

Women and The Council of Ministers: How Far How Near is Indian Parliament Towards Gender Inclusiveness

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ABSTRACT

Inclusive participation is not only the need of the hour but also helps any society or nation to utilise the potential of all without any discrimination for the betterment of the people and ultimately for the development of the nation. Since women constitute almost half of the population, it is very important to include them in the law making bodies at decision-making level. Accommodating their experiences will become an asset in the developmental process. The present paper is meant to focus on the presence of women and their active role in the council of ministers in Indian Parliament.

To prepare this paper, both primary and secondary sources have been utilised.

Keywords: Gender Inclusive, Gender Gap, Democracy, Council of Ministers, Parliament, Decision Making Process

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Inclusive participation is an essential aspect of democracy. It has been realised an essential measure towards all round development and empowerment for any country. No nation can claim to be a fully democratic if its one half of the population is left aside politically, economically or socially but this is a harsh reality. Gender gap is evident in almost every field so as in law making bodies at decision making level even in the developed nations. Countries proudly claim to have adopted the Abraham Lincoln's concept of Democracy but where is the democracy when women of every country are talking about their discrimination in one field or the other. Even the decision-making and law-making institutions are overlooking to accommodate women's experiences. Ignoring their voices when the laws concerning their (women and girl's) issues are formulated is not an uncommon phenomenon.

So far as India is concerned Global Gender Gap report ranked India on 112th position in 2020, down by 4 points from 108th in 2019. The report is used to be released by the World Economic Forum. The 2021 statistics again lowered India to 140th place, further down by 28 points in just one year. Further, the report says India will take nearly 100 years to close this gender gap. 100 years are too long a period to see the ray of light. The last three year's figures show the trend downward which is an alarming sign.

Unlike many countries women in India never need to struggle for their voting rights or contesting in the election but on the other hand, they never got their due share in the active deliberations. Women were the active partner in freedom struggle. During 1930s at the time of salt satyagraha movement it is said to be more women courted arrest than their male counterparts. But never in the history of general elections in India women outnumbered men in any capacity, be they contestant or ministerial position or heading the Parliamentary Committees or leading the team on the floor. India is proud to see a woman President, women Prime Minister, women Chief Ministers, women Governors and women Ministers of many important portfolios but the concern is, How many women? Why not more? Can't we have more, or are they not capable?

1. Frame Work Used

To prepare the paper the frame work used includes -

- Mahatma Gandhi's theories that women have a more significant role (than men) to play, both in the winning of Swaraj and in the building of the nation afterwards; and a nation can not have a father but needs many mothers.¹.
- ECOSOC resolution E/RES/1990/15 recommends the target of 30% women in leadership post by 1995 and 50% by 2000 ².
- Resolution adopted by the 135th IPU Assembly, Geneva, 27th October 2016 that "The freedom of women to participate in political processes fully, safely and without interference: Building partnerships between men and women to achieve this objective"³.
- Individual participation in democratic processes and public life at all levels must be regulated fairly and impartially and must avoid any discrimination as well as the risk of intimidation by State and non-State actors⁴.

2. Introduction

The Gender gap report is prepared on criteria like- Political empowerment, Educational attainment, Health and Survival, and Economic participation and opportunity. India has taken care in educational attainment and health areas but true political empowerment of women is still seems to be a distant dream. Casting their vote does not make much difference but active participation at decision making level needs to be quantified. India being the largest democracy is lagging behind in providing women the opportunity to actively participate at this level. A decent number of women's presence never made it to the legislative bodies or decision-making institutions. India regressed 13.5 percentage point in political empowerment from 2019 to 2021 in ministerial positions for women. Is it not strange that the women's movements started in the early twentieth century were for their voting rights because in many western countries women were not given the right to vote, nor they could contest for the election but India was the country where voting rights were given to men and women simultaneously. In India right from the very first general election in 1952 women used to actively participate for casting their vote as well as to contest in the election. Their winning percentage was also very sound. However, in the process women were always presented with the marginal share. Core positions remain far away from their hold.

3. Review of Literature

The review of literature has included speeches of eminent leaders who while acknowledging the potential of women, raised the concern over their marginal presence in Law making and crucial decision making bodies. The absence of women was felt at every crucial position but every time the matter was swiftly pushed aside. It never got the serious attention.

While recollecting the memories, in 1588 Queen of England Elizabeth I dressed like a warrior, fearlessly rode on top of the horse in the battle field and spoke to the troops in Tilbury I know I have the body of a weak, feeble woman; but I have the heart and stomach of a king, and of a king of England too, and think foul scorn that Parma or Spain, or any prince of Europe, should dare to invade the borders of my realm; to which rather than any dishonour shall grow by me, I myself will take up arms, I myself will be your general, judge, and rewarder of every one of your virtues in the field."⁵ These were the words of queen when queen and king used to be the supreme commander in all the areas be it political, executive or war field.

Sojourner Truth in 1851 said "I have as much muscle as any man, and can do as much work as any man. I have ploughed and reaped and husked and chopped and mowed, and can any man do more than that?"

How men perceived women, is very much a part of speech by Anna Howard Shaw in 1915, Albany, New York when she said "...and the women are still trying to persuade American men to believe in the fundamental principles of democracy...", available as *The Fundamental Principle of a Republic*... And then up comes a woman, and then they say now she's a woman; she is not quite human, but she is my wife, or my sister, or my daughter, or an aunt, or my cousin. She is not quite human; she is only related to a human, and being related to a human a human will take care of her. So we have had that care-taking human being to look after us and they have not recognized that women too are equally human with men... The only reason men do not see as fairly in regard to women as they do in regard to each other is because they have looked upon us from an altogether different plane than what they have looked at men"⁶.

On the parity of women leadership Helen Clark said in 1916 "having a critical mass of women in decision-making also has an enormous impact on what issues are addressed. Time and again, we have seen how women bring to the political agenda issues of critical concern to women and their progress – from childcare to parental leave, equal pay, sexual and reproductive health and rights, and gender-based violence." She further said "To complement women's leadership in political decision making we need -

1. women at high levels of public administration, where, in effect, many political choices are made.
2. women in the police, prosecutors' offices, and the judiciary as leaders in enforcing laws which uphold women's rights and security.
3. to ensure women's participation across peace making, peace building and post-conflict processes, as is set out in UN Security Council Resolutions 1325 and 2242." ⁷

Gandhi viewed women as the family had been over-utilising women's energy, labour and concerns. The time had come to extend their capacities and concerns 'to embrace the whole of humanity', and most immediately, to the rest of Indian society. "I have long before come to the conclusion that unless women of India work side by side with men, there is no salvation for India, salvation in more sense than one. I mean political salvation in the greater sense, and I mean the economic salvation and spiritual salvation"⁸.

Way back in 1928 Nehru asserted that a test of a civilisation is the way it treats its women⁹. Nehru had a deep concern for women inclusion in the politics. We are now talking about gender inclusive politics but back in 1950, when not even constitution was enforced, Nehru wrote on 4th January, 1950 to Chief Ministers to ensure adequate number of women participation in Parliament. He wrote that eventually the future of India would depend more on women than on men.¹⁰ . He wrote another letter after the general election in 1952 because the sufficient number of women were either not fielded or elected, as "I have been meeting our new Members of Parliament. There are over 700 of them as between the two Houses. I have noticed with great regret how few women have been elected. I suppose this is so in the State Assemblies and Councils also. I think we are very much to be blamed. It is not a matter of showing favour to any one or even of injustice, but rather of doing something, which is not conducive to the future growth of our country. I am quite sure that our real and basic growth will only come when women have a full chance to play their part in public life. Wherever they have had this chance, they have, as a whole, done well, better if I may say so, than the average man. Our laws are man made, our society dominated by man, and so most of us naturally take a very lopsided view of the matter. We cannot be objective, because we have grown up in certain grooves of thought and action. But the future of India will probably depend ultimately more upon the women than the men." ¹¹

Late Prime Minister Rajiv Gandhi was a passionate crusader for women's empowerment. At the NAM summit in Harare in 1986, he called for a full and meaningful participation of women in social, political, economic and cultural life.¹² He was passionate to include women at every level of governance and societal change as an step towards strong India.

Hillary Clinton in 1995, at the United Nations Fourth World Conference on Women in Beijing, said "If there is one message that echoes forth from this conference, let it be that human rights are women's rights and women's rights are human rights once and for all. Let us not forget that among those rights are the right to speak freely — and the right to be heard."

Reaffirming the important role of women in the prevention and resolution of conflicts and in peace-building, and stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution, UN Security Council adopted resolution 1325 at its 4213th meeting, on 31 October 2000.¹³

Late Prime Minister Shri Atal Bihari Vajpayee once said in a speech that women occupy half of the sky why should not hold atleast 1/3 on political grounds.

When a women speaks it is considered just useless or senseless and emotional. Not many people willing to listen. **Julia Gillard spoke** in 2012 as, "Good sense, common sense, proper process is what should rule this Parliament. That's what I believe is the path forward for this Parliament, not the kind of double standards and political game-playing imposed by the Leader of the Opposition now looking at his watch because apparently a woman spoken too long."

Former Prime Minister Manmohan Singh realised the hardship of women. He said while addressing the inaugural function of India's first all-women bank - Bharatiya Mahila Bank, in November, 2013 as "Women's social, economic and political empowerment remains a distant goal," ¹⁴

UN Secretary General Antonio Guterrer on 28th February 2020 in his speech said "Only through the equal participation of women can we benefit from the intelligence, experience and insights of all of humanity. Women's equal participation is vital to stability, helps prevent conflict, and promotes sustainable inclusive development. Gender equality is the prerequisite for a better world." ¹⁵

Barack Obama said where women are full participant in country's politics or economy, the societies are more likely to succeed.

Prime Minister Narendra Modi has emphasised that India is transitioning from women's development to 'women-led development.

4. Significance of the Study

It is evident that women constitute an important workforce in nation building. But their intelligence has not been harnessed fully. It is important to listen their voice, provide them opportunity to contribute their experiences. Make the path smooth for them to become equal partners in law making and critical decision making level is a need of the hour. It was remarked by the President of the Inter-parliamentary Conference "It would appear that we are still far from a world in which the governing bodies of our political parties, which play a decisive role in political life, as well as our governments and our Parliaments are precise mirrors of our societies as regards the proportion of men and women. Nearly all delegates stated that the Constitutions of their countries provided for equality between men and women in all spheres of life. However, all those who spoke affirmed that, in politics, there was a huge gap between law and practice with regard to the principle of equality."¹⁶

In the same conference the Parties were asked to become more open to women and more receptive to their demands. Indeed women find it very difficult to obtain a seat on party structures which have evolved and operate according to basically masculine criteria.¹⁷

5. Parliamentary System and The Ministerial Positions in India

Parliamentary system of government works with the help of council of ministers. In some countries they are also called the secretaries. In India Articles 74 and 75 of the Constitution provide for a council of ministers. Article 74(1) reads as there shall be a council of ministers with the Prime Minister as the head to aid and advise the President who, shall, in the exercise of his functions, act in accordance with such advice. The council of ministers is drawn from both the houses of the Parliament. Under Article 75(3) the council is collectively responsible to the house of the people i.e. Lok Sabha.

These ministers are the political heads of the departments or ministries under their charge. Usually they are the senior and experienced persons in the government. They are accountable to the Parliament for the acts of omission and commission. They are also responsible for the effective implementation of the legislation. Since these members are the representative of the local areas, their duty also include to undertake the developmental work of that area. To become a minister one needs to be a member of any house of the Parliament. Though the Parliament does not fix any such qualification and outsiders can also be a minister however, he or she has to become a member of any house of Parliament within six months, either by nomination or by-election otherwise he ceases to be a minister.

Constitution of India does not mention the type or categories of the council of ministers but following the British practice and the convenience, the council of ministers are ranked as -

1. Cabinet ministers
2. Minister of state with independent charge
3. Deputy ministers

The council of ministers with Prime Minister, being the first among all, commands supreme respect. According to the 91st amendment act, 2003 the council of ministers shall not exceed 15% of the total Lok Sabha strength. At the state level, it shall not exceed 15% of the total strength of legislative assembly of that state. But, the number of ministers, including the Chief Minister, in a state shall not be less than 12 (Article 164, Constitution of India).

Cabinet Ministers hold important portfolios and constitute the inner circle of the government. They are usually between 18 to 25 in numbers. These ministers command the seniority in the government. Being an important and core body, important decisions are taken in this core group. E.g for proclamation of emergency, Article 352 of the Constitution of India says the advice must come from the Prime Minister and other ministers of cabinet ranks. The cabinet ministers are responsible to the Prime Minister and through him to the President of India and the Lok Sabha.

Minister of state Unlike cabinet ministers, they are quite large in numbers. They do not attend the cabinet meetings unless they are called for. They are invited to attend such meetings if some information needs to be shared or elicited concerning any issue. Minister of state can be of two types: Minister of state with independent charge who heads independent ministries or department concerned. Others are with no independent charge but are attached to the Prime Ministers/Cabinet ministers for assisting them in the discharge of their ministerial functions.

Deputy ministers are not given independent charge rather they are attached to either cabinet ministers or minister of state to perform various tasks.

Till August 28, 2015 India had seen 14 Prime Ministers, 5 Deputy Prime Ministers, 302 cabinet ministers, 8 ministers of cabinet rank, 61 ministers of state with independent charge, and 323 ministers of state attached to Prime Minister or cabinet ministers and 69 deputy ministers. (Shown in table 1)

Table1 : Ministers in the council of ministers from 1947 to 2015.

Type of Ministers	Total Number
Prime Ministers	14
Deputy Prime Ministers	05
Cabinet Ministers	302
Ministers of Cabinet Rank but not Members of Cabinet	8
Ministers of States with Independent charge of their Ministries/ Departments	61
Ministers of State Attached to Prime Minister and Cabinet Ministers	323
Deputy Ministers/Parliamentary Secretaries	69

Source: Council of Ministers from 1947 - 2015, Names and Portfolios of the Members of Union Council of Ministers From 15 August 1947 to 28 August 2015, Lok Sabha Secretariat New Delhi, 2016.

6. Research Findings - Women Ministers

Present Lok Sabha i.e 17 th, has 14% of women representation. This can be said an all time high representation since Independence. However the leadership positions are still in the male's domain. More serious is their presence as Ministers. There are just 5 or 8 % of the total 60 members of the council of ministers are women with only 2 out of 22 as cabinet ministers and 3 out of 29 as ministers of state.¹⁸

Ministerial positions are usually in the male's domain globally, so as in India too. Table 2 shows the presence of women in the council of ministers since August 1947 till August 2015. Women are awfully lacking in the cabinet. During this period India saw 302 cabinet ministers of whom only 12 or 3.9% were the women. There were 61 Ministers of state with Independent charge of the ministry or the department of which they were the members, however, only 8 or 13% were women. There were not enough women even in the team of ministers attached to the Prime Minister or cabinet ministers.

Table 2: Ministers in the council of ministers from August 1947 to August 2015.

Type of Ministers	Total	Women	Percentage
Prime Ministers	14	1	7
Deputy Prime Ministers	05	0	0
Cabinet Ministers	302	12	3.9
Ministers of Cabinet Rank but not Members of Cabinet	8	0	0
Ministers of States with Independent charge of their Ministries/ Departments	61	08	13
Ministers of State Attached to Prime Minister and Cabinet Ministers	323	39	12
Deputy Ministers/Parliamentary Secretaries	69	06	8.6

Source: Council of Ministers from 1947 - 2015, Names and Portfolios of the Members of Union Council of Ministers From 15 August 1947 to 28 August 2015, Lok Sabha Secretariat New Delhi, 2016.

Their number as ministers had never been proportionate to what it had been elected to the august house of Parliament since independence. If the parties are really serious and concerned about what it had been said about women's awful presence in decision taking and law making bodies, why were they kept apart even after winning the election? Though whenever time has asked women to perform, women have proved their mantle and perform just like male counterparts.

Table 3 shows the meager number of women becoming the ministers since the first lok sabha. Winning the election to the very august body of law making does not guarantee them that their voice will be listened or they will be given equal chance to share their experiences and contribute their full potentials as members of the council of ministers.

Table 3: Women Ministers Since first Lok Sabha

Lok Sabha	Total Women Elected	Women Ministers	Percentage
1	24	2	8
2	24	1	4
3	37	6	16
4	33	4	12
5	28	4	14
6	21	4	19
7	32	4	12.5
8	45	12	26
9	28	2	7
10	42	12	28.5
11	41	6	15
12	44	4	9
13	52	11	21
14	52	10	19
15	64	15	23
16	68	10	14
17	78	6	7.6

Source: <https://www.drishtiias.com/daily-updates/daily-news-analysis/global-gender-gap-report-2021-wef>

Initially whenever the council of ministers constituted right after the first general election to lok sabha their number hardly reached the double-digit. In fact most of the time there were just single women included in the ministry. On some occasions it was 2 or 3. There were only two occasions when the number reached to 7 and on one occasion it was 8. That was the case when the total number of members in the council of ministers were 46, 68 and 70 respectively as shown in the table 4.

Table 4: Initial Composition of Council of Ministers

Date /Lok Sabha	Number of Ministers	Women Ministers	Percentage of Women Ministers
13-05-1952	21	1	4.7
18-04-1957	38	1	2.6
10-04-1962	22	1	4.5
13-03-1967	30	2	6.6
18-03-1971	36	3	8
24-03-1977	NA	NA	NA
14-01-1980	22	1	4.5
31-12-1984	38	4	10.5
02-12-1989	NA	NA	NA
21-06-1991	54	5	9.2
01-06-1996	21	1	4.7
19-03-1998	43	4	9

13-10-1999	70	8	11
22-05-2004	68	7	10
22-05-2009	20	3	15
26-05-2014	46	7	15

Source: <https://cabsec.gov.in/archived/88/1957>

7. Conclusion

“Traditional India had seen woman only as a member of the family or a group - as daughters, wives and mothers - and not as an individual with an identity or right of her own”.¹⁹

It is the critical part of empowerment to have women in politics at the decision making level but the harsh reality is that in the twenty first century we are talking all about the issue to which the movement was started century ago. Women have got the right to vote but still fighting for their active voices and real leadership position in the law making bodies. This is the situation prevailing almost all over the world, India is not untouched. All political parties make big promises. Some of them they fulfill but many remain the written lines on their party manifesto. It is an irony that not even a single party declare before election as how many women candidate will be fielded, with the party's support, in the election and how many of them or what percentage of women after winning in the election, will be included in the council of ministers. An absence of decent number of women representation in the council of ministers is always realised but never materialised. Mahatma Gandhi felt it but could not practically do to elevate their position. Gandhi wanted “Women must have votes and equal legal status. But the problem does not end there. It only commences at the point where women begin to affect the political deliberations of the nation”.²⁰ He said "I would boycott that legislature which will not have a proper share of women members". But unfortunately he did not live much to do that.

Nehru also realised but his council of ministers itself presented a sorrow picture of women's presence as ministers. Later on all the successive Prime Ministers felt and talked about the unequal presence of women but unfortunately their own council of ministers were far from becoming the model council of ministers in India.

Today we witness their handful presence in the council of minister. Also if women become ministers, they are mainly as attached or deputy ministers or are kept away from important portfolios. Very rarely they hold important portfolios despite the fact that whenever they have been given the task they have proved their potential.

It seems we have never understand the political significance of gender equality in nation building process. We know that million of women form the back bone of Indian economy however their political challenge remains the outside concern of the reformers. Women constitute the half of the population but they are forced to acquire, to some extent, the characteristics of minority.

It was said “Realising gender equality and the empowerment of women and girls will make a crucial contribution to progress across all the Goals and Targets. The achievement of full human potential and of sustainable development is not possible if one half of humanity continues to be denied its full human rights and opportunities. Women and girls must enjoy equal access to quality education, economic resources and political participation as well as equal opportunities with men for employment, leadership and decision-making at all levels...²¹ Article 14, 15 and 16, under Fundamental Rights of the Constitution of India guarantee men and women equal treatment such as equality before law, and equal opportunity for employment or office under the state. It forbids discrimination on the grounds only of religion, race, caste, sex, descent, place of birth or residence but unfortunately Constitution of India does not guarantees and quantifies the active presence of women in the law making bodies.

8. Suggestions

At various point of time the need has been felt to accommodate women in all crucial and decision making level and provide them equal opportunities to contribute in the national development. Since law making institution is such where the policies are formulated and decisions are taken, it is very necessary to make such institutions gender inclusive. Make women equal partners in law making and legislative process. To achieve this only a little bent of mind is needed as -

- all political parties must believe on “Men of quality do not fear equality”. Since women are also equipped with such qualifications which even men can't expect, they must feel proud to harness the energy and creativity of women candidates otherwise their energy and creativity will be lost at the cost of nation's development.

- work towards Durgabai's vision of harnessing women power in the task of nation building and social development. Since the election results have proved that women who have fought under the party's banner, have given good results, therefore it is the responsibility of the parties to prioritize their upgradation and equal opportunity.
- Famous philosopher Plato once said "One of the penalties for refusing to participate in politics is that you end-up being governed by your inferiors. Keeping this in mind women too must work towards bargaining the important positions and portfolios instead of mute spectators. They should shun the stereotype image. Why should they live on the mercy of the men's leadership when they themselves are capable to lead the team?"
- Women should not end up by coming forward to protect for themselves. They have the potential to protect the world. Kamaladevi Chattopadhyay, during the debate on Fundamental Rights Resolution objected to the word 'protection' for women workers and said, women want attention and not protection.²² It is high time, all political parties must stop seeing women as woman but a human being and as a person with her own identity. If one person can do others can also do what is required from them.
- Quantitative data on the participation of women is available however, qualitative data on their active participation in law making needs to be quantified properly. It needs to be done at the priority to present the actual picture which will help them to get their due share.
- It is the responsibility of the major political parties to advocate for gender balanced parliament. Women in the leadership positions will improve the image of the party also.

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