

# Baking a Bigger Pie

## Linking Women's Reservation with Delimitation

○ Rami Chhabra

**I**n Issue No 107 of *MANUSHI*, we had proposed dual member constituencies with each constituency being represented by a man and a woman as one possible improvement on the government sponsored Women's Reservation Bill. In response to the oft repeated criticism that this would result in doubling the expenditure on what would be an unwieldy Lok Sabha, double the size of the present one, Mani Shankar Aiyar of the Congress party had put forth a proposal that the Rajya Sabha (which in his view had very little purpose) could be abolished. In this article, Rami Chhabra presents a variant of the same proposal taking into account the ongoing controversies regarding the need to increase the number of MPs, given that our population has grown enormously since Independence, when the number of MPs was fixed at 544. -Editor

Once again women are going to be left out in the cold in the Parliament, while women's lobbies remain myopically fixated on the jinxed Women's Reservation Bill. They seem totally unaware of other possible fronts where battle should be initiated if their case is not to be lost by default. Equity in women's representation can be achieved in ways other than agitating to get the jinxed Women's Reservation Bill passed.

### Grab the Opportunity

The Cabinet had decided to move two bills in the Parliament this winter – one, to extend the freeze till 2026, in the number of constituencies representing each state in the Lok Sabha and Rajya Sabha, and the other, to mandate a limited delimitation. This follows the adoption of the National Population Policy (NPP) which emphasises the need for the continuation of the freeze on the number of parliamentary and legislative constituencies as per the 1971 census population, due to end this year. These steps are in the right

direction, yet altogether inadequate to produce any positive results by themselves.

It is only appropriate that the proportion of representation in the Parliament of more progressive states — which have effectively reduced rapid population growth — should not suffer. The lapse of the freeze would affect their proportionate share in the Parliament and, therefore, would unfairly penalise those who have sincerely worked to achieve the nationally agreed demographic goals.

By simultaneously moving a bill to set up the Delimitation Commission — but with a limited mandate — the Cabinet has also found a partial solution for another tricky dilemma — the lopsided size of so many constituencies, which is being criticised as unfair to the democratic process.

The proposed delimitation is to readjust and rationalise territorial boundaries of constituencies within each state. Thus, imbalances caused by the uneven growth of population

in different constituencies within a state will be addressed.

At the same time, the number of seats reserved for scheduled castes and tribes are to be fixed again according to the 1991 census. All this will be done without altering the overall number of seats presently assigned to each state, both for Lok Sabha and State Assembly constituencies.

Therefore, two critical requirements will be met: positive reinforcement for past performers and pragmatic reworking of constituency sizes to offer better parity of electoral representation. But, ignored in this recalibration are two other equally critical parameters that should be the concern of all socially sensitive citizens and women in particular.

### Uneven Sized Contituncies

One, the existence of large and unwieldy constituencies inevitably undermines democracy by distancing the people from their elected representatives. Two, the under-

representation of women who comprise half the population has negative social and developmental consequences. Both these shortcomings will be further aggravated with time and bring still more distortions in our political processes. The solitary exception of some accommodation of the escalated numbers of SC/ST appears more as a sop to woo Dalit vote banks rather than a systematic redress of social inequalities.

For the moment let us set aside the issue of the intrinsic justice of women's representation and examine the proposed measures solely for their likely impact on population outcomes. The political leadership's selective focus betrays a disturbing, time-warped mentality and shows that they are not ready to abandon old styles of functioning and creatively move beyond strategies that have failed to deliver the desired results over decades.

The linear extension of the 1971 freeze to convey a strong message, "to enable governments to fearlessly and effectively pursue the agenda for population stabilisation", (NPP) is potentially harmful. The beginnings are already evident. For example, Maharashtra is institutionalising strong disincentives on the third child, reminiscent of its equally misguided advocacy for compulsory sterilisation in the seventies. Similarly, other states such as MP and Rajasthan are contemplating "strong arm" measures for the third child and below minimum age marriage.

The challenge today is not so much balancing the act between progressive and recalcitrant states and instilling a sense of urgency

about population matters in the latter. Such authoritarian policies will miss the last window of opportunity which is ajar at the moment with a receptive public who could quickly grow hostile, if threatened by coercion in any form.

The crucial need is to effectively bring about improvements in the quality of life, social development, distributive justice, human dignity, and women's empowerment. This demands a political leadership committed to better, humane governance; one capable of cutting across the current quagmire of corruption and accelerating development for the deprived.

### **Time for Delimitation**

The limited delimitation will partially resolve the electoral inequity in the continued freeze. It meets the criticism of demographic scholars who have argued that while population seat ratio has increased dramatically over the decades this issue is of less concern, since, the ratio is more or less the same between states. The more crucial question according to this genre of analysis, relates to the drastic differences between constituencies within the same state — a situation that iniquitously discounts the comparative weight of an individual vote between constituencies. The difference of size within Delhi State between Chandni Chowk constituency (1996 electorate of 3.62 lakhs) and Outer Delhi (1996 electorate of 28.2 lakhs) provides a classic illustration of the disparity. Winning one Chandni Chowk vote becomes as valuable as that of seven electors in Outer Delhi. This is obviously undemocratic.

Altogether over 41 per cent of the Lok Sabha constituencies, as per 1996 electorate figures, are found to exceed the state averages by 10 to 30 per cent and even more. This anomaly is to be resolved by the delimitation for intra-state territorial rationalisation.

But clearly the liability of having huge and unwieldy constituencies is not solved even when the size has been brought down to an equitable state average. Moreover this size is likely to grow more and more unwieldy over the next quarter-century of the freeze. The large constituency already makes it unmanageable for a sole representative to reach out to citizens. It induces both voter alienation and the growth of vote banks, which in turn distort the democratic processes with minority segments often wresting advantage over the majority's will. It also violates the spirit of the Constitution. The Constitution of India, as originally drafted, envisaged no restriction on absolute numbers of representatives. But it was concerned with establishing norms of constituency sizes to preserve democratic principles.

### **Artificial Freeze**

India's Constitution had originally envisaged not more than one representative for 500,000 inhabitants and not less than one representative for 750,000 inhabitants. The first election in 1951-52 when the total population was 361 million had averaged 750,000 inhabitants per parliament constituency. The freeze of seats in 1976 at the 1971 population level (548 million) had produced an average size of 1.1 million per parliamentary constituency, already

exceeding the Constitutional mandate. In 1991, this figure had risen to an average of almost 1.6 million. It is expected to become 1.9 million in 2001 and nearly 2.4 million in 2016. The size of the Legislative Assembly constituencies are a matter of similar concern. To ignore the perils of constituency behemoths of two million plus for the next quarter century is to leave politics increasingly in the grip of money and muscle power.

Earlier, the BJP, notably Madan Lal Khurana, as the Minister of Parliamentary Affairs, had floated initiatives to defreeze and delimit constituencies afresh on the basis of the 2001 census results and the 1971 norms of 1.1 million inhabitants per constituency. A fresh delimitation on 1971 constituency norms would have resulted in an estimated 923 Lok Sabha seats. The vast majority of the new seats would have accrued to the very states that had failed to curb population growth rates and improve their population's well-being, thus further tilting the balance of power in favour of those who had been derelict in their duties. Such a measure was clearly unsuitable as it would amount to rewarding non-performers.

### **Adding Gender Concerns**

But what we need to question is why dismiss outright the basic denominator of a population of around one million, if this can simultaneously assure justice to progressive states? Such a solution is possible if gender equity concerns are considered as important as preserving democratic participation in the configuration for the next quarter of a century.

The 21st century is being hailed worldwide as an era of radical change in which the women's movement is in the fore-ground as the leap of all time for civil society. It is ironic, if not outright unjust, that steps pertaining to political representation should ignore this aspect, especially when measures are being moved to support population policy strategies that virtually predicate on women's empowerment and betterment.

The present government and all political parties have pledged to improve women's political representation. Both the Ninth Plan and the NPP documents have underlined the crucial importance of women's empowerment and development as a most powerful instrument for national development, including the early achievement of population stabilisation which in turn is critical to national development. But the action reform to improve women's representation consists only of the shelved Women's Reservation Bill, which has been buffeted from one Parliament session to another for several years now. This, when it is amply clear that behind the histrionics and hostility which has bogged down the Women's Reservations Bill is the threat it poses of displacement to one third of male members immediately, and through the rotation principle, to all male incumbents eventually.

### **Making Additional Space**

Opening additional spaces instead of seeking to substitute existing incumbents could offer a viable alternative. Therefore, why not a third Bill to compete with the two being brought forward — a Bill for a two member team to represent each

constituency, one man and one woman for each constituency. Also, the Delimitation Commission should be mandated to bifurcate every constituency into two equal segments to be represented by a male representative in one half and a female in the other.

Such a measure would also ensure that there is one representative to deal with a population of plus/minus one million in each constituency, which is the 1971 population-seat ratio, even while the proportion of constituencies allocated to each state remains unchanged at 1971 levels. Thus, the number of constituencies per State/Union Territory would be the same, but the number of members in the Lok Sabha/Legislative Assembly would increase proportionately for each State or Union Territory.

This strategy effectively synthesises several separate equity demands, without disrupting existing balances. As earlier pointed out, it is fully in consonance with the spirit and intent of the Constitution, which has not restricted the absolute numbers of representatives but has underlined the need for constituency sizes to preserve democratic principles. A linear freeze and limited delimitation, in fact, goes against the grain of the Constitution. A time-bound Task Force of the National Population Commission/Election Commission could work out the modalities. Critics may argue about the unconscionable expansion of numbers of representatives from the current 545 to 1090 that the above strategy entails. However, we would do well to remember that China, the only other country of equal size and lesser claims

to democracy, has a People's Assembly of over 2000 representatives. The House of Commons in the UK which is the model from which we draw our inspiration, consists of 659 representatives for a country a fraction of our size.

Physical space should pose no problem in an age of electronic conferencing, information and voting procedures. The limited space in the Lok Sabha and Legislative Assemblies would get better filled with competition on seats. And the quality of debate can only improve with a critical mass of women – a largely untried political force which offers the only hope for changing political direction towards the fearless pursuit of the population stabilisation goals in ways that are truly consonant

with sustainable development, democratic empowerment and popular participation.

### **We Can Afford it**

In a system of open transparency on allowances, perquisites and privileges, present budgets with a little augmentation, could be effectively shared by the two members, although this would perforce lead to some austerity in the expenses currently being expended on the present number of representatives, as well as pensions for those who have briefly flitted through the Parliament. The question is not whether poor India can afford so many legislators but whether poor India (with Indian women being the poorest of the poor) can afford to keep women so marginalised from its political power structures.

Mr. K. C. Pant, chairing a meeting of members of the NPP, dismissed this proposal as a “non-starter”. Had Rajiv Gandhi been similarly daunted by the revolutionary idea of the 72/73rd amendment, a million women could not have risen at the grassroots in what is now hailed by the world as one of the most radical initiatives in India's recent history.

The new millennium requires bold new shifts and radically altered structures if the unfinished agenda of the burdened past is not to remain indefinitely with us. Re-imagining systems are not fanciful ideas. It is the sterile extension of the failed that is both expensive and fearful. □

*Rami Chhabra is a Member of the National Population Commission.*

## **Women Bhakt Poets**



*"No one can stop you - Mira set out in ecstasy.  
Modesty, shame, family honour - all these I threw off my head  
Flinging away praise and blame, I took the narrow path of knowledge.  
Tall the towers, red the windows - a formless bed is spread,  
Auspicious the five coloured necklace, made of flowers and buds,  
Beautiful armlets and bracelets, vermilion in my hair parting,  
The tray of remembrance in my hand - a beauty more true.  
Mira sleeps on the bed of happiness - auspicious the hour today.  
Rana, you go to your house - you and I cannot pull together.  
No one can stop you - Mira set out in ecstasy."*

*Mirabai*

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