collective deliberation of issues is guided by the General Will. The General Will is not the will of all. While the former considers only the common interest, the latter takes private interests into account and is no more than a sum of particular wills. This 'common interest' could emerge from the 'points of agreement' among people and indicate what is literally common in

people's interest (Harrison 1993: 55-56). The common interest could also be understood as that which could be willed in common by the various members of society. "That if everyone were taken indifferently (equally) and it was asked what they could all equally will as being something willed for all, then we might find out a common interest as well as the separate individual interests, and something further more which was not just a sum of these separate interests" (Ibid 1993: 56). Participation in the political process is seen as promoting a 'special way of thinking' where individuals do not see themselves as bargaining in terms of their own separate and individual interest. Instead they think together from the standpoint of the people thought of as a collective entity. In Rousseau's account the people form the legislative; while the government executes people's laws and is legitimate to the extent of fulfilling 'the instructions of the General Will' (Held 1987: 77). Rousseau believed that "sovereignty cannot be represented, for the same reason that it cannot be alienated... the people's deputies are not, and could not be, its representatives; they are merely its agents; and they cannot decide anything finally. Any law which the people had not ratified in person is void; it is not law at all" (Rousseau 1968:148). From this vantage point, democracy can be suitable for very small states 'where the people can be got together and where each citizen with ease can know all the rest (Harrison 1993: 60).

More recently Barber conceptualized 'Strong Democracy' as 'politics in a participatory mode' (Barber 1984). He argues that 'Strong Democracy' is based on an idea of self governing community of citizens who resolve their conflicts through a participatory process of 'ongoing, proximate self legislation and are therefore capable of transforming their partial and private interests into public goods' (Ibid 1984:151). Participation or 'talk' as Barber calls it plays an important role in the political process. It not only provides for articulation of interests and agenda setting but also 'exploration of affection and affiliation among individuals', 'buttressing of individual autonomy', 'reformulation and reconceptualization of values' and the creation of a community characterized by 'common goods and active citizens' (Ibid 1984:178-98). Echoing Rousseau, Barber criticizes variants of representative democracy. He argues that in representative system the voter is 'truly free' only on the election day and even this freedom is 'dubious' (Ibid 1984:145). This is because citizens are only engaged in electing an 'executive or judicial or legislative' elite (Ibid1984: 145). When individuals are not directly involved in 'common deliberation, common decision and common action for the policies that determine their common lives', they are not really free even though they might enjoy security, 'private rights' and freedom from interference (Ibid 1984: 145-146). On the other hand 'rule by the people' could mean the participation

of individuals in governance through representatives. Indeed in representative government 'rule by the people' implies choosing those persons or bodies charged with the institutional responsibility for making final decisions (Weale 1999: 85). In 1820, James Mill proclaimed 'the system of representation' as "the grand discovery of modern times in which the solution of all difficulties, both speculative and practical, will perhaps be found" (cited in Dahl 1989: 29). One of the profound consequences of the emergence of representative democracy has been the application of democracy to nation states with large number of citizens residing in its territory (Dahl 1989: 29-30). In contemporary times individuals of a society cannot directly participate in collective deliberation of decisions and hence must assign this power to the representatives who act on behalf of the people. Sieyes argued that representative system was most appropriate to the conditions of modern 'commercial societies', in which individuals were chiefly occupied in economic production and exchange. In such societies citizens no longer enjoyed the leisure to attend constantly to public affairs and must therefore use election to entrust government to people who are able to devote all their time to the task. "Sieyes mainly saw representation as the application to the political domain of the division of labour, a principle that, in his view, constituted a key factor in social progress" (Manin 1997: 3). At the same time Madison did not see representative

democracy as something which was 'technically necessary' by the physical impossibility of gathering together the citizens of large states (Ibid 1997: 3). For Madison, representative democracy was superior to all other forms of government because representation was a device 'to refine and enlarge the public views by passing them through the medium of a chosen body of citizens'. Moreover representatives being guided by patriotism and 'love of justice' are 'least likely' to sacrifice the 'true interest' of their country to temporary and partial interest (Ibid 1997:4). Madison argued that the public voice pronounced by the representatives would be 'more consonant' with the 'public good' (Ibid 1997: 4). Representative democracy as a form of government allows the representatives to create necessary conditions to enable citizens to pursue their interests and uphold the rule of law in order to protect and nurture individual liberty. (Held 1987: 268) The 'general aspirations' of representative democracy is to ensure the (1) creation of the best circumstances for all humans to develop their nature and express their diverse qualities (2) prevent the arbitrary use of political authority and coercive power (3) involvement of the citizens in the determination of the conditions of their association and (4) expansion of economic opportunity to maximise availability of resources (Ibid1987: 270).

However even within representative government there are substantial variations in the extent to which popular control is

conceptualized. In elite accounts of democracy, popular participation is perceived as a danger which must be circumscribed. According to Schumpeter, representatives are certain individuals who engage in a 'competitive struggle for people's vote' and acquire the power to decide the nature and content of the public policy (Schumpeter 1954). The representatives are like businessmen. While the latter 'are dealing in oil', the former are 'dealing in votes' (Ibid 1954: 285). Once elections are over the citizens must refrain from 'backseat driving' (Ibid 1954:295). This is because the citizens drop down to a lower level of mental performance as soon as he enters the political field (Ibid 1954: 262). Similarly Edmund Burke in his speech to the 'Electors of Bristol' rejected the notion of a 'mandate' or 'instructions' from his constituency (Arblaster 1994: 80). Burke argued that a representative not only owes the citizens his 'industry' but also his 'judgement' and he 'betrays' it if he sacrificed it to public opinion (Ibid 1994: 80). The idea is that the representative not only has a right but also a duty to exercise 'independent judgement' (Ibid 1994:80). Others argue that linked to the idea of representative democracy is the notion of continuous responsiveness of the government to the preferences of its citizens (Dahl 1971: 1) or that the rulers are fully responsible to the ruled (Riker 1965: 3) or as a system of governance in which the rulers are held accountable for their actions in the public realm (Schmitter and Karl 1991: 76). Underlying these notions is the belief that the

'supreme controlling power' is vested in the entire aggregate of the community, such that every citizen not only has a voice but also access to governance.

Representative democracy is built on a foundation of equality. It is assumed that legislative enactments must take into account the 'expressed preference of each citizen' (Dahl 1979). Hence every adult citizen has the right to vote and to contest for office in free and fair elections. Arneson holds that this constitutes the 'democratic rights' whose primary function is to safeguard other fundamental rights necessary for the effective functioning of a democracy (Arneson 1993). The fundamental rights guaranteed to all are freedom of speech, right to seek information from alternative sources like newspapers, magazines etc., right to form political parties and interest groups right to individual liberty and privacy as well as rights to material resources [See Arneson 1993, Dahl 1998]. Political or democratic rights are seen as a 'natural corollary' of the fundamental rights (Bobbio 1990: 37). Their protective function stem from the fact that they guarantee direct or indirect participation of the greatest possible number of citizens in the political process thereby preventing any abuse of power or abrogation of the fundamental rights by the governed. At the same time the fundamental rights are "necessary preconditions for a real rather than fictitious participation in the process of election" (Ibid 1990:37-38). Voting or contesting elections can be a proper index of

the exercise of power only when individuals have liberty of opinion, rights of free assembly etc., which are the essence of a democratic liberal state (Ibid 1990: 39). These rights are guaranteed equally to all citizens of a democratic state except transients or persons proved to be mentally defective (Dahl 1985: 59-60). Democracy by guaranteeing equal rights to all individuals aspires towards the 'principle of autonomy' - which is, "individuals should be free and equal in the determination of the conditions of their own lives; that is, they should enjoy equal rights (and, accordingly equal obligations) in the specification of the framework which generates and limits the opportunities available to them, so long as they do not deploy this framework to negate the rights of others" (Held 1987: 271).

Representative democracy as we practice it today draws its inspiration from Greek democracy of Athens. According to Harrison, some form of democracy existed in Athens for two hundred years from its inception at the end of the fourth century BC. There were two brief interruptions and reversions to oligarchy at the end of the fifth century and during one such occasion the democracy itself voted for its own abolition (Harrison 1993:16). An adequate explanation of Athenian democracy must begin with its practice since principal commentators of those times had antidemocratic perspectives and although they attempted to explain, they did not defend it (Ibid 1993: 15).

Democracy for the Athenians meant participation of citizens in the collective deliberation of issues. However citizenship was not automatically granted to all inhabitants of the territory. It was highly restricted. The criteria of full citizenship was determined by birth. To be a citizen both of one's parents had to be citizens. However women did not have any political rights and their civic rights were limited. Another excluded group was the metic or foreigners. The metic was a free man but there was no form of legal naturalization, and residence extending over several generations would still leave a metic without any part in the political process. But the biggest category of politically marginalised people was the slave population. It is estimated that the proportion of slaves to free citizens in Periclean Athens was atleast 3:2, a slave population of some 80,000 - 1,00,000. Slaves were utilized in nearly all forms of agriculture, industry and mining as well as for domestic work. Athenian slavery and democracy were indivisible (Held 1987: 23). Classical conceptions of political equality were far removed from ideas about equal rights for all citizens. "The legendary democracy was intimately connected to what one might call the tyranny of citizens" (Ibid 1987: 23). Once we exclude the women, metics, slaves and male children we find that actual full members of the state participating in the political process were a minority of the population. Of the total population of 3,00,000 - 4,00,000 individual only 35,000 were granted political rights, who

were the full citizens of the state (Barker 1977:85, Harrison 1993: 7). Full citizens formed a heterogeneous group of people, ranging from men of property and leisure on the one side to poor peasants and artisans on the other. The latter were the majority but all of them enjoyed important political rights, namely isonomia (equality before law) and isegoria (equal freedom of speech) (Harrison 1993: 17).

The Assembly was the primary organ of governance. It comprised of all male citizens above the age of twenty. The Assembly was the sphere of debate and discussion. All major matters such as declaration of war, the concluding of peace, the forming of alliances, the voting of taxes or general legislative enactments were expected to be before the Assembly for popular approval. Coordinate to the Assembly was the Court, consisting of a panel of 6000 members who reviewed decrees passed by the Assembly and tried individuals for offences. The Council of Five Hundred was a representative organ without substantial powers. It has been estimated that in any year as many as one citizen in six might have some share in the civil government and even if he held no office, he might still take part, regularly ten times each year, in the discussion of political questions at the General Assembly of the citizens (Sabine 1963: 13-14). In principle, all citizens seem to have the right to participate in the proceedings of the Assembly but in practice it was dominated by a few orators who were able to devote themselves to politics. Those who

dominated the Assembly and Council tended to be of 'high' birth or rank, an elite from wealthy and well established families, who had ample time to cultivate their contacts and pursue their interests (Held 1987: 27). Therefore the Athenian assembly was open on an equal basis to all of the full citizens, although to be such a citizen one had to be an especially favoured inhabitant, and even then not all citizens seen to have counted equally in the Assembly (Harrison 1993: 19).

It is interesting to observe that even though participation in the democratic process was severally restricted to a few individuals as compared to present times, it was criticized on the ground that Athenian democracy marginalizes the wise. Plato believed that 'the good life' can be grasped only by the philosophers through their systematic study. For Plato the perfect state will arise if 'either philosophers become kings or those who are now called kings come to be sufficiently inspired with a genuine desire for wisdom' but the masses could never become rulers for the 'multitude can never be philosophical.' The philosophers on account of their knowledge were superior, capable of working for general interest and promoting justice and harmony. Democracy suffered from a fundamental fallacy- it treated the essentially unequal citizens as equals and thereby brought in the rule of a self interested tyranny (Ibid 1993: 33).

Democracy signified 'a politics, of unbridled desire and ambition' where all citizens claimed to represent the interests of the

community, but all in fact represented themselves and a selfish lust for power (Held 1987: 30). Participation in the political process was not conceived as a means of securing or protecting individual rights but was seen as promoting the ability of an individual to fulfill his role in the universe; the state secures conditions of good life for the citizen to practice his calling. Such a conception is significantly different from the view of the democratic state as primarily concerned with maintaining liberty of choice (Sabine 1963: 49).

Following the Greeks, democracy had almost disappeared from usage and had lost any laudatory connotation (See Wolheim 1958). Christianity, Humanism, the Reformation, natural rights conception of law and liberalism led to the development of liberal democracy. Though Christianity defended a diverse array of institutions including slavery and serfdom, it has been suggested that the Christian affirmation of the 'equality of men before God' led to emergence of a notion of equality in societies where mass of the people living below subsistence were regarded as inferior (MacIntyre 1966: 114-115). At the same time liberalism transformed the role of participation in the democratic process. It was earlier pointed out that Plato criticized democratic participation on grounds that it promoted individual interests rather than interests of whole community. Liberalism provided account for participation from the standpoint of individuals. It argued that individuals had their own political, economic and

religious interests and participation in the democratic process was a mechanism for promoting and protecting these interests. The idea of a constitutional democratic government based on popular sovereignty originated in the Leveller Movement in England. The Levellers were supporters of movement in seventeenth century England which advocated government based on popular sovereignty and hence were the first democrats in English political theory (Macpherson 1962:158). The Leveller movement espoused two principal issues - (1) The Parliament's power was the result of trust from the people and (2) this power could not be used to abrogate the civil, economic rights of people (Ibid 1962:120). They argued that civic and economic rights but belong to everyone or they may be for nobody. The movement coalesced in 1648 around the issue of franchise. The thrust of the argument of John Lilburne was to show that individuals must have a voice in the election of their representatives since all are bound by the decrees of Parliament. Franchise was demanded as a birth right and a natural right. The right to property was established by divine law and to give every Englishman a vote was the only means to preserve all property. Macpherson points out that though the Levellers opposed property qualification they were not advocates of universal franchise. Levellers were the principal spokesman of copy holders, tenant farmers, independent craftsmen, dealers and traders. Their conception of franchise excluded servants, almstakers and women as

well as criminals and delinquents. Their exclusion was justified on grounds that they had forfeited their birth right; some in acts against society and others because they were dependent on the will of others. The claims of the Levellers rested on the assumption that only 'freemen' i.e. men freed from dependence upon others were entitled to choose their representatives (Ibid 1962: 128). Thus for the Levellers franchise was a function of proprietorship. Their ideas informed the political philosophy of John Locke, in whose writings we find the beginning of 'protective democracy', (Held 1987). For Locke, the institution of 'government' can and should be conceived as an 'instrument' for the defence of the 'life, liberty and estate' of its citizens. The protection of individual rights constituted the 'raison d'etre' of government (Dunn 1969).

Locke's political world is derived from a conception of natural rights. He starts with the proposition that individuals are in a state of nature - a condition of perfect freedom and equality for all. Individuals enjoy natural rights of life, liberty and property. The rights to property has been used in a broader sense to signify the right to life, liberty and estate (Yolton 1977: 300) and in a narrower sense to mean the exclusive use of objects (Macpherson 1962, Plamenatz 1963a, Dunn 1969). Individuals are free to enjoy their rights as long as they do not transgress the rights of others. The actions of the individuals are bound by the law of nature - which

specifies basic principles of morality - that individuals should not take their own lives, they should try to preserve each other and should not infringe another's liberty (Held 1987: 51-52). Adherence to the law of nature ensures that the state of nature is not a state of war.

However there are certain inconveniences in the state of nature - not all individuals fully respect the rights of others, in conflicts there is no authority to interpret the meaning of law and people are vulnerable to external aggression (Locke 1962:123). But the central inconvenience is the inadequate regulation of property in the broader sense. Thus in order to escape the uncertainties of nature, individuals contract to create first an independent society and secondly a political society or government (Ibid 1962 : 163-166). The form of government is democracy when individuals of the civil society consent to form a legislative which makes laws for the community from time to time, as well as appoints officials to execute these laws (Ibid 1962: 182). Further, consent seen as voluntary agreement, is the source of obligation which flows both ways - between the governed and the Executive-Legislative and vice-versa. By consenting to form a legislative everyone is under the obligation to submit to the authority of the legislative and to whatever is concluded by it. At the same time the legislative is under the obligation to enforce the law of nature and protect the natural rights of all individuals. The power of the government is circumscribed by the fact that it derives its power from

the people. Nobody in the state of nature has any right beyond the natural rights nor does anyone have a absolute right to destroy himself or his property; it follows that the legislature can have no more power than that which is delegated to it - the only power which it possess must be for the preservation of the natural rights and never to destroy or abrogate them (Ibid 1962:184-85). Explicit in the Lockean theory is the idea that individuals are continuously keeping a watch over the working of the government. Sovereignty resides in the aggregate of individuals because the latter do not transfer all their powers to the legislative. Whenever the legislative acts against the interests of the individuals, the people have a right to resist and constitute a new legislative for themselves (Ibid 1962: 192).

In Locke's political philosophy individual rights occupies a centrality. The most important element in this view is the understanding of individual rights as a kind of moral possession which every individual has independent of society and which they continue to have in any legitimate society (Harrison 1993: 48). It follows that if everyone has natural and in alienable rights, then the views of everyone have to be respected in society or that everyone has to count equally in the political process. But herein lies the paradox in Locke's philosophy. While he propounds that the government is based on the consent of 'the people' and that 'people' have natural rights he assumes 'the people' to be men of property. He

unhesitatingly endorses the prevalent view of his time that the labouring class does not have any claim to participate in the democratic process though they are completely subjected to the authority of the state. The labouring class is used to include both the 'labouring poor' and the 'idle poor', that is all who were dependent on employment or charity or the workhouse because they had no property of their own (Macpherson 1962: 222).

Locke was of the opinion that the labouring class 'lived from hand to mouth' and 'could never raise their thought above that' (Ibid 1962: 223). Their subsistence existence was not due to economic causes but moral depravity. Since the labouring class could not lead a rational life they were incapable of acting or thinking politically. Macpherson argues that Locke provides a 'moral foundation of bourgeois appropriation' (Ibid 1962: 221). Locke transforms the natural right of every individual to property as needed for subsistence into a natural right of unlimited appropriation. Thereby creating a class differential in rights. Inequality stems from the absence of rights of the labouring class. Further, Locke did not attempt to subordinate the interests of the propertyless to propertied. He considered the labouring class to have no interests; the only interests taken into account by the government were the interests of the propertied. " The view that human beings of the labouring class were a commodity out of which riches and dominion might be derived, a

raw material to be worked up and disposed of by the political authority was typical of Locke's period, so was the political corollary that the labouring class was rightly subject to but without full membership in the state" (Ibid 1962:229).

Similarly women according to Locke were incapable of bearing equal rights. Locke distinguishes between two types of power – political and paternal. The former is conventional and exercised over free and equal individuals with their consent. The latter is exercised over wife and children by husband. A wife must submit to the dictate of her husband because it has a 'foundation in nature' and a husband's will must prevail always as he is naturally 'the stronger and the abler' (Locke 1962: 141-154, 156-257). By implication it follows that a natural subordinate can be neither free nor equal. Thus women are excluded from the status of 'individuals' and so from participating in the public world of equality and consent (Pateman 1987: 106).

The notion of protective democracy receives its final exposition in the writings of Jeremy Bentham and James Mill. Bentham regarded the natural law and the social contract theory as a 'phantom', a 'formidable non entity' which was nothing but a phrase (cited in Harrison 1983: 77). A form of government, according to Bentham derived from the social contract theory could never been the basis of a legitimate government (Bentham 1993: 23-27). Bentham resorts to

two arguments in order to defend democracy. Together with equality of rights among individuals, Bentham argues that every individual in society has certain interests and that every individual is equally 'wise' or equally able to best judge his interest (Plamenatz 1963b: 21-22). Participation afforded by democracy is the only way in which individuals could pursue and protect their interests and at the same time ensure that government was carried in accordance with the principle of the greatest happiness of the greatest number. Participation in democracy is valued on grounds that it ensures the coincidence of the 'actual' and 'proper' end of the government. Everyman has a tendency to pursue his own interest and this does not cease even when he rules over others. Hence the 'actual' end of the government becomes the acquisition of greatest happiness of the governors, whereas its 'proper' end is the greatest happiness of the greatest number (Ibid 1963: 26). Democracy provides the conditions for the coincidence of the two ends. While participating in the political process, man being guided by his own interest will choose representatives likely to promote the common interest and representatives will be encouraged to promote the common interest because otherwise they risk losing power. Hence Bentham's Rule in the Code states "...the constitutive authority is in the whole body of electors belonging to the state" (cited in Harrison 1993: 97). For this to be the case Bentham holds that every householder must be given

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the right to vote and stand for elections such that 'everybody (was) to count as one and nobody for more than one'. For Bentham extended franchise forced governments to be responsible. "Public opinion may be considered as a system of law emanating from the body of the people... to the pernicious exercise of the power of government it is the only check; to the beneficial an indispensable supplement" (Ibid 1993: 98). While much of Bentham's arguments seem to point squarely in the direction of universal suffrage, he found grounds for excluding the female population and large sections of the working class. Women were denied suffrage on certain 'clearly pronounced and sensible indices' such as distractions because of their involvement in more necessary activities, their dependence on the other sex for the administration of resources and their comparative difficulty in acquiring the required knowledge because of their preoccupation with domestic work. Further while everyone had the right to choose representatives, not all individuals could become representatives. Echoing Plato, representatives were seen as possessing skill or specialised knowledge. At the time of the French Revolution, Bentham had commented 'were every man his own legislator laws would be as badly made as clothes would be, if everyman were his own tailor' and continued that 'Everyman cannot be a shoemaker but any man may choose his shoemaker' (Ibid 1993:



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97). Hence Bentham was prepared to recognise the existence of a governing class.

Bentham's idea has been appropriately referred to as a 'founding model of democracy for modern industrial society' (Macpherson 1977: 42-43). Democracy is seen as a logical requirement for the governance of a society freed from absolute power and tradition, in which individuals have unlimited desires, form a body of mass consumers and are dedicated to the maximization of private satisfaction (Held 1987: 69).

Bentham's political theory allows more control of representatives by people through elections and gives this controlling power to more people. At the same time he recognises that democratic system may be exposed to the 'iron law of oligarchy' that the government of the many may in reality be government of the few (Harrison 1993: 99).

In contrast to the model of protective democracy, an alternative position was to evolve in the writings of John Stuart Mill. It is a position based on a new conception of the relation of citizens to the state and is sensitive to the actual conditions of individuals (Held 1987:72). By the middle of the 19th century two developments were taking place. One was that the working class was being perceived as a threat to the propertied class. The other was the blatantly inhuman condition of the working class which could no longer be justified or

ignored. For J S Mill, democracy is the 'ideally best polity' (Mill 1912: 179). The need for democracy arises not only to prevent the arbitrary use of power but also for the improvement of mankind. His view of democracy has been called 'developmental democracy' where democracy is seen as a central mechanism for the development of people (Held 1987, Macpherson 1977). Mill's model of democracy has a "moral vision of the possibility of the improvement of mankind and of a free and equal society" (Macpherson 1977: 47). Participation in the democratic process is justified on grounds that it fosters patriotism because the "food of feeling is action" or that "leaving things to the government, like leaving them to providence, is synonymous with caring nothing about them, and accepting their results, when disagreeable as visitations of Nature" (Mill 1912: 181-182). But more salutary is the moral part of the instruction afforded by participation. An individual engaged in the political process weighs conflicting interests, rises above 'private partialities' and is guided by the notion of a common good in his interaction with others. Having assigned a centrality to the concept of participation, Mill goes on to argue that the number of participants in the democratic process must be as large as possible because "the interest of the excluded is always in danger of being overlooked; and when looked at, is seen with very different eyes from those of the persons whom it directly concerns" (Ibid 1912: 187). Hence Mill argued for extension of

suffrage to members of the working class and women. Mill recognised that the distribution of wealth and economic power was contrary to the only equitable principle of property, namely, the principle of proportion between remuneration and exertion (Macpherson 1977: 53). This made it impossible for the working class individuals to develop. Franchise was seen as a means to bring about a change in the conditions of the working class. He also held that women required political rights more than men because they are dependent on society for protection. He goes on to say that granting women the right to vote may or may not lead to an autonomous individual but it will be a "great improvement in the moral position of women, to be no longer declared by law incapable of an opinion and not entitled to a preference" (Mill 1912: 291-292). In espousing every individual's right to vote Mill is pronouncing against the claim of a few individuals to decide for all what they want (Ibid 1912: 291).

Though Mill advocates an extension of suffrage he does not recommend universal suffrage. He believed that a number of individuals should be excluded from franchise, namely, those in receipt of poor relief, those who were undischarged bankrupts, those who did not pay direct taxes and those who could not read or write. This would have effectively excluded the great mass of the poor. While Mill acknowledged the duty of society was to improve the lot of the

poor; their exclusion from franchise was the result of the failure of duty but was 'a hardship that ought to be borne' (Ibid 1912: 278).

At the same time Mill did not trust the judgement of the electorate. He attempts to disconnect the idea that everyone should be represented from the idea that they all ought to have equal representation. Hence he argued that while everyone (apart from the excluded sections) must have franchise, some should have several votes and held that neither of these provisions were admissible without the other (Macpherson 1977: 57). He believed that modern societies were divided into two classes with conflicting interests. The classes were the working class (including the petty tradesman) and the employing class. The working class was more numerous. The principle of one man-one vote applied to such condition would ensure that the working class guided by parochial concerns would direct the course of state legislation to fulfill its own class interest. In order to prevent this he recommended plural votes so that neither of the classes could outweigh each other. The system of plural votes would be beneficial by providing greater weightage to those individuals whose opinions were superior by virtue of their intellectual and practical abilities. Employers, men of business and professionals were to have more votes than the wage earners. In 'Thoughts on Parliamentary Reform' Mill suggested that if the unskilled labour had one vote, a skilled labourer should have two, a foreman three; a

farmer, manufacturer, trader three or four; a professional or literary man, an artist, a public functionary, a university graduate and an elected member of a learned society five or six (Ibid 1977: 58). While Mill argued for women's suffrage it is not sure how his system of plural votes would be applied to working women. Mill may have seen plural voting as a 'transitional - educative mechanism' which would eventually be replaced by a system of one person-one vote when the masses attain higher intellectual and moral standard. However it has not been explained as to how individuals with several votes would be willing to give up this right at a subsequent stage (Held 1987: 94).

Mill's vision of democracy can be called 'dynamic harmonious equilibrium' (Ibid 1987: 96). It is dynamic to the extent that it attempts to promote free self development of individuals and seeks to maintain a harmonious equilibrium by giving some individuals (with lower skills) one vote to be counterbalanced by others (with higher skills) plural votes. This was the solution for the old Platonic problem of expertise in government. Therefore, Mill cannot be seen as an egalitarian. "Some individuals were not only better than others, but better in ways directly relevant to the political process, better in ways that entitled them to more political weight" (Macpherson 1977: 59). For him as long as individuals were unequal in knowledge, equal weighting was wrong in principle.

Therefore it becomes clear that the liberal theorists advocated democracy by continuously denying a large section of the population their political rights. Absence of political rights entailed that the fundamental rights of the marginalized section was severely restricted. The inegalitarian stipulations of Mill were dropped partly because they came to appear unnecessary and partly because it became clear that his inegalitarian propositions would be unacceptable to the working class movement. Manhood suffrage was the result of the emergence of working class consciousness. In Britain, the right to vote and stand in elections was extended to working class men through a gradual process. In 1832, the men of the middle class were given the vote, in 1867 it was granted to many of the skilled men, in 1884 all skilled and unionised working men were given franchise. But it was in 1918 that franchise was granted to all men above the age of 21 (Cliff 1984: 117-132). The granting of franchise to men continued to exclude the other half of the population - women - from the political realm. Women's suffrage was the result of a long protracted struggle which forms the starting point of the next chapter.

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CHAPTER - II

THE SUFFRAGE MOVEMENT

In contemporary times, the guarantee of political rights equally to all citizens of a state in order to participate in the political process is the 'basic minimum' requirement of representative democracy. (Phillips 1991: 9). However the analysis of democratic theory in the previous chapter showed that democracy when defended was conceived by excluding a large section of the population and thereby denying political rights to them. It was only in the latter half of the 19th century that franchise was extended to men of the working class with certain restrictions. The extension of franchise to working class men did not automatically extend to the women. Infact the entire debate on democracy seems to have proceeded for centuries, as if women do not exist and when their existence was acknowledged, attempts were made to confine women to the domestic sphere (Ibid 1991: 2). While some political theorists developed a variety of explicit arguments to justify their misogyny others seemed to take women's unworthiness so much for granted that they did not even notice they were leaving them out (Ibid 1991: 3). Women's suffrage was the result of a long history of writing, discussion and action by which women claimed political rights for themselves.

The issue of women's subordination was raised as far back as 14th century. An anonymous author of an essay titled 'Essay in

Defence of the Female Sex' wrote that the female world of 'care for others' was as much a repository of the highest values of civilization as the men's world of pursuing material gain, and further added, that domesticity in itself was not wrong but it was the 'woman's enforced exclusive confinement' and 'man's self imposed exclusion' from the domestic world which created the evil of subordination (cited in Mitchell 1987:32). In a similar vein the Duchess of New Castle pointed out that men are 'unconscionable and cruel against' women by denying them 'all sorts of liberty' such that women are reduced to 'live like Bats or Owls, labour like Beasts and die like worms' (Ibid 1987: 33). Protesting against the prevailing view that the subordination of women has a foundation in nature, Mary Astell observes, 'the Earthly Adam being Formed before Eve, seems as little to prove her natural subjection to him, as the living creatures, Fishes, Birds and Beasts being Formed before them both, proves that Mankind must be subject to these Animals' (Ibid 1987:32). While raising a voice against the subordination of women, Astell believed that women were incapable of bringing about reforms because they were 'for the most part wise enough to love their chains and enjoyed the 'great Honour and Felicity of their Tame (Ibid 1987:33-34). Though franchise was not demanded explicitly, the seventeenth century feminists appealed in a 'universalistic language on behalf of women to the highest concepts of freedom and humanity which their

society was capable of (Ibid 1987:32-33). They defined women as a group whose oppression was due to 'the Usurpation of Men and the Tyranny of Custom' (Ibid 1987: 33). In drawing attention to the oppression of women and demanding an end to their exploitation, they were revolutionary for their time.

A far-reaching analysis of women's subordination was provided by Mary Wollstonecraft who linked subordination with exclusion of women from the political realm. Inspired by the French Revolution and the spread of radicalism in Europe, Wollstonecraft argues for participation of women in politics. Hence she is one of the key theorists of democracy though she is rarely considered as one (Held 1987: 80). The deplorable condition of women, according to Wollstonecraft, was related to 'mistaken notions' about women. Women learned a 'feminine ideal' which they had to uphold in all circumstances and were considered weak, volatile, delicate and uninterested in worldly affairs (Ibid 1987: 81). Women are told from their infancy and taught by the examples of mothers that 'human weakness', 'softness of temper', 'outward obedience' and a 'puerile kind propriety' will secure them the protection of a man - the central aspiration in life for a woman - and this will make 'everything else needless for atleast twenty years of her life' (Wollstonecraft 1985: 23). Being guided by the 'feminine ideal' women act contrary to their real interests when they cherish or affect weakness vis-à-vis man (Ibid

1985: 20). This condition stems from their ignorance (courteously termed as innocence) whereby 'truth is hidden from them' and they are forced to develop an artificial character devoid of strength and rationality. "Taught from their infancy that beauty is women's sceptre, the mind shapes itself to the body and roaming around its gilt cage, only seeks to adore its prison" (Ibid 1985: 50). This condition is compounded with the belief that women are essentially inferior to men, that they are 'made to be loved, and must not aim at respect' and that 'she was created to be the toy of man, his rattle, and it must jingle in his ears whenever he chose to be amused (Ibid 1985: 38-39). Wollstonecraft argues that the divine right to the husbands like that of the king must be contested because men 'like kings always see things through a false medium' (Ibid 1985:46-47). Further she adds that the subjection of women is from the remotest antiquity because men found it 'convenient to exert his strength' on women and assume that the whole creation was only created for his pleasure (Ibid 1985: 30). Also, she shows that Rousseau did not think highly of women. He declared that a women must 'never for a moment feel herself independent', 'must be made an alluring object of desire' and insinuates that truth and fortitude must be sparingly cultivated in women because 'obedience is the grand lesson which ought to be impressed with unrelenting rigour (Ibid 1985: 30). While most of Wollstonecraft's arguments are repetitious, she conveys the idea that

absence of political privileges cause women to be 'naturally drawn from the interest of the whole community to that of the minute parts' which strengthen and reinforce her isolation in the domestic sphere (Ibid 1985: 203).

Thus arguing Wollstonecraft shows that the subjugation of women was not a matter of 'natural differences' but a product of 'human and historical' arrangements (Held 1987: 81). According she contended that gender relations must be transformed to create equality between the sexes. This must be achieved, according to her, in a two-step process. Firstly women must be allowed to strengthen her mind so that she can order her existence according to the dictates of reason. Having acquired rationality, the second step would be to grant women a 'direct share' in 'the deliberations of the government' so that they may improve their condition (Wollstonecraft 1985: 160). Wollstonecraft believed that the political realm based on an active knowledgeable citizenry encompassing both men and women would lead to an enlightened understanding of the world and create a political order, not based on arbitrary authority, but governed by reason and sound judgement (Ibid 1985: 57). She also explored the inter-relation between the social condition of women and the political process. 'Until the twentieth century, there were few, if any writers who traced perceptively as she did the relation between the political realm and the domestic sphere and the ways in which unequal gender

relations cut across both to the detriment of the quality of life in both (Held 1987:84).

However Wollstonecraft's arguments reveal certain inconsistencies. One of the ambiguities of her thought was that it did not provide a clear model of democracy. Her arguments hovered uneasily between liberal principles familiar since Locke's Second Treatise and the more radical principles of direct democracy (Ibid 1987: 84). Moreover she seems to be exclusively addressing the women of the 'middle class' when she propounds that an emancipated woman will have a servant maid 'to take off her hands the service part of the household business (Wollstonecraft 1985: 156). Nonetheless Wollstonecraft was successful in pointing to a fallacy of traditional political thinking by holding that the interests of women cannot be subsumed under those of an abstract individual and thereby argued for women's participation in the political process.

Wollstonecraft's arguments provided the foundation for the emergence of campaigns demanding reforms in the condition of women in the subsequent years. In the first half of the nineteenth century the issue of women's franchise began to emerge as a part of a number of proposals demanding improvement in the status of women. Women began to organize themselves into campaigns and claimed that denial of vote to women was 'but one form of a far more deeper and more extensive anomaly' (Grimstone 1832:641). These early

feminists or 'radical unitarians' as Gleadle calls them, developed a powerful social, political and cultural critique of society and the position of women in it. Mary Leman Grimstone, one of the key proponents of reform called for a broad approach to women's emancipation in her declaration 'much has to be put from the literature, institutions, laws, customs and manners to redeem man from the degrading marks of his own ignorant pride, as well as to raise her from her miserable vassalage' (Grimstone 1935a: 560).

Women's franchise was demanded on grounds of justice and expediency (Bolt 2000: 35). It was pointed out that the exclusion of women from the political process was unjustified because she was subject to laws made by the government but had no right to participate in its formation. Further it was argued that since human society is composed of two sexes so must be the legislature (Grimstone 1835b: 110). At the same time it was expedient for women to be granted political rights because it was wrong for a law to declare a women to be the slave of man without giving her a voice in its formulation (Gleadle 1995: 71). The arguments of the early feminists centered on two important themes. First, it was claimed that England was ruled by female sovereign and hence it was dubious to deny them the vote. Secondly, they complained against the injustice that while the propertied women were forced to pay taxes, they had no political representation. These two themes were

combined sometimes with the Wollstonian argument that people needed to transform their notion about women's abilities and interests (Ibid 1995: 72-74). Further it was believed that the legislature had been framed according to the precepts of physical power and so worked against the interest of the physically weaker sex. As Linton put it 'if you deny that woman has the right to vote - go back to the ancient brutality, let the strong armed savage dash out the brains of the chartist' (Linton 1848: 166).

A note worthy aspect of the feminist campaign was its critique of the Chartist movement. William Lovett one of the principal chartists defined democracy as 'the power of the people mentally, morally and politically directed, in promoting the happiness of the whole human family' (Lovett 1876:309). Accordingly the movement demanded extension of franchise to hitherto excluded sections of society but restricted itself to demanding it primarily for men of the working class. Rebuking the movement Harriet Taylor Mill wrote "The Chartist who denies the suffrage to women, is a Chartist only because he is not a lord : he is one of those Levellers who would level only down to themselves" (Mill 1983: 152). Similarly Catherine and Goodwyn Barmby opined that the people's charter was 'nothing but General Masculine suffrage' and held that "every argument the Chartist brings against Whig and Tory for not admitting the working man to the right of voting, can we bring against the chartist for not

advocating the right of the women to the franchise" (Barmby 1842: 48).

But during this time the onus of women's suffrage primarily fell on men. It was believed that men with political rights would recognise the extent to which women had been degraded and thus initiate their emancipation for them (Gleadle 1995:84-85). While some manifested a faith in the ability of women to liberate themselves, such confidence was overshadowed by the feminist conception of women's slave character (Ibid 1995:84). Anne Knight commenting on the failure of women to unite wrote "she has been so habitually downtrodden and has been so habitually treated thus, that she is not conscious that it is insult and if her mind should chance to consider it, she regards it with the quiet resignation of the overloaded camel"(Knight 1848:55). She goes on to add that any effort for reform should not be expected from women because 'she has been so long nurtured in bondage that the fetters have cramped her mind' (Ibid 1848: 55). Hence it was believed that the cause of women's franchise must be included in the political rights of 'radical men' because suffrage was a 'cause too mighty' to be entrusted to women in their 'present state of bondage (Gleadle 1995: 84). A central element of their analysis was the idea that the female slave character was an obstacle to reforms. Mary Leman Grimstone observed that women have not only submitted to this system of slavery but have also assisted to uphold it (Grimstone

1835b: 108). But more recent scholarship has aimed to show that one factor which prevented any kind of concerted action on part of women was the nature of their work. The fragmented nature of sloopwork prevented formation of political unions to campaign for reforms (See Alexander 1976). Moreover the double burden of 'employment and domestic responsibilities' meant that women had very little time and energy to devote to other activities (Rendell 1985). Hence it was argued that if the 'wretchedness' of women's condition prevented them from seeking their emancipation, it was man's duty to teach her to want freedom.

In spite of the early feminists apprehension of women's ability to fight for franchise, their significance lay in the recognition that the right to vote was one of the most important measures for transforming society. They linked this right with the need for the people to be re-educated about their ideas on women and urged women themselves to learn to adopt new modes of behaviour to break free of their 'slave' characters (Gleadle 1995).

Subsequently Harriet Taylor Mill and John Stuart Mill vehemently argued in favour of women's franchise and provided a fresh impetus to the suffrage movement. Harriet Taylor Mill argued that the fact that the subjection of women has been a custom can be 'no presumption of its goodness (Mill 1983:11). Further she adds that it is physical force which has made the physically weaker half of

mankind legally inferior (Ibid 1983: 12). Men having thus subordinated women, declared that all talent and genius can be inculcated only by men and that the 'fettered sex' have no qualities to inculcate (Ibid 1983: 14). Moreover it is, often asserted that the proper sphere of women is not politics but private and domestic life. Questioning this assertion Harriet T. Mill holds that 'no portion of the species' can decide for another 'what is and what is not their proper sphere' (Ibid 1983: 13). "The proper sphere for all human beings is the largest and highest which they are able to attain to. What this is cannot be ascertained without complete liberty of choice" (Ibid 1983:13). Hence she propounds that emancipation of women can only come about through their enfranchisement. For her, the goal of enfranchisement is more than the entry of women in politics, Enfranchisement entailed 'the admission' of women 'in law, and infact, to equality in all rights, political, civil and social with the male citizens of the community (Ibid 1983:3). Again, she argued that women were unable to press for their emancipation because of two reasons. Their position was like that of the tenants on labourers who voted against their political interests to please their landlords or employers. In addition their submission was inculcated from childhood as ' the peculiar attraction and grace of their character' (Ibid 1983: 39). Continuing with her line of thought John Stuart Mill held that the subordination of one sex to the other ' is wrong in itself

and 'one of the chief hindrances to human development' (Mill 1912:427) further he contended that the adoption of this system of inequality was never 'the result of deliberation or forethought or any social ideas' or 'of any notion of the benefit of society' (Ibid 1912: 431). It arose simply from the fact that 'from the very earliest twilight of human society' every woman was in a state of bondage to men on account of her under valuation by man coupled with 'her inferiority in muscular strength' (Ibid 1912: 431-32). The continuing dependence of women was a vestige of the 'primitive state of slavery' (Ibid 1912: 423). Hence he held that the inequality of rights between men and women has no other source than the 'law of the strongest' (Ibid 1912:433). This position of women according to Mill was a 'wholly unwarranted exception' to the principles of 'individual liberty, equal justice and equality of opportunities (Held 1987:98).

Mill believed that franchise, to women was a means of combating their subordination. Though not an advocate of universal suffrage, Mill was in favour of extending franchise to women, while all human beings have an interest in good government, the government in turn is responsible for the welfare of all (Mill 1912:290). Hence women required suffrage to 'secure their share of benefits (Ibid 1912: 290). Being weaker than men, they were 'more dependent' on law and society for protection (Ibid 1912: 290). Mill opposed the argument of the anti suffragists that women would vote as were dependents' at

the bidding of their male relations. He opines that even if women do not 'think for themselves', franchise would be 'a great improvement in the moral position of women' (Ibid 1912:292). They would no longer be declared by law 'incapable of an opinion' and 'not entitled to a preference' regarding the most important concerns of humanity (Ibid 1912:290). "It is a benefit to human beings to take off their fetters, even if they do not desire to walk" (Ibid 1912:292). In turning many key liberal principles against the patriarchal structure of state and society, Mill was arguing that emancipation of humanity was unconceivable without the enfranchisement of women (Held 1987:99). The liberal tradition had insisted that women belong to the non-political domestic sphere. Mill opposed this and while maintaining a strict conception of what should be or what should not be a public matter, Mill did not map the 'genderic split' (man-woman) on to the pol-nonpolitical dichotomy (Siltanen and Stanworth 1984 : 185-268).

However Mill's radical arguments are diluted by some ambiguities. Mill's radical programme encompassed a variety of issues of enfranchisement of women, reform in marriage laws, equal educational opportunities-but he did not favour the introduction of any special measures for women by the state. The 'interventionist strategy' was discarded by Mill partly because of his conviction that such strategies would infringe upon the liberty of individuals to decide what was in their best interests (Held 1987:100). Moreover he did not

analyse in any detail the domestic division of labour. He does not seem to recognise that without sharing of domestic duties, the ability of a women to pursue a course of action of their choosing is considerably weakened (Okin 1979, Pateman 1983). In spite of these failings, Mill's analysis, his contribution to the cause of women's franchise should not be underestimated.

The continuous failure of early campaigns to secure voting rights for women precipitated the transformation from the articulation of a "feminist voice" to 'feminist action' (Phillips 1991:120). The suffrage movement as a continuous and concerted agitation began with J.S. Mill's 1865 campaign to be elected for Westminster even though the issue had been discussed earlier (Lewis 1987). The first half of the nineteenth century saw the strengthening of Britain's 'masculine' empire', trading network and metropolitan establishment, the 'self conscious defence of class division' and renewed efforts to keep women 'in their place' (Bolt 2000:38). Under these circumstances the suffragists argued their case with 'prudence as well as boldness' and chose Mill as their 'intellectual figure-head' because of his political prominence (Ibid 2000: 38). The pioneers of the early suffrage movement - Barbara Bodichon, Emily Davies and Bessie Parkes - campaigned on Mill's behalf while drawing attention of the people to their cause. Their claims to vote was based on a narrow perspective - "that the English woman shall be included in that

measure of political freedom which the wisdom of parliament sees fit to grant to English men" (Taylor 1987:23). They emphasized that franchise must be granted to women on the same terms as it is granted to men. The early suffragists articulated various reasons to claim franchise, the central one being rooted in the idea of property. The possession of property by man carried with it the right to vote. It was argued that when the law of England acknowledged the right of a woman to property how could the law simultaneously deprive her of the 'essential privilege' to preserve her property (Ibid 1987:28). Hence they pointed out that the exclusion of women from the right to vote was 'anomalous' and urged that the 'representation of householders must be provided for without the distinction of sex' (Ibid 1987:21). Lydia E Becker argued that the claim of the common people must not 'culminate in good government' but must 'rise to that of self government' (Becker 1987:118). Since men and women were equally liable to suffer from misgovernment and they have the same interest in establishing the government (i.e. protection of property), then it follows that the governed-both men and women-must be consulted in electing the rulers and making the law (Ibid 1987:119).

Moreover they argued that denial of franchise militated against women in a number of ways. On the one hand it was argued that any group which is not represented is likely to be neglected because their interests do not receive 'due consideration' in state legislation

(Bodichon 1987:38-39). In the case of women the tendency was to 'postpone the claims of women to those of men' and this was manifested in the lack of educational and employment opportunities of women (Ibid 1987:39). "Legislation in regard to the interests of women, by an assembly from which the representation of women is rigidly excluded is truly a leap in the dark" (Becker 1987:125). The early campaigners demolished whatever remained of the doctrine of virtual representation, the notion that legislators represented various interests, so that there was no need for each one or each individual to be directly represented (Bolt 2000:42).

Again franchise was seen as a means to end the subordination of women in society. Women's civic rights were grossly circumscribed such that the father alone was entitled to the custody and disposal of the child (Becker 1987:133). Moreover the doctrine of *couverture* was a device to appropriate a woman's property forcing her to be dependent on her husband. It was based on the idea that 'the very being or legal existence of the wife is suspended during the marriage or at least incorporated and consolidated into that of the husband under whose wing, protection and cover she performs everything' (Lewis 1987:3-4). Questioning their subordination the early suffragists claimed whether it was 'wise or just to doom one half of the human species to a state of forced subordination to the other half' (Mill 1983:16). They contended that the subordination of women was

perpetuated by their arbitrary exclusion from the political process. While criminals forfeited their political rights only temporarily and a lunatics' right to vote depended on the decision of the returning officer; women had a brand of 'life-long incapacity' inflicted on them to deny political rights permanently. Justice Byles in the Court of Queen's Bench likened the political condition of a woman to that of dogs and would not allow her to be something better than his dog. This kind of gross principle sets a 'stamp of inferiority' on women. Hence Becker argued that the 'wrongs of women' would be rectified only when women, are 'politically on the same level as men' because only then will the opinion of a woman be deemed as 'worthy of being taken into account in reckoning the votes of the people' (Becker 1987:118-140). Similarly it was held that citizenship was an honour and 'not to have the full rights of a citizen is a want of honour'. Exclusion from participation causes internal devaluation of women by women themselves because once they are debarred from full participation 'without their own consent and without sufficient reason' they lose more or less of social consideration and esteem' (Bodichan 1987:38).

Finally it was propounded that franchise to women would increase their awareness about a whole range of issues. Bodichan termed this 'the public spirit' and defined it as 'patriotism, a healthy, lively intelligent interest in everything which, concerns the nation to

which we belong' (Ibid 1987:40.) She alleged that women were unable to think beyond the narrow confines of their family because 'no mass of human beings will or can undertake the task of forming opinions on matters over which they have no control, and on which they have no practical decision to make' (Ibid 1987:44). The exercise of franchise was seen as dissipating the 'narrow and deadening perspective of woman' by allowing women to take an active interest in issues of education public health, laws etc. (Ibid 1987:38).

The arguments of the suffragists were countered by a volley of arguments in favour of the continual exclusion of women from participation. The anti suffragists or 'antis' as they were called found a powerful proponent in Mrs. Humphry Ward. In a signature campaign led by her, five reasons were given for denying women suffrage. Firstly it was argued that 'parliamentary suffrage' was an 'unnecessary measure' because women in possessing the right to vote for members of School Boards or Boards of Guardians were thought as already possessing an influence on political matters 'fully proportioned to the possible share of women in the political activities of England. The denial of suffrage was urged on the grounds of the 'disabilities' of women. These disabilities emanated from the 'limits of their physical constitution' and their rightful confinement to the domestic sphere. It was believed that the 'necessary and normal' experience of women 'does not' and 'can never' provide them with

such materials for 'sound judgement' as are open to men. And added further that the 'accumulated experience and inherited training' of men ought to prevail without the 'harassing interference' of women who though might be partners with men in debate can never be partners with them in action' (Ward 1987:409-10).

Secondly, it was propounded that women were possessors of 'sympathy and disinterestedness'. These so called valued qualities of women would be eroded in the 'presence of party necessities and in the heat of party struggle' because their 'natural eagerness' and 'quickness of temper' would make them hotter partisans than men (Ibid 1987:411-12). Thirdly, the extension of suffrage to women was seen as leading to 'grave consequences' in society. Enfranchisement of unmarried women on the same terms as men was seen as vindicating the 'immoral lives' of a large section of women on one hand, while extension of suffrage to married women would bring about profound changes detrimental to the family life (Ibid 1987:412). Fourthly, it was argued that the demand for vote was never made by majority of the women but was espoused by 'prosperous and self interested women'. Moreover women's suffrage was opposed on grounds that the extension of franchise following the 1864 and 1884 Act had brought in a number of people who had to be 'trained' to take their part in the national work. Hence further extension to women would harm the political machinery (Ibid 1987:412-13). Finally it was

held that there was no need for women to vote because most of their grievances had been addressed by the existing constitutional machinery. "And with regard to those that remain, there seem to be no sign of any unwillingness on part of the parliament to deal with them (Ibid 1987:413).

Notwithstanding the opposition launched by the 'antis', the early suffragists campaigned for vote through the National Society for Women's Suffrage (NSWS). NSWS was established on 6th November 1867. It was a loose federation of existing suffrage societies like the London National Society for Women's Suffrage, the Manchester National Society for Women's Suffrage the Edinburgh National Society for Women's Suffrage etc. In order to publicize the issue of franchise the NSWS made use of lectures, indoor public meetings, handbills and tracts, lobbying and petitions. In 1869, a total of 255 petitions for women's suffrage, with 61,474 signatures were presented to the House of Commons and the method of petitioning pleading for introduction of private members bills for women's suffrage was used through the 1870s (Rosen 1974:9). The first women's suffrage Bill requiring that 'whenever words occur which import the masculine gender, the same shall be held to include females for all purposes connected with and having reference, to the right to be registered as voters' was brought before parliament in 1870 by Jacob Bright (Lewis 1987:3). During the 1870s private members' Bill were introduced in

every year except 1875 but these Bills failed to provide franchise to women (Rosen 1974:10). The climax of NSW efforts at claiming franchise was reached in 1884 when William Woodal, a liberal, introduced a women's suffrage Amendment to the Representation of the People Bill. The Amendment was defeated and the societies of the NSW entered a period of 'discouragement and decline' and suffered from 'political impotence' caused by increasing internal divisions (Rosen 1974:9-13). The period from 1884-1897 marked the 'nadir' of the women's suffrage movement in Britain (Ibid 1974:12).

However there are certain contradictions in the claims of the early suffragists. While they argued for women franchise they unequivocally related this right with property and argued that a woman property owner should have as much right as a male property owner and therefore excluded women with no property or women failing to meet the property requirements. The thrust of their arguments was to show that those relatively few women who owned property to qualify for franchise should be able to exercise it. As the property qualification was lowered in 1867 and 1884, rich women resented the entry of working class men in the political process. In 1884, there were some thirty thousand women tenants who farmed their land; the male labourers they hired had franchise while they were excluded from participating in the political process (Lewis 1987:3). Hence the early call for vote was 'by no means democratic' in

the sense that it did not claim universal adult suffrage. (Ibid 1987:3). Moreover the claim to vote effectively discriminated against married women. The doctrine of coverture ensured that any property a women brought to her marriage became her husbands. Being propertyless, a married woman could have no vote. Barbara Bodichon had asked each member of the House of Commons to consider all the 'properly qualified women' and she defined the latter as 'single ladies and widows' (Rosen 1974:8). There was a minority view which argued that exclusion of married women would make the cause of the suffragists 'ridiculous' (Bolt 2000:40). The Women's Franchise League (founded in 1889) argued that the position of the married women provided the fullest measure of women's subordination and hence claimed that propertied married women qualified under reformed married women's property laws should be enfranchised. This circle produced its own divisions but provided a valuable counter balance to the narrower claims of the suffragists who were satisfied with ' a little bit, 'a little shred', a little fragment of freedom. (Bolt 2000: 40). The League referred to its rivals as 'the Spinster Suffrage Party' pursuing a cowardly policy (Rosen 1974:17) the prevailing view was that 'half a loaf is better than no bread' and was hoped that women's franchise would be followed by an abolition the doctrine of coverture and thereby enable propertied married women to vote (Lewis 1987:3-4). The strategy of restricted suffrage is

usually attributed as a response to the unfavourable attitude of all parties towards women suffrage. All parties feared a large increase of the electorate. The enfranchising of a minority of women is seen as a method to persuade sceptical politicians to 'risk' extending the vote to women (Bolt 2000:39). Another factor inhibiting the call for universal suffrage was the assumption that it would not be supported at any cost as long as two-fifth of the men did not have the vote (Cliff 1984:117).

Another feature of the early suffragists was that they avoided any appeal to 'sentiments' or 'true nature of women' (Lewis 1987:4). They were aware that most arguments of the 'antis' was grounded in the belief that 'the exercise of political power by women is repugnant to the feelings, and quite, at variance with due sense of propriety (Fawcett 1987:14) or that women were by nature unfit to vote. The early suffragists argued that there was 'no inherent difference' so great as to preclude women from the studies and pursuits of men (Mill 1983:17). It was the exclusion of women which created the apparent difference. Hence Anne Insabella opined that men first deny women the means of cultivating their intellect and then declare they have no intellect to cultivate. (Robertson 1987:155).

The contribution of the early suffragists was significant. They argued for women's franchise at a time when they were 'few in number; had no role models to follow and risked being socially

ostracized; their aim was to establish the right to be heard and to convince people about their just cause. In such circumstances, the early suffragists attempted to show that women were as capable as men on men's terms (Lewis 1987:5). Therefore the terms on which they ventured into the public sphere allowed little space for the development of a distinctively different voice (Ibid 1987:2).

Women suffrage came to the foreground again in early twentieth century when the Women' Social and Political Union was formed in October 1903(Rosen 1974:30). It was formed by Mrs. E. Pankhurst, and its early supporters were Christabel Pankhurst, and Sylvia Pankhurst, Hannah Mitchell, Annie Kenney and Teresa Billington. The union aimed to advance the condition of the industrial women and linked the call for vote with greater democratization in British society. Elaborating the role of WSPU, Sylvia Pankhurst observes that social as well as political work was intended by the Union, though the primary emphasis was on the vote. (Pankhurst 1911:168). The latter suffragists agreed with grounds on which suffrage was claimed by the earlier suffragists but rejected their view of a restricted suffrage and their strategy. The WSPU marked the beginning of a phase of militancy to claim suffrage. The first militant act is attributed to Christabel Pankhurst and Annie Kenney who started a 'confrontational approach' in a way that no 'old fashioned suffragist' had attempted (Purvis and Holton 2000:3). On 13th October 1905,

they heckled a liberal politician with question 'will the Liberal Government, if returned, give votes to women in Free Trade Hall (Rosen 1974:50, Purvis and Holton 2000:3). Both were forcibly removed from the Hall for creating disturbance and Christabel in order to court arrest committed the technical offence of spitting at a policeman. Charged with disorderly conduct both women chose prison sentences rather than pay the fine. (Rosen 1974:50). Christabel without disputing the charges said, "there was no other course open. My conduct in the Free Trade Hall and outside was meant as a protest against the legal position of women today. We cannot make any orderly protest because we have not the means whereby citizens may do such a thing; we have not a vote; and so long as we have no votes we must be disorderly' (Ibid 1974:51). In sum militancy became news and women suffrage received what it had. with been aiming at -a wide publicity. On 16th October 1905, both the Times and Manchester Guardian provided widespread coverage of the franchise issue. (Ibid 1974:49-53). The aim of this strategy was to pressurise the government to accede to women's franchise when the government failed to respond, a second phase of militancy erupted from 1912 when the 'suffragettes' engaged in a range of terrorist acts against property, such as mass window breaking, setting fire to empty building and post boxes, pouring acid on golf courses and cutting telephone and telegraph wires (Purves and Holton 2000:3).

The strategy of the suffragettes differed radically from those of the early suffragists. Instead of petitioning pre-planned militant tactics were employed leading to imprisonment. Explaining the transformation in strategy, Rosen argues, that the conventional society regarded the militant strategies as 'acts of social and political bellicosity.' The tactics were 'sufficiently combative' to be widely regarded as 'shocking'. The militant campaign was grounded on the perception that 'shocking tactics' would evoke discussion and create 'substantial public interest in a cause which had previously been moribund (Rosen 1974: xvii). "The press viewed heckling by women as a radical departure from normal mores, particularly as photographs of well dressed women being thrown out of meetings by burly male stewards were shocking to a public accustomed to Victorian forms of chivalry" (Ibid 1974:55). It has also been argued that militancy was presented as an unequivocal break with the past, in its readiness to engage in 'the politics of disruption' and dismissed from consideration the earlier campaigns for the vote (Holton 2000:19-20). This approach was also seen as an unavoidable adaptation of the masculine justification of force to advance a 'stalled' political cause. In the process, the suffragettes disposed the claims of the 'antis' that women were incapable of deploying physical force (Bolt 2000: 45). But most of all militancy was associated with an 'intellectual stance' - which rejected notions about the inferiority of

women; proclaimed that economic, well being and political enfranchisement went hand in hand; and finally claimed to strive for freedom (Ibid 2000:45).

The part played by the suffragettes in securing franchise has been subject to controversy with number of writers claiming that extreme forms of militancy were counter productive. Nevertheless, women, above the age of 30 were granted the right to vote in 1918 'if they were householders, wives of householders, occupiers of property with an annual rent of £ 5 or more, or graduates of British universities. (Purves and Holton 2000:4). On 2nd July 1928 women and men over the age of 21 could vote on equal terms (Ibid 2000).

The suffragists have often been divided into two camps - the constitutionalists and the militants-referring to the respective strategy of petitioning or militancy. However Holton is of the opinion that if militancy involved a willingness to take the issue into the public realm, then many constitutionalists would be militants; and if militancy involved a preparedness to resort to extreme forms of violence ' then few militants were militants and then only from 1912 onwards (Holton 1986:4. Hence neither the militant nor the constitutional wing was unchanging or as coherent as the categories suggest since both wings experienced internal tensions and division. (Holton 1995:290). Nevertheless Holton and others acknowledge that there were differences in policies and tactics of the early suffragists

and the later ones which cannot be ignored (See Holton 1986 1998, Morley and Stanley 1988, Cowman 1998). Similarly it must be acknowledged that the suffragists developed a number of ideas to garner support and "their ideas were bound to be varied, since suffragism, as a part of feminism, reflected diverse personnel, broad aims and eclectic ideology of the larger movement (Bolt 2000: 35). Suffrage ideas were adopted by the movement's leaders to the key moments they encountered and the constituencies they targeted. Hence its ideas remain difficult to characterize, "being at once lighthearted and profound, democratic and elitist, constant and protean (Ibid 2000: 35). Alongside the ideological and activist aspect of the campaigns, there is now recognition that suffrage movement was not a single- issue demand. In claiming the women's right to vote, suffragists contested the gender order itself and went beyond issues of formal politics to question the subordination of women in the domestic and economic sphere.

The significance of the suffrage movement rests on the fact that it demanded entry of women into the political realm. Enfranchisement of women was closely linked to the idea of a kind of power which woman ever expected to obtain. Hence it was anticipated that with the strategic use of their vote, women would open up new vistas for themselves, raise the level of their wages to that of men, bring about reforms in laws to foster gender equality and 're anchor her self-

image, not in subordination of her familial role but in the individuality and self determination that they saw in citizenship (Du Bois 1987:128-132). Most importantly the suffrage movement attempted to widen and deepen democratic practices through the inclusion of women. Calls for inclusion arose from experiences of exclusion-denial of political rights and denial of opportunities to participate (Young 2000:6). It will not be for-fetch to suggest that the suffrage movement brought in the idea that 'the normative legitimacy of a democratic decision' depends on the inclusion of those affected by it in the decision making process and the opportunity they have to influence the outcomes (Ibid 2000:5-6).

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CHAPTER - III

THE ISSUE OF GENDER PARTY AND WOMEN'S REPRESENTATION

The struggle for women's franchise heralded the entry of women into the political realm by granting them the right to vote. This success was linked with expectation that franchise would lead to the representation of women in legislative bodies (Phillips 1991 : 6). However regardless of the date at which women were granted franchise, their representation in legislative bodies has been abysmally low. With the exception of the Nordic countries women's representation in the national legislatures of different countries is between 2% to 10%, even in Britain and USA women's representation has not been above 5% (Ibid 1991: 60). Today women at, best merely have 'token representation' in the legislatures and the political realm though not empty of women is still the 'world of men' and dominated by them (Pateman 1987 : 118). Consistent marginalization of women in legislative bodies indicates a 'problem' and raises the question as to why women are not able to translate their franchise into presence in legislatures (Phillips 1991:63).

The initial response to this question was given by the Women's Liberation Movement in America in the 1960s. It was argued that the blatant forms of socio-economic inequality disabled women from participating in political process. Accordingly, women demanded

certain socio economic rights with the belief that this would foster their participation in politics. In order to understand the Women's Liberation Movement in US, it is necessary to begin with the Civil Rights Movement which shaped the agenda of the women's movement and from which the Women's Liberation Movement was born (Cliff 1984 : 153 - 168).

Students played a significant role in the Civil Rights Movement the 'Students Non-Violent Coordinating Committee' registered voters and organised mass 'sit-ins' to end the racial segregation in public places like restaurants, motels, bus stations etc (Ibid 1984: 154). War with the white society seemed total '(Evans 1980 : 41). Similarly the 'Students for Democratic Society ' attempted to organise the Blacks and the poor-persons whose economic role in society was marginal - for collective action. It was during this period that women within the movement began to concentrate on women's issues - recreation, day care, schools, housing etc (Cliff 1984 : 155). But during the protest against the Vietnam War women felt themselves 'pushed to the periphery' (Ibid 1984 : 157) This signaled a period of introspection where women began to concentrate on their 'own internal world' and recognised their state of subordination. '..the position of women as women takes precedence : oppressed what ever their particular circumstances& Hence Women's Liberation' (Mitchell 1971-73-74: 182). In a short while women organised themselves into a collection of

small groups of women created for the purpose of 'altering women's perspectives and conceptions about themselves and society at large. 'Consciousness raising' as it was called was not only a means to improve women's lives but thought of as giving women confidence to participate in political activity (Cliff 1984 : 163). The consciousness raising group was viewed as an alternative organisational structure to ensure that the liberation of women was based on 'the concrete realities' of women's lives (Bassnett 1986 :27). The National Organisational for Women(NOW) was set up in 1966 to organise grass root political issues on a national scale and bring women into 'truly equal participation with men (Ibid 1986: 30). NOW emphasized that truly equal participation entailed rethinking of traditional marriage and a 're structuring of man's role within the family as part of a move towards the sharing of responsibilities at home' (Ibid 1986: 30). NOW also protected against the misrepresentation of women in the media and the discrimination enshrined in all major social institutions(Ibid 1986: 30).

Hence NOW organised a consistent campaign in favour of the Equal Rights Amendment. The ERA campaign was linked to the abortion issue and women's right was conceived as being directly related to the democratic state (Ibid 1986:35). The ERA read as follows : "Equality of Rights under the law shall not be denied or abridged by the United States or by any state on account of sex (cited in Bassnett

1986: 31). Zillah Elsinstein argues that the ERA was the 'first step' in the process of understanding the 'built in' inequalities of the political system (Elsinstein 1981 : 235). Similarly a Bill of Rights was formulated in the second conference on NOW in Washington in 1967. It revolved around issues like equal rights constitutional amendment, enforcement of laws banning sex discrimination in employment, maternity leave rights in employment, social security benefits, tax deduction for home and child care expenses, child care centres, equal and unsegregated education, equal job training opportunities, allowance for women in poverty and the rights of women to control their reproductive lives. (Bassnett 1986 : 53). Much of NOW's statements for women's emancipation was based on a commitment to fighting for equality within the law (Ibid 1986:30).

During this period scholarship regarding the marginalization of women in politics was associated with the absence of equal fundamental rights. The ideal of androgyny was formulated which primarily argued that women 'must' be treated as equals with men. Ferguson argued that the ideal of androgyny was derived from the Greek words - andros (man) and gyne (women). An androgynous person was conceived as combining the traits, interests and skills associated with stereotypes of man and woman (Ferguson 1977: 45-6). Arguing that the 'androgynous paradigm' is the 'most revolutionary' of the concepts informing the 'new wave of feminism,'

Yates propounds that it offers a model 'cooperation and rationality' between men and women. (Yates 1975 : 117). It endorses the view that men and women are equal to each other and that tasks, values and behaviour traditionally assigned to one sex or the other should be shared by both. Likewise Millet argued that man and woman are 'inherently in everything alike except reproduction(Millet 1969:93). Firestone conceptualizes androgyny as a cultural revolution leading to the reintegration of the 'Male(Technological Mode)' with the 'Female (Aesthetic Mode)' with the creation of an androgynous culture 'surpassing the highs of either cultural stream,or even of the sum of their integrations'(Firestone 1972:190)

The following seems to flow out of the androgynous idea. Males and females are actually alike but it is culture and present-social conditioning which leads to differences between them. Gender parity can then be conceived as the need to change the force of present social conditioning. This can be achieved by granting women fundamental rights so that her participation in politics is made relatively easy. Ultimately this was seen as creating an egalitarian world where men and women could freely exchange their role by eliminating all difference between them (Elshtain 1987:144-45).

However in the past few decades there has been a growing disenchantment with the discourse on equality of rights. It is argued that the right to vote grants women formal equality by seems to leave

the structures of oppression intact (Phillip 1992 : 208). Franchise allows women to voice their interests but does not guarantee that it will be heard. The principle of equality insinuating franchise merely assure that 'no one is to be assumed, a priori, to be more qualified for decision making than any other' and that was there is no privileged pool of people from whom political decision makers are recruited vote (Weale 1999:95-96). While women enjoy the right to vote in democratic countries it is still the case, according to a United Nations Report that "women constitute one half of the world's population, perform nearly two-thirds of its work hours, receive one-tenth of the world's income and own less than one hundredth of the world's property" (cited in Phillips 1992:208). Therefore democracy typically focuses on formal equality i.e. whatever rights are enshrined within laws to men is also guaranteed to women. This version of equality inhibits 'genuine and equal participation', tends to treat the different position of women in society as irrelevant and 'abstracts from the sources and relations' of power. (Ibid 1992 : 209). In spite of certain socio-economic rights women continue to live in a state of subordination. This subordination leads to marginalization of women in politics and is rooted in patriarchy. Patriarchy claims that hierarchical relations of subordination and domination flow from the 'natural characteristics' of women and men, such that women's natural function of child bearing prescribes their domestic and

subordinate place 'in the order of things' (Pateman 1987 : 105-9). This form of ideological domination has often presented 'the economically dependent wife' as the ideal of all respectable classes in society (Ibid 1987: 118). Moreover even when women gained employment outside their home, their presence was ruled by the 'patriarchal continuity that exists between the sexual division of labour in the family and the sexual division of labour in the workplace' (Ibid 1987: 118). Research has revealed that women are concentrated into a few occupational areas and in low paid, low status and non supervisory jobs.(See, West, 1982, Eisenstein, 1981). Again it has been held that discussions on worklife / economic activity assume that it is possible to understand work in abstraction from domestic life. "It is 'forgotten' that the worker, invariably taken to be a man, can appear ready for work free from the everyday demands of providing food, washing and cleaning, and care of children, only because these tasks are performed unpaid by his wife. And if she is also a paid worker she works a further shift at these 'natural' activities "(Ibid 1987 : 77).The 'male' has been the reference point in all our 'phallogocentric discourses' and therefore the gender-free language of individual is a disguise.At one level this secures the vision of the 'individual' as 'resolutely male',a 'patriarchal category'(Pateman 1988:184-85).Eisenstein argues that the individual participating in the political process is "a man,in a man's body" and the discourse on equality has always silently privileged this male

body(Eisenstein 1989:77). Infact men and women are not equally autonomous or free because inequalities in household and workplace make a nonsense of equal political rights. This for example is manifested in the blindness to recognise the need for improved provision of nurseries to equalise access to political life (Phillips 1991:31). By abstracting from the real conditions of women's lives, equality legislation provides formal equal opportunities to women but leaves them 'stuck' in a subordinate role (Ibid 1991: 27).At another level, the inherent patriarchalism led to the conscription of democracy. The trend towards greater democratization, with the extension of franchise to women, was simultaneously accompanied with a desire to draw the boundary within which democracy was thought as relevant - democracy was thought of extending to every sphere except the domestic (Ibid 1991 : 26). Increased democratisation did not tackle the power structures dictating the lives of women at home. Hence democracy was 'denied' and 'subverted' by the undemocratic ways in which the lives of women are organised (Ibid 1991:38). Further, inequality in the domestic sphere reinforces the marginalisation of women in the political realm. Studies reveal that since women are used to working under conditions of hierarchy at home and are accustomed to decision being 'taken over their heads', they think of themselves as politically incompetent to participate in elections (Ibid 1991 : 41, Also see Almond and Verba

1963, Verba, Nie and Kim 1978). Inequality of the private sphere 'shapes and constrains what is likely to occur in the political realm (Phillips 1991 : 39) under such circumstances voting leads women into 'isolation' whereby they are trapped into a culture of 'passivity and self denial' (Ibid 1991: 41).

All these arguments converge on one point-the subordination of women in the socio-economic realm reinforces their marginalization in the democratic process. Suffrage allows women to 'choose' representatives but doesnot enable them to control the policies of the representatives. "We can choose between competing parties but cannot expect to control what these parties will decide to do" (Ibid 1991:28). Most democracies lack what it called 'political opportunity structure' - institutional devices which allow citizen to influence public policies more decisively (Weale 1999:88). Pateman has described elections as the modern day version of Locke's tacit consent or as a 'hypothetical voluntarism' where women's participation is taken as evidence that they provide the mandate for the policies of representatives (Pateman 1979). Beyond elections there has hardly been an attempt to register the views of women 'explicitly and significantly' (Phillips 1991 :28). Therefore it is argued that marginalization of women in the political realm can end only through 'explicit inclusion' or group representation (Young 2000). The notion of women as a group can explored from two standpoints. The first

argument has as its premise the assumption that women on account of their subordinate position in society form a group. The second argument is premised on the assumption that women have a set of attributes and thus constitute a separate group in society.

Starting with the first, women are a subordinate group in society. Women as a group so defined are a 'collective of individuals who stand in determinate relations with one another because of the actions and interactions of both those associated with the group and those outside or at the margins of the group.' (Young 2000 : 89, Also see Minnow 1990, Connolly 1993, May 1988). The group therefore consists of individuals and their relationships. In this relational conceptualization what makes women a group is less some set of attributes its members share than the relations in which they stand to others (Young 2000:90). Therefore women are not defined 'essentially' in terms of attributes ; group members may differ in their attributes but always share a singular positioning - they are marginalized or subordinate in society. Conceiving group difference as a 'function of relation' allows for 'overlap' and 'interdependence' between members of one group and other (Ibid 2000:91).

Situated in a subordinate position women are different from others by virtue of their 'situated knowledge'. This situated knowledge consists of (i) an understanding of their position (ii) a social map of other salient position (iii) a point of view on the 'history of society, (iv)

an interpretation of how the relations and processes of the whole society operate and (v) a position-specific experience (Ibid 2000:117). The 'situated knowledge' leads to the creation of a 'social perspective' (Ibid 2000:136-141). Therefore the social perspective of women refer to the different experience, history and knowledge which women have by virtue of their positioning in social structures. The social perspective does not contain determinate specific content (Ibid 2000:137). The existence of the social perspective fosters affinity among group members but does not imply that those differently positioned cannot understand this perspective. However it does suggest that it will take more time and work on part of the differently positioned individual to understand the perspective of the other group (Ibid 2000:137).

It has been argued that the category of women has a 'deceptive simplicity' which it takes from its opposition to 'men' (Phillips 1991:72). Chandra Talpade Mohanty argues that 'universal sisterhood, defined as the transcendence of the male world& ends up being a psychologized notion which effectively erases material and ideological power differences within and among groups of women, especially between first and third-world women' (cited in Phillips 1991:72).The social perspective argument acknowledges that individuals of a group are multiply positioned - a Black women in America or a Scheduled Caste women in India.When members of a

group are multiply positioned they interpret society from a multiplicity of social perspectives. But this multiplicity helps form a composite picture of social processes (Young 2000 : 139).

On the other hand women have been defined in terms of a set of attributes. These arguments have been strongly influenced by the psychoanalytic theory. Firstly, it is argued that women are characterised by a relational understanding of social phenomenon. Elshtain believes that the body of an individual cannot be negated. It forms a 'corporal entity' of a particular kind within a complex world. (Elshtain 1987:146). This entity is implicated in relations with others and is part of the 'material reality of nature (Ibid 1987:146). Within the sphere of daily human life, the individual locates himself as a body, as 'operating physically in the world' and as 'meeting the resistance of fellowmen as well as things' (Alfred Schutz cited in Elshtain 1987:146). This bodily identity forms a personal continuing identity 'through which a person sees, acts, moves and learns (Elshtain 1987:147). Women in the face of menstruation, coitus, pregnancy, childbirth - cannot maintain in any simple way the 'disjunction' between herself and others. Personalities of men and women are different due to different 'boundary experiences' and differently constructed inner and outer worlds (Hartsock 1985 : 236-37). Moreover women learn their roles from watching their mothers and imbibe interpersonal and relational skills. By contrast men must

identify with an abstract cultural stereotype - 'masculinity is idealized for boys, whereas femininity is concrete for girls' (Ibid 1985:238). Hence while women see themselves as connected to the world, men see themselves as separate, distinct and disconnected. (Ibid 1985:239).

Moreover women's work occurs in a context of concrete involvement with 'necessities of life' (Ibid 1985 :235). The phenomenon of double day indicates that women work more hours per week than men. A large proportion of this time is used in the production of 'use values' at home and outside (Ibid 1985:235). Man is also involved in production but his work is primarily outside the household. The activity of a woman in the home as well as the work she does outside keep her in contact with a world of 'qualities and change' (Ibid 1985: 235). At the same time women also produce or reproduce men on both a 'daily and a long term basis'. This aspect of women's production is significantly different from the production of an animate object like child. In 'helping another to grow' and gradually 'relinquishing control over the other', women are 'institutionally involved in the process of change and growth. (Ibid 1985: 236). In addition, relations of women with others take a variety of forms, much of which go beyond 'simple cooperation with others for common goals' (Ibid 1985: 237). In rearing children women are involved in a 'unity of mind and body' which is more profound than what is possible in men's 'instrumental activity' (Ibid 1985: 237).

These concrete life experiences of women result in the evolution of an world view in which 'dichotomies are foreign' (Ibid 1985:242). Women experiences others and themselves along a 'continuum' this experiences when taken seriously not only inverts that of man but 'forms a basis on which to expose abstract masculinity, as both partial and fundamentally perverse' (Ibid 1985:242-243, Also see Riddle 1975, Thurston 1971, Mainardi 1970). This can be illustrated with the male preoccupation with death. Man has defined the ability to kill as the criteria which sets humans above animal. "It is not in giving life but in risking life that man is raised above the animal : that is why superiority has been accorded in humanity not to the sex that brings forth but to that which kills " (Beauvoir 1988:58). The most important life activities of women are often thought as unworthy of respect or appreciation. Moreover activities constructed by men systematically degrade and destroy the 'minds and bodies' of women (Hartsock 1985). As Christian Bay has remarked, the masculine conception of existence fails to assign priority to wants, needs, objectives and purposes, and in doing so implicitly support the right of the strong to prevail in every context (Bay 1980).

Feminist writings have also attempted to show that the relational social understanding of women predisposes them to an 'ethic of care'. (Gilligan 1977 1982). This largely originated from Carol Gilligan's studies of women's moral development. Examining the

possibility of gender bias in Kohlberg's work, Gilligan discovered that men and women followed different paths to moral development. Girls were considered to exhibit a lower stage of moral development than boys in Kohlberg's study primarily because they represent a morally 'different voice' from the one Kohlberg identified. 'Ethic of care' is an expression of this different voice. Gilligan explains the ethic of care as the following : "In this conception, the moral problem arises from conflicting responsibilities rather than from competing rights and requires for its resolution a mode of thinking that is contextual and narrative rather than formal and abstract (Ibid 1977 : 19). In addition, she identifies three fundamental characteristics that differentiate the 'ethic of care' from Kohlberg's ethic of justice. Firstly, the ethic of care revolves around responsibilities and relationships, while the ethic of justice around rights and rules. Secondly, this morality is tied to 'concrete circumstances' rather than being formal and abstract. Thirdly, this morality is best expressed not as a set of principles but as an activity, the activity of care. (Ibid 1977). The existence of this morality has been explained in two ways. Some argue that the two moral perspectives are related to two notions of the self : men view themselves as separate from others and therefore 'objective', and more likely to voice a morality of justice, while women view the 'self' as connected to others and are prone to express morality of care. (Gilligan and others 1982, Also See Lyons 1983). The 'connected self' is

the result of the process of caring. Caring is thus the constitutive activity through which women achieve their femininity and against which masculinity takes shape. This view illustrates the ethic of care to be an intrinsically female characteristic (Graham 1983). A second explanation of the different conception of morality is to be found in Gilligan's own work. "When women feel excluded from direct participation in society they see themselves as subject to a consensus or judgement made and enforced by the men on whose support they depend and by whose names they are known" (Gilligan 1977:490, Also see Golding and Laidlaw 1979). This suggests that apart from the psychological dimension, there may also be a social cause to explain the morality of women. Women's different moral expression might be a function of their subordinate or tentative social position. The psychological causes may be 'intermediate' causes, resting in turn on the social conditions of secondary status (Tronto 1987 :649). Continuing with this line of thought Tronto argues that devaluation of caring activity performed by women led to their marginalization. Caring is seen as a "Species activity that includes everything that we do to maintain, continue and repair our world so that we can live in it as well as possible. That world includes our bodies, ourselves and our environment, all of which use seek to later weave in a complex, life sustaining web "(Fisher and Tronto 1991:40). Conceptually, she divided care into four phases, each one following the other : (1) caring

about : implies the recognition of the existence of a need and that it should be met (2) taking care of : involves assuming some responsibility for the identified need and determining how to respond to it (3) care giving : activity involving fulfillment of the identified need (4) care receiving implies the response of the object receiving the care. The four phases form a composite whole but in practice, there seems to be a dichotomy between the process of 'caring about' and 'taking care of' on the one hand and the process of 'care-giving' and care receiving. (Tronto 1993 : 105-122).

It has been argued that specific representation of groups does not immediately follow from commitment to political equality. (Phillips 1995 : 33-36). Additional arguments are required. The second argument which defines women with a set of attributes holds that representation of women will bring into politics 'something new and different. It would 'restore the appropriate dimensions of politics' by sharpening an awareness of the devastations of war, strengthening concern for the young, sick and old or grounding the abstraction of economic or foreign policy in a more compassionate understanding of daily need. (Phillips 1991). Representation of women is seen as leading to assigning a centrality to care, which in turn transforms the current orientation of human beings. Human activity will be reinterpreted in terms of need rather than interests. Need implies intersubjectivity and hence individuals will be in a state of 'moral

engagement' rather than a condition of 'detachment'. In the long run, the care perspective of women is thought as bringing in a politics in which there lies at the centre, 'a public discussion of needs' and an 'appraisal of the intersection of needs and interest' (Tronto 1993 : 172-177). The problem with this argument is that it tends to define women as a group in terms of a set of attributes that is said to constitute 'the identity of the group (Young 2000, Spelman 1988, Yeatman 1994). Even when group members affirm their loyalty to their identity, they tend to 'chafe' at the tendency to enforce norms of behaviour or identity (Young 2000 : 88). For women, this can be oppressive rather than liberating.

Instead specific representation of women must be seen as a means of moving democracy in the direction of a 'politics of difference' (Young, 2000). From this vantage point, women as a group are not identified in terms of a set of attributes but rather as elaborated in the first argument, in terms of their position in social structures. Women may be only one of the several oppressed groups. Young suggests a list of grouping for the United States which includes women blacks, Native Americans, Chicanos Puerto Rians etc. The women's movement has consistently demanded for the specific representation of women in democratic institutions on grounds that it helps to bring about certain changes in democratic politics. Firstly, it encourages participation and engagement of the marginalized group. When a group is marginalized,

members often become apathetic or refuse to engage with others to solve shared problems. Groups refuse cooperation not because they have a distinct and different perspective but because their perspective has always been either excluded or marginalized from decision making (Ibid 2000:144). The continuous marginalization of groups makes democracy 'thin' (Ibid 2000:5). Representation of group is a mechanism to bring in the social perspectives of groups which in the absence of the mechanism would fail to receive specific expression (Ibid 2000:141). Hence group representation as a means for 'widening and deepening democracy. (Ibid 2000:5).

Secondly, through group representation it is possible to draw on the situated knowledge of the subordinate groups as a 'response' for enlarging the understanding of everyone (Ibid 2000 :115). Differentiated groups often have different understandings of the causes of the problems and the possible effects of proposed solutions. In order to arrive at just solutions, the politics of difference provides fairness. A fundamental problem confronting all democracies is to find a morally justifiable way of making 'binding' collective decisions amidst continuous conflicts (Gutmann and Thompson 2000:161). Deep differences surface in debates over abortion, affirmative action, surrogate parenthood, capital punishment, health care and many issues of public policies. Under such circumstances it is not possible to justify policy decisions by appealing to the procedure of

majoritarianism that the majority favour it. Infact it is held that the principle of majority often substitutes the principles of utility, liberty or of fair opportunity. Group representation ensures that those affected by the policy have 'effective opportunity' to participate in the deliberations that lead to it (Young 1999 : 157). Hence group representation endorses and expands the principles of reciprocity, publicity and accountability of deliberative democracy (See Gutmann and Thompson 1996). Deliberative democracy provides for democratic politics characterised by 'fair terms of cooperation' between individuals (Ibid 2000: 161). Reciprocity is an ongoing process of mutual reason giving where citizens provide one another justifications for the laws, institutions and public policies that bind them (Ibid 200:167). The idea of mutual respect is intrinsic to reciprocity because citizens recognize their 'obligation' to justify to one another the policies that govern them (Ibid 2000: 167). Mutual respect among those who have different perspectives is a value in itself. But it has a further beneficial effect. It produces 'economy of moral disagreement' - citizens who disagree on one issue are better able to work together on other causes whose goals they share (Ibid 2000:168). Publicity, implies that the process of 'reason-giving' be public in order to be mutually justifiable. Accountability ensures that representatives are accountable for their policies not just to the electorates but also the 'moral constituents' - to people who are bound by the decision but

who have no benefit accruing to them or have a voice in making them (Ibid 2000: 169).

Finally group representation is an acknowledgement of the fact that in conditions of socio-economic inequality the relative power of some groups often allow them to dominate the definition of the common 'good' according to their experiences, perspectives and priorities (Young 2000 : 115-116). This conception of common good is revealed as neutral as universal but group representation exposes the partiality and specificity of the perspectives. Therefore 'politics of difference' strongly challenges the belief that democratic politics must be based on 'a conception of a common good'. (Ibid 2000:83). Opponents of the politics of difference argue that genuine democratic participation entails that the participants 'assume a public mantle of citizenship which cloaks' their difference and specificity. (Ibid 2000: 108). To the extent that citizens begin to retribalize into ethnic or other fixed identity groups, democracy falters' (Elshtain, 1995 : 74). In this version of democracy women are allowed to voice but not encouraged to press for their specific concerns. Feminists argue that there is an unfortunate asymmetry in this - this injunction may sound positive to the privileged who need to look beyond their specific concerns but is totally disabling for those less fortunately placed (Phillips 1993: 94). When a subordinate group is asked to put aside its own specificity, it not only legitimizes its marginalisation

but also perpetuates it. But in order to be just and appealing to all, democratic participation must be based 'not on the assumption of an undifferentiated humanity' but rather on the assumption that there are group differences and that some groups are 'actually or potentially depressed (Young 1989:261). Claims arising from the specificity of group difference is thought as assertions of group identity or as demands to satisfy 'self regarding interests'. In some case this may be true, especially when feminists have interpreted womanly activities and relationships as experiences of strength (Ibid 2000: 102). This kind of 'identity politics' is encouraged to promote solidarity among group members and foster a sense of political agency in making justice claims to the wider society. But groups do not deserve special representation on grounds of seeking recognition for their distinctiveness (Ibid 2000: 147). Claims from women need not to be reduced to identity politics even though the group may resort to assertion of specificity and difference. Groups assert one identity as against others but in doing so their claims for recognition usually 'function as a part of or means to claims against discrimination, unequal opportunity, political marginalization, or unfair burdens' (Ibid 2000:107). The politics of recognition therefore is a means to claims for political and social inclusion or an end to structural inequalities that disadvantage the subordinate groups. For most part, special representation of women stems from the belief that the

structural inequality should not be the source of suffering socio-economic or political disadvantage (Ibid 2000:105). At the same time the arguments for women's representation makes an appeal to the contribution groups can make to democratic discussion and engagement (Ibid 2000:108-113).

The argument so far doesnot indicate 'who' does the representing. In order to explain this a distinction between 'mirror' and 'elected' representation will be helpful (Dhanda 2000:2974). In mirror representation, a representation is seen as 'a substitute for those he or she represents' or as enacting 'some united will of his constituency' (Young 2000: 126,133). The representative can stand for neither the identity of any other person nor the collective identity of any other constituency. Hence a woman can only represent women. But the argument of social perspective indicates that individuals in positions different from that of women may be able to understand the social perspective of women. Representation is seen as a mediated relationship among members of the constituency, between the constituency and the representative, and between representatives in a decision making body. In the course of this 'mediated relationship, the group members themselves decide as to who represents their social perspectives most accurately through a free and fair election. (Ibid 2000: 127,Also See Dhanda 2000).

Most objections to group representation relates to the particular

forms of implementation eg reservation of legislative seats for women. It is argued that reservation of a specific number of seats tends to 'freeze' the identity of a group (Young 2000:149). Moreover it tends to freeze the specifically represented group members out of additional representational opportunities in contested seats (Ibid 2000: 150). Phillips is of the opinion that within the framework of representative democracy, political parties are the main vehicle for representation, in which representation of women does not 'fit' (Phillips 1991:77). Women are under represented in democracy but from here we cannot 'jump too easily' into the notion that they need representation on account of their 'shared' interests (Ibid 1991:78). She further adds that there are no 'geographical concentration' which could form the basis for a 'women's constituency. Hence "as long as voting is tied to localities, no women can seriously present herself as representing women alone (Ibid 1991:66-67). There is no doubt that reservation of seats for women has procedural problems like delimitation of constituencies. However while geographical districting for the purposes of group representation is 'not the preferred option', it is not wrong or unjust to use the method. (Young 2000: 151). In a political system that relies on 'single member', 'winner-take-all legislative districts', designing the districts so that structurally and socially disadvantaged groups are included in decision-making may be the only way of including their social perspectives (Ibid 2000:151).

However reservation of seats in the legislature should be a 'last resort' and a 'temporary option' for representing other wise excluded perspectives. Most advocates of gender quotas agree that political parties are the best vehicle of group representation (Phillips 1993, Ryden 1996). Parties must undertake affirmative action measures to attend to social group representation in decision-making bodies, candidate tests, convention representation and so on. Moreover group representation must be provided for in political committees and commissions and a wider area of corporate and civic associations. These doesnot 'ghettoize group members but includes them is wider deliberations. In such a system the legislature is not the only site of policy formation, it is complemented with 'various layers' and 'sites of elected, appointed and volunteer bodies' that discuss policy options, make policy decisions and review policy effectiveness (Young 2000:152).From this standpoint group representation is not a transitory or temporary measure.Group representation must be established permanently to complement the institutions of democracy and strengthen the articulation of inputs of groups for formulation of public policy.

Our society is not homogenous ; it is structured around 'systemic inequalities and recurrent-exclusions (Phillips 1993:101). The feminist debate shows that marginalization of women in society is a serious departure from the notion of political equality. Democrats

tend to assume that inclusion of women in politics can be promoted simply by forbidding active and explicit exclusion (Young 1999: 154). More is however needed to counter the passive exclusions of women. At the same time, we can no longer wait for a society wide commitment to elimination of women's marginalization. Specific representation of women is an attempt to make 'socially unequal deliberates more politically equal' (Ibid 1999:154). In doing so it ensures that the moral legitimacy of a public policy (i.e. all those affected by the policy have had effective opportunity to participate in the deliberations) 'converges' with justice' (Ibid 1999:158).

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CHAPTER - IV

THE ISSUE OF WOMEN'S REPRESENTATION IN INDIA

The last chapter made a case for group representation of women on grounds that it is the only way by which the perspectives of the subordinate group of women receive specific expression. In this light it is interesting to analyse the case of India. All major political parties have expressed a commitment to the Women's Reservation Bill which attempts to reserve a certain number of seats for women in legislative bodies at the central and state level. However the Bill has never been tabled in the Parliament despite attempts to introduce it in Parliament in 1996 and 1998. Reservation policies in India is based on a notion of group representation and have been in existence since independence. These policies are interpreted as 'affirmative action' for historically disadvantaged groups-Scheduled Caste/Scheduled Tribes/ other Backward classes/ women - and are used to allocate government jobs, reservation of legislative seats, and in some cases universities admissions. (OBC do not have seats reserved in legislative bodies and seats are reserved for women only in local government institutions like Panchayati raj). (Jenkins 1999: 53-54). However the demand for reservation of seats for women in the Parliament and the State Legislative Assemblies has come to the fore in the 1990s because of the wide-spread feeling that women do not have 'easy access' to the highest legislative bodies despite universal franchise.

Even fifty years of independence with 'competitive democratic politics' has been unable to give more than a token representation to women. (Parmar 1997, 50). Explicit inclusion in the form of reservation of legislative seats is demanded in order to combat the continuous marginalisation of women in the political realm (Young 2000).

In order to understand the current resurgence of the issue of special representation of women in legislatures, it is imperative to begin with the struggle for women's franchise in the colonial period. The issue of women's franchise emerged in the last decades of the colonial rule when the British granted Indians limited rights to serve as representatives in legislative bodies (Jenkins 1999, 59). J M Everett has pointed out that the struggle for Indian women's franchise in the colonial period can be divided into two phases. (Everett 1979). The first phase (1917-1928) was primarily concerned with the issue of women's franchise. The second phase (1928-1937) of the women's campaign attempted to expand the franchise and secure special representation for women in legislatures. (Ibid 1979). The first phase began with the establishment of a number of local and provincial women's organisation which merged later to form national organisations. Women's India Association (WIA) was established in 1917 while the National Council of Women in India (NCWI) and the All India Women's Conference was established later in 1925 and 1927 respectively (Sharma 1998: 5). The primary aim of these

organisations was to struggle for Indian women's right to vote. Franchise was demand on grounds that it was the 'entry-point' for women into the 'male world of decision making' (Rai and Sharma 2000: 151). This struggle is said to have begun in 1917 when Sarojini Naidu led an All India Women's deputation to Montague, the Secretary of State for India (Sharma 1998: 5). The memorandum submitted by the women's deputation urged for the extension of suffrage to the 'people of India' including women (Ibid 1998: 5). However when the scheme of reforms was published, limited franchise was granted to Indian men while women were completely left out. The 1919 Government of India Act enfranchised 3% of the Indian adults for provincial assemblies with certain educational and property qualifications (Ibid 1998: 5). In 1924 the Reform Committee investigated the issue of women's franchise by consulting women's organisations. In 1927 franchise was granted to a small number of women when the Madras state Provincial Legislature allowed them to vote. (Ibid 1998: 6).

The second phase of the women's campaign began in 1928 when the Simon Commission visited India. While many women leaders and the Congress boycotted the Commission, a faction of the women's movement appeared before the commission (Sharma 1998: 6). The 'women uplift faction as Everett calls them argued for relaxation of property and educational requirements and reservation

of four seats for women in legislatures in order 'to encourage women to take part in political affairs and to better represent women's interest in education and social welfare' (Sharma 1998: 6; Also See Everett 1979: 116). This approach to expanding women's franchise was in line with the British government policy of group representation. This signaled a split in the Indian women's movement which became apparent by the First Round Table Conference. The split developed within the women's movement between those who aligned themselves with the Congress (and opposed reservation) and those who were not involved in the nationalist activities (and were in favour of special representation of women.) (Sharma 1998: 6-7, Jenkins 1999: 59-60). Two of the most powerful advocates of these latter group were Radabhai Subbarayan and Begum Shah Nawaz (Jenkins 1999: 60). Supporting special representation of women, they argued that the phrase 'fair field and no favour' was illusory. (Ibid 1999: 6). On the other hand a memorandum was submitted by all the women's organisations against reservation of seats for women. This memorandum clearly stated that the AIWC, WIA and NCWI were against the demands 'advanced by small individual groups of people' for 'temporary concession' or 'adventitious methods' of legislatures through 'reservation, nomination or co-option' (cited in Sharma 1998:7). They further added that any form of preferential treatment would 'violate the integrity of the universal demand of Indian women

for absolute equality of political status' (Ibid 1998: 8). Reservation was seen as a 'retrograde step' and as accentuate divisions in society and undermining the unity of the incipient nation. (Sharma 1998: 7, Jenkins 1999: 60). Muthulakshmi Reddi's opposition to reservation was for the sake of the formation of a 'common platform' which was perceived as the only way to bring the Brahmins, the women and the pariahs together (Jenkins 1999: 60). Enfranchisement of women had to be on equal terms with others. (Pearson 1989: 208) Similarly Sarojini Naidu in her presidential address to the All India Women's Conference stated, - "The demand for granting preferential treatment to women is an admission on her part of her inferiority and there has been no need for such a thing in India as the women have always been by the side of men in council and in the fields of battle.... We must rise above nationalism, above religion, above sex "(Sharma 1998: 7). This section of the women's movement forged integral links with the nationalist movement (Sharma and Rai 2000: 151). The nationalist movement led by the Congress supported women's franchise for several reasons. Denial of franchise to women would undermine the nationalist case for independence on grounds of representative government. Moreover a large number of women had participated in the nationalist movement with the hope of getting the franchise. For example, out of the 80,000 people arrested during the salt Satyagrah Movement in 1930,17,000 were women. Further it was

assumed that franchise to women was not a radical measure because women would not participate in democratic politics in large number or would vote along the lines of their husband (Ibid 2000: 151).

Ignoring the stance of the major women's organisations the Government of India Act 1935 reserved 41 seats in the provincial legislatures and some seats in the central legislature (Jenkins 1999: 60). The reservation of seats for women was a 'puzzling' decision (Ibid 1999: 60). The decision could be the outcome of the influence of Eleanor Rathbone and other British advocates for the rights of the Indian women. But more plausibly, it was the result of the British taking their commitment of groups based policies to its 'logical end' (Ibid 1999: 60). For the British, women belonged to the category of 'minor minorities while religions communities like the Muslims and Sikhs and untouchables were seen as 'major minorities'. (Ramusack 1990: 316) Special electoral rights for the 'major minorities' were introduced as far back as 1909. Hence the reservation of seats for women in 1935 was an attempt to appease the 'minor minorities', neutralize the nationalists and expand the 'circle of collaborators' (Nair 1996: 122). The overriding concern with 'major minorities' impinged on the reservation of seats for women and was manifested in reservation of some seats for Muslim women. (Jenkins 1999: 61). This policy of group representation was one of the major tactics for implementing the 'divide and rule' policy. The AIWC initially opposed

reservations but eventually participated in the elections of 1937. Fifty-six women were elected: 41 in reserved seats, ten in unreserved seats and five in nominated seats. (Ibid 1999: 61). Growing tension between the Congress and the Muslim League affected the women's movement. When India became independent Muslim women had found a separate organisation since they felt themselves alienated by the the Hindu dominated women's movement. (Ibid 1999: 61).

Following Independence there was a general distrust of any notion of group representation and the constitution only retained the legislative reservations for Scheduled Castes and Scheduled Tribes. The nationalist leaders engaged in drafting the Indian constitution supported women's franchise but not special representation of women in legislatures. Their stance was encouraged by the advocates of the women's movement who opposed special representation. Women who were active in the nationalist struggle had taken a 'courageous stand' in coming out of their houses. They were against the idea of being casted as 'victims' in need of a 'helping hand'. They wanted to be seen as equal to men and in 'speaking in this language of equality' they could not argue for any special provisions (Sharma & Rai 2000:155). The constitution granted franchise to all citizens above 21 years of age. The political right to vote and stand for election was buttressed with the principle of equality. The Preamble to the constitution explicitly states that the 'Democratic Republic' of India 'shall secure to

all its citizens' equality of status and opportunity' (Bakshi 1996: 1). The principle of equality was enshrined as part of the fundamental Rights of individual citizens. Part III of the constitution enumerates these Fundamental rights and holds that the state shall not make any law which takes away or abridges the rights conferred by this part (Ibid 1996: 13). The Right to Equality is guaranteed by Articles 14-18. This right entails that every one shall be 'equal before the law' and that there shall be 'equal protection of the law' (Art 14); it prohibits discriminations against any citizens on grounds 'only' of sex, religion, race, caste, place of birth or any of them (Article 15); and provides for equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state (Article 16). Further the constitution forbids untouchability in any form (Article 17) and abolishes the conferment of titles by the state (Art 18). (Ibid 1996: 15-27).

At the same time the constitution allows the state to adopt special measures - overriding the right to equality - for Scheduled Castes, Scheduled Tribes, women and Children. (Article 15(3), 15(4)). Moreover part IV of the constitution enumerates the Directive Principles which through not enforceable in the courts is nonetheless regarded as 'fundamental in the governance of the country' and 'it shall be the duty of the state to apply these principles in making laws' (Article 37). Article 38 of the constitution directs the state to promote

the welfare of the people and minimize inequality in income, status, facilities and opportunities. Again, the Directive Principles acknowledge the right of both sexes to equal pay for equal work and adds that the state must distribute resources equitably.

The Indian Women's Movement did not regard the constitution as perfect but respected it as a source of women's right to equality, dignity and justice. (Mazumdar 2000: 4). Universal franchise, democracy and equality were not 'just abstract principles borrowed from the west but 'political necessities' to defy inequalities. (Ibid 1997: 14). The radical departure of the constitution from the inherited ideas of inferiority of women represented to the women of that time its greatest intrinsic quality (ibid 2000). The acceptance of gender equality in the constitution marked the fulfillment of a 'dream'- that of women's entitlement to an independent identity. (Ibid 2000: 4). In the first Lok Sabha of free India 43 women contested in assembly seats out of which 82 were elected (Sharma 1998: 11). The years following the independence have been called the 'silent years' of the women's movement because of the widespread feeling that the movement had achieved its primary objective - entry of women into the political realm. (Ibid 1998: 11). Though 'cumulative gender inequalities were historically embedded in the stratified Indian society, it was assumed that the breakdown of formal barriers to women's 'access' to political, legal, educational and economic

institutions would bring about changes in women's participatory role in politics (Ibid 1998: 2).

After Independence, the Congress government made partial attempts to fulfill the promises it had made to women by undertaking personal law reforms and setting up administrative bodies for the creation of opportunities for women (Sharma 1998: 11; Kumar 1999: 343). Hence independence brought a 'lull' in feminist campaign (Kumar 1999: 343).

In 1974 the government appointed a Committee on the Status of Women in India. The findings of this committee brought women's issues to the fore. Jenkins holds that the report of the committee is of 'seminal importance' because of two reasons. Firstly, it is the only comprehensive government report on women in India and Secondly, the issue of special representation of women divided the committee the most (Jenkins 1999: 62). The committee tried to overcome the 'paucity of data' by studying all types of documentary sources, preparing special studies, organising tours, interviews and discussion (Kasturi 1995: 14). The committee attempted to study 'gender roles and status', 'social, economic and cultural institutions and the structure of rights and opportunities provided by the state (Govt. of India, 1974: 7 Jenkins 1999: 60).

The Report - Towards Equality - charged that the state had failed to pursue pro-women policies and to grant women their due

share of economic and other benefits which were to accrue from the developmental process (Mazumdar 2000:6). "Every legal measure designed to translate the constitutional norm of equality or special protection into actual practice has had to face tremendous resistance from the legislative and other elites (Government of India 1974: 301). It suggests that inspite of breaking the formal barriers to women's exclusion from the political and socio-economic realm, women continued to be in a state of subordination. Gender inequality was seen in every sector within the family and the work place. The subordination of women was visible in the adverse sex ratio, low life expectancy of women, early marriage, high female morality and morbidity rates, unequal access to health care and inadequate nutrition (Ibid 1974). Moreover vast number of women were illiterate and this was a great barrier in improving their position in employment, health, exercise of their rights attaining equal status. Female literacy did not increase it a rapid rate after independence either in absolute numbers or in relation to the growth of literacy among men (Ibid 1974: 234). Further, there was a continuous 'invisibility' of women in certain work areas where they were largely involved (Ibid 1974: 3). The findings of the committee revealed that the developmental process had initiated a 'pushing out process' by which large number of women 'suffered a decline of economic status'

(Ibid 1974: 301). The varied failures only perpetuated the marginalization of women in society.

These findings 'set the stage' for the debate over reservation of legislative seats in the committee. In deposing before the committee, individuals argued in favour of reservation. Upendra Baxi held that reservation of seats would not violate the doctrine of equality of sexes or the principles of representative democracy. (Mazumdar 2000: 28). According to him reservation of seats was necessary and a 'transitional provision' to break through the 'inbuilt' structures of gender inequalities. This provision seemed to serve the long term objectives of democracy better than the present system which merely aggravated inequalities (Ibid 2000: 28). Iqbal Narain argued that while changes in the socio-economic order usually bring about changes in the political status of women, 'it had to be the other way round in present day India' (Ibid 2000: 28). V.M. Sirsikar supported reservation on grounds that it would increase women's participation in politics and motivate them to shoulder politics responsibilities (Ibid 2000: 28). Initially the committee was not concerned with the issue of reservation of legislative seats for women but "when the problem kept being posed repeatedly before us by various groups of women in the course of our discussions did we become aware that a problem like this was real' (GOI 1974: 355).

While the committee recommended reservation of seats for women in local government institutions, it rejected such a step for the parliament or state legislative Bodies. The committee drew upon two arguments to reject reservation at higher levels (Jenkins 1999: 63-64). One of the arguments was that inequalities faced by subordinate castes and religious minorities 'outweighed' those faced by women. The committee acknowledge that though women have 'some real problem of their own they share with men the problem of their groups, locality and community. Women are not concentrated in certain areas and there can be no rational basis for reservation (GOI 1974: 304). The second argument is the national unity argument. Phulrenu Guha held that the aim of the committee was to ensure that 'masses of women of all classes become equal partners' but reservation would only help the women of the privileged classes. In the long run this would lead other classes to argue for reservation and 'encourage separatist tendencies and hamper national integration' (Ibid 1974: 354). However Lotika Sarkar and Veena Mazumdar - differed from the others. In a note of dissent they argued that reservations must extend to higher levels like the Parliament Reservation was a means of enabling women of various communities to enter the Parliament and break the 'somewhat exclusive class composition of the Parliament (Ibid 1974: 357). Contrasting women with other minority groups they argued the reservation would not

create 'isolated pockets' or precipitate fissiparous tendencies (Ibid 1974: 357). Though there was no consensus on the issue of reservation, *Towards Equality*, signaled a shift towards more open acceptance of reservation, (Jenkins 1999: 63). The report was the beginning of the acknowledgement that women were unable to translate their franchise into presence in legislatures because of the multiple constraints that structure their lives and reinforce their subordination.

The growth of the Indian Women's Movement in the post emergency period brought in the issue of women's representation.

In the post Emergency period the women's movement reawakened from its 'two decade slumber' (Mazumdar 2000: 5). The women's movement gained momentum with the mushrooming of women's organisations. Historical evidence suggest that largest number of organisations emerge during the peak phases of Social Movements (Gandhi and Shah 1999: 300). In the case of India, a seminar on 'A Decade of Women's Movement in India concluded that the 1970s had been one such period. Today the Indian Women's Movement has hundreds of organisations but not a single one can be called a representative of it (Ibid 1999: 299). There are no accepted prototypes and the variety of organisations can be described as support groups, agitational groups, grass roots groups, wings of political parties, professional women's groups and research and

documentation centres (Ibid 1999: 300). Despite pressures the movement has grown 'immensely' and experienced transformation are manifested in many ideological cleavages and uneven. (Mazumdar 1995: 1870)

The Women's Movement attempted to reveal that the marginalization of women in the political realm was a direct fall out of the subordination of women in the socio-economic realm. The Movement highlighted the fact that being a subordinate group in society, women were subjected to growing incidence of violence. Accordingly, women campaigned against dowry, rape, sale of hazardous contraceptives like Norplant, Depo Provera Quinacrine etc. The movement also linked the subordination of women to a host of other issues as well-environmental degradation, livelihood insecurity, right to land, water and forest produce right to minimum and equal wages in the informal, sector, right to child care services for women in low income groups and mandatory quota for women within the antipoverty programme (See Mazumdar 2000, Kumar 1999, Gandhi & Shah 1999). As the movement gained momentum, it strongly challenged the patriarchal assumption that women's issues are primarily social and not political (Mazumdar 2000: 7).

At the same time it was increasingly realized that subordination of women was linked to the role of the state and the Judiciary. One of phenomenons which contributed to the upsurge of the Women's

movement was 'an extraordinary lack of sensitivity among the law enforcing and law making agencies (Mazumdar 2000: 12).

Analysis of legislative Acts enacted by the state revealed that gender inequality was built into them. The Hindu Marriage Act provides for enforcement of monogamy, abolition of the requirement that husband and wife be of the same caste and uniform provisions for dissolution of marriage for all castes. However section 29 (2) of the Act recognises that the act shall not contravene 'any right recognised by custom or conferred by any special enactment to obtain the dissolution of a Hindu Marriage' (Kishwar 1994: 2145). Allowing the customary forms of divorce to coexist with the contrary requirements of the Act amounts to declaring that the new law has no-teeth at all' (Ibid 1994: 2150). In most cases women are abandoned by their husbands and thus divorced defacto without formal procedures or the matter is settled through procedures or the matter is settled through mediation of 'beradiri elders' (Ibid 1994: 2150). Similarly the Government passed the Hindu Minority and Guardianship Act instead of amending the Guardian and Wards Act (1890) applicable to all. The former adopted the concept of the father as the natural guardian and held that the mother could be the natural guardian only in the absence or unfitness of the father (Ibid 1994: 2152). The Maintenance Act authorizes the amount of maintenance to be decided by the individual judge and that it cannot exceed one -third of the

total income. Thus while the law lays down the upper limit, there is no mention of the minimum amount that must be due to the wife (Ibid 1994: 2154). One of the biggest hurdles in the way of a fair maintenance is that the burden of establishing the husband's income and assets falls on the divorced wife. More recently the Government of India passed a Commission of Sati (Prevention) Act 1987 in the wake of sati incidence in Deorala. The Act penalizes glorification of sati but treats the act as suicide, placing the onus of responsibility on the victim. Similarly the Muslim Women's Bill invalidated the Supreme Court judgement in the Shah Bano Case. The Act deprived women of their right to maintenance under section 125 of the criminal procedure code. With regard to law enforcement, it has been said that the judiciary in dealing with women's cases has often adopted a 'protectionist approach' (Kapoor and Crossman 1999:216). Women are seen as weak and subordinate and thus in need of protection. This approach tends to treat women's differences from men as 'natural' and uses it to justify differential / preferential treatment. Another approach guiding the judiciary's decisions is the 'equal treatment or sameness approach' (Ibid 1999:216). Here women are seen as same as men and hence ought to be treated exactly the same way as men in law. This approach often 'precludes' any analysis of the disparate impact of the so-called gender neutral legislation. Both these approaches secure a notion of formal equality. Legislative acts

and the developmental process has ameliorated the condition of women's lives in some ways but has failed to improve their position in society. (Kabeer 1995: 90). The condition of women have improved because the state has addressed the practical gender needs of women but has failed to address the strategic gender needs of women. The practical gender needs are those which are derived 'inductively' from 'the concrete conditions of women's positioning within the gender diversion of labour' and are usually in response to a 'perceived need' (Ibid 1995: 90). Strategic Gender Need are derived 'deductively' from the analysis of women's subordination which entail a strategic goal such as gender equality or women's emancipation (Ibid 1995: 90). Thus, while the Indian state has implemented policies for women's education or employment it has not addressed patriarchal assumptions of women as the weaker sex or women as being dependent on men. The resurgence of the women's movement is based on the assumption that women in a democracy have a 'right and responsibility' to correct developmental imbalances (Mazumdar 2000:8). Moreover the movement insists that India is a 'democratic welfare' state and is the primary agent of development (Ibid 2000: 8).

It is in this context that reservation of legislative seats for women has again emerged as an 'issue'. Mazumdar observes that the Indian Women's Movement has done a 'complete volte face' on the issue of reservation (Ibid 2000:29). The understanding of nation

building has changed radically in the light of the 'life experiences' and 'unacknowledged wisdom' of the marginalized group of women forcing women to raise questions about the meaning of 'development, freedom, traditions, modernization, social progress' (Ibid 2000: 29). The reservation of seats for women at the local level persuaded women's organisations into putting forward a joint demand for reservation of seats for women in State Legislative Assemblies and Parliament. At the same time, it is important to remember that the demand for women's reservation coincides with a democratic upsurge in India manifested in the increasing participation of Backward classes, tribals, Dalits - the marginalized groups in society.

The Women's Reservation Bill provides for the following : (1) amending Article 330 and 332 of the Indian constitution to reserve one-third of the seats for women in Lok Sabha (Lower House of the Parliament) and Legislative Assemblies of States (2) one third of the seats reserved for Scheduled Castes and Scheduled Tribes (3) The seats reserved for women will be allotted by rotation to different constituencies in the state and (4) the policy of reservation shall not apply in relation to a state if the number of seats is less than three (National Commission For Women 1996). At present the total number of seats in the Lok Sabha are 543 out of which 79 are reserved for Scheduled Castes and 46 are reserved for Scheduled Tribes. Implementing the women's Reservation Bill will mean that 27 and 15

seats will be reserved for Scheduled Caste women and Scheduled Tribes women respectively. In addition 139 seats will be reserved for women belonging to the general category. In all 181 seats is to be reserved for women in the proposed Bill.

The bulk of the debate regarding group representation has been conducted in consequentialist terms (Dhanda 2000: 2969). While some have enthusiastically portrayed the benefits which will accrue to women, others have too often predicted the 'gloom and doom' if women were to be elected by this measure. There is a need to interpret this debate in order to provide a stronger justification of women's representation. As stated in the previous chapter women constitute a subordinate group in society and their positioning leads to the evolution of a social perspective. Reservation of legislative seats is a device for the inclusion and expression of the social perspective. The social perspectives indicate 'starting points' for discussion in legislative bodies (Young 2000: 140). Representation of women is a means of ensuring that 'some' of those discussing and voting on policies 'understand and express' the social experience and history of women (Ibid 2000: 134). Expressing a perspective does not mean drawing a conclusion about the outcomes i.e. women's representation will inevitably lead to women friendly legislation. While reservation of seats can change the gender composition of legislative bodies, it

cannot be presented as a guarantee for change of the nature of policies (Phillips 1995: 82).

The reservation of legislative seats for women has brought in the issue of reservation within reservation i.e. reservation of certain number of seats for women of the Backward classes, Scheduled Castes etc. The Bill has been denounced on grounds that it is an 'upper caste play to stem the rising tide of lower caste men in legislative bodies' (Dhanda 2000: 2971). The Samaj Wadi Party and the Rashtriya Janta Dal have reiterated their position in the debate that the Bill in order to be equitable must reflect caste distinctions prevalent in the country. (Sharma and Rai 1998: 161). Some supporters of the Bill regard the demand for quota within quota as an attempt to divide women (Jenkins 1999: 70). However there is an acknowledgement of the fact that there is diversity within the category of women. The women's movement's effort at reaching out to women of the Scheduled Castes, Scheduled Tribes and Backward classed has been 'halting and intermittent', leading Mazumdar to comment that there is increasing resistance among women to be equated with Scheduled Castes or Scheduled Tribes (Mazumdar 2000: 9). This is true for Muslim women as well. Subquota for Muslim women seems to be the 'only way' for Muslim women to come out in public life. (Jenkins 1999: 69). Therefore reservations within reservation of legislative seats must be interpreted as an attempt to 'pluralize group

representation' (Young 2000: 148). Pluralized group representation is neither devisive nor conflictual. By allowing subquotas within the category of women, the Bill helps to bring in perspectival differences that cross the group as well as the differences in individual experience, skill and judgement. This will enable the legislature to analyse social situation from the gendered perspectives of women. (Ibid 2000: 148).

It is argued that reservation of 33% of seats is inadequate considering the fact that women are forty nine percent of the population. Group representation is not a means to secure 'mirror representation' or 'proportionate presence' (Dhanda 2000: 2971). Proportionate presence assumes that women's presence must be proportionate to their population. On the other hand group representation attempts to provide "threshold presence to women (Ibid 2000: 2971). The idea is that thirty three percent is a 'threshold' number of seats that are sufficient to effectively express the social perspectives of women.

Group representation in the form of reservation of seats is imperative because multi party democracy and coalition politics have raised questions as to whether parties are effective instruments for channeling and reflecting the concerns and aspirations of women (Sharma 1998:20). Political parties are characterised by the absence of women in the internal party hierarchy and even though women's

units were established within parties in 1970s, they are regarded as 'subsidiary' or peripheral' (Ibid 1998: 20). The work of these units are confined to campaign work and mobilizing women to support the agenda of the party. Despite commitment to the Bill there is little evidence of any significant increase in the presence of women in political parties in India Therefore group representation is required to create 'political space for women' and enhance their 'political awareness'.

However group representation in the form of reservation of legislative seats is opposed by some. They argue that social reform must precede reservations. Otherwise reservation will only push women amidst gangster politicians', the need is for leaders and parties to initiate widespread social reform movement to prepare the ground for women to emerge (Kishwar 1996). Without reform reservation will only mean the onslaught of the 'biwi brigade' such that women entering Parliament will be the 'wives / daughters / sisters ' of politicians (Kishwar, 1996: 2872). The presence of such proxy figures is seen as actually harmful for Parliament and Legislative Assemblies because 'political socialization' women cannot take place as long as they are filially attached and politically dependent on the male party leaders. (Ibid 1996: 2873). Moreover it is argued that the proposed quota has been arbitrarily decided and is not in proportion to the women population (Ibid 1996: 2872). The system of rotation is seen

as being detrimental to democracy. Kishwar argues that reservation of seats by lot will lead to 'less responsible politics' because every politician will now have the 'exit option' and hence not care to nurture a long term relationship with the constituency (Ibid 1996: 2873). Hence it is argued that instead of reservation of seats, legislations must be enacted to make it mandatory for parties to provide for representation of women. Such a measure will facilitate the entry of women in legislatures 'on their own steam' (Ibid 1996: 2873). From this stand point reservation of seats is seen as undermining the agency of women. It is argued that women must 'fight' their way, must build enough clout in their parties and insists on 33% tickets being given to women (Dhagambar 1997: 22). 'If eternal vigilance is the price of liberty, eternal striving, is the price we must pay for entering politics' (Ibid 1997: 22).

However these arguments cannot weaken the claim of women to group representation. J.S. Mill had observed. 'If they (women) think for themselves, great good will be done, and if they do not, no harm. It is a benefit to human beings to take off their fetters, even if they do not desire to walk.' Group representation enables women to overcome the barrier to their entry into politics.

The issue of reservation of seats for women in India has appeared disappeared and reappeared in different historical moments. During the British women were seen as 'minor minorities' in

comparison with caste and religious groups as reservation was an extension of the policy of divide and rule. The committee on status of women in India considered political groups it recognised the subordination of women but rejected reservation of seats for women at higher level fearing the emergence of similar demands by other groups. In contemporary times the issue of reservation demonstrates that women's goals are still seen as competing with other groups rather than complementing them. (Jenkins 1999: 71-75).

The Women's Reservation Bill has brought the issue of gender parity to the fore. Democracy as is practised today is based on a notion of equal franchise. Equal franchise ensures that each and every single person counts for as much as any other single individual in the community. In this language of individual political rights, the continued marginalization of women in politics is interpreted as the failure of individual women to build on the foundations of political equality (Sharma and Rai 2000: 153). The Women's Movement has pointed out that the commitment to political equality ignores / doesnot address the continued subordination of women in other realms of existence. 'Neither patriarchy nor social relations are confronted. (Ibid 2000: 152). As Gandhi had pointed out 'women must have votes and an equal legal status. But the problem does not end there. It only commences at a point where women begin to affect the political deliberations of the nations' (cited in Sharma and Rai

2000: 152). The women's movement points out that reservation of seats provides a formal mechanism for ensuring women's representation in political structures and enables them to cross the 'formidable barriers' to their entry into 'active politics' (Ibid 2000: 160). It is asserted that the removal of 'institutionalized inequalities' requires 'institutionalized counter measures' in the form of reservation of legislation seats for women (Mazumdar 1997: 14).

Conclusion

A survey of democratic theory and practice reveals that democracy was interpreted differently in different times. But one of the core ideas of democracy is that it is 'rule of the people by the people themselves'. In contemporary times the 'rule of the people' is based on the political rights guaranteed to all adult citizens of a democratic state. The right to vote and stand in elections is the bare minimum which every democratic country guarantees to its citizens.

Initially women were excluded from the political realm. In the West, a specific movement - the suffrage movement - was launched to demand for women's suffrage, while in colonial countries like India women campaigned for suffrage in tandem with the nationalist movement. In both the cases, suffrage was never a one-issue based demand. It was not only a means for the entry of women into the political realm but also as being related to the larger issue of women's subordination. According to Harriet Taylor Mill, the 'real point' was to

judge whether it was wise or just to doom one half of the human species to a state of forced subordination to the other. In identifying and articulating women's claim to enfranchisement the suffragists contested the gender order of the society. They combated the belief that the 'proper sphere' of women was the home. It was assumed that suffrage by breaking the formal barrier for the entry of women into politics will lead to their empowerment and emancipation.

However contemporary feminist studies have argued that contrary to the expectation of the suffragists, women are marginalized in politics. The invisibility of women in politics is related to the continued subordination of women in the socio-economic realm. The subordination of women is rooted in patriarchalism which enforces the hierarchical relations of subordination between men and women. Women are considered as primarily responsible for the maintenance of home and child rearing, and are concentrated in low status and low paying jobs outside. Moreover working under conditions of inequality and being used to decisions being taken 'over their heads', women are socialized into regarding politics as an alien affair. Feminist studies explain that enfranchisement of women merely indicates 'formal' or legal equality - i.e. the political rights which are enshrined within the laws and granted to men is equally guaranteed to women as well. This conception of equality ignores the different position of women in society. Women occupy a subordinate position in society and being a subordinate group are subject to 'passive exclusions'. Hence feminists argue that 'explicit inclusion' in the form of group

representation is required to secure substantive equality. Group representation of women is conceived as the only way of combating the marginalization and subordination of women.

Hence group representation of women is seen as a means to create gender parity. Firstly, it brings in the social perspective of women into democratic discussion which in the absence of group representation fail to receive expression. In doing so, group representation of women brings something new and different in democracy and counters the power of the privileged groups to define issues. Moreover the argument for group representation of women acknowledges that women are one of the subordinate groups in society. Women occupy a 'space of mutual effect' with other groups in society such that the actions and lives of one affect that of the other. The argument for group representation of women recognises the claims of other subordinate groups to specific representation and believes that this 'politics of difference' promotes justice. It fosters political cooperation so that people are committed to work out their conflicts and solve the problems generated by their collective decisions. In doing so group representation not only 'widens' and 'deepens' democracy by noticing differences of social position and structured power but also combats the oppression and varied forms of 'wrongful inequalities' operating in society. Therefore group representation of women is not just a matter of getting more women in politics; it is a way of transforming the nature of democratic politics itself.

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