

A ‘man’s Parliament’ striving for an inclusive India

(GS Paper 2, Polity and Governance)

Context:

- After 75 years of Independence and ‘Azadi ka Amrit Mahotsav’ question of women’s representation in Lok Sabha is still not answered.
- In 1952, when the Indian Republic held its first Parliamentary session, 39 women leaders were there challenging a centuries-old tide of men’s dominance over the polity.

Achievement in the initial years:

- At a time when women formed **only 1.7% of the total members of the United States Congress** and **1.1% of the Parliament of the United Kingdom**, **India was leading the way** in the fight towards more inclusive world democracies with **5.5% women representation**.
- The struggle for India’s Independence can never be detached from the contributions of thousands of women across profession, class, caste, and religion.
- A testament to their invaluable contribution has to be their louder voice in parliamentary democracy; what happened in 1952 was a highly progressive step, but 70 years hence, it seems to have strayed from that path.
- Due to systemic issues, Parliament continues to alienate women. The number of women representatives is still considerably small, but even more subtly, **Parliament as a workspace continues to be built exclusively for men**.



Gender inclusivity:

- The Supreme Court judgment (*National Legal Services Authority vs Union of India, 2014*) on gender identity has given the movement greater impetus.
- In solidarity, **citizens have begun asserting their gender identity** by specifying their personal pronouns (she/her, he/his, they/them, etc.).
- Parliament, being the pinnacle of law-making and the symbolic centre of our democratic aspirations, must reflect this change too. However, the matter seems to have largely escaped the notice of the Legislature.

Absence of gender neutral language:

- A closer look at parliamentary discourse and communication reveals a concerning and disconcerting absence of gender-neutral language. For instance, Parliament often refers to women in leadership positions **as Chairmen and party men**.
- **In the Rajya Sabha, the Rules of Procedure** continue to refer to the Vice-President of India as the ex-officio Chairman, stemming from the lack of gender-neutral language in the Constitution of India.
- Additionally, references to inherently masculine pronouns are made over 150 times in the former and 600 times in the latter. The **alarming degree of usage of masculine pronouns** assumes a power structure biased towards men.
- This tends to manifest itself in parliamentary debates, for instance, when a senior woman MP from Tamil Nadu was referred to as “Chairman madam” in the Lok Sabha in 2021 winter session.

Need for Gender-neutral Acts:

- In its present state, the Constitution reinforces historical stereotypes that women and transgender people cannot be in leadership positions, such as the President and the Vice-President of India, the Speaker of the Lok Sabha, the Governor of States, or a judge.
- It is not a criticism of the Constitution but of the **failure of the many Union Governments which did not take the initiative of amending it**. In the past, amendments have been brought about to make documents gender neutral.
- In 2014, under the leadership of the then Speaker of the Lok Sabha, Meira Kumar, the **Rules of Procedure of the Lok Sabha were made entirely gender neutral**. Since then, each Lok Sabha Committee Head has been referred to as Chairperson in all documents.
- This initiative is proof that amending legal documents to make them inclusive for all genders is an attainable goal if there is a will.

Gender-neutrality in other countries:

- Internationally, **even mature democracies that legalised universal suffrage after India**, such as Canada (1960 for Aboriginal women), Australia (1962 for Indigenous women), and the United States (1965 for women of African-American descent), have now taken concrete measures towards gender-inclusive legislation and communication.
- Canada’s Department of Justice has guidelines for using **gender-neutral language in all forms of legislation and legal documentation**; the Australian government has incorporated gender-neutrality in its drafting Style Manual; the U.K.’s House of Commons declared in 2007 that all laws would be drafted gender-neutrally.
- When Parliament and government offices reinforce gender biases in their communication, stereotypical language in reference to women and transgender people becomes more palatable to the rest of the country.
- The country’s leaders must send the right message for citizens to follow. They can and must begin with an amendment to the Constitution and the entire reservoir of laws.

Aspiration:

- Once the language is corrected, the entire country, including Parliament, can focus on the deeper issues of the aspirations and growth of its woman workforce.
- **In 2018, the U.K. Parliament conducted a gender audit** to understand its culture, environment, and policies as a workspace.
- If the report is any indication as to what might also be the scenario in the Indian Parliament, with an even lesser number of women employees, it opens questions about whether there is a single, transparent appointment and promotion process for women staff in Parliament, and whether their professional growth is being hindered by other issues such as harassment and domestic responsibilities.

Way Forward:

- Recognition and correction of past errors through amendments to rulebooks, laws, and the Constitution are just starting points, and must lead to sensitivity, equal treatment, and appreciation for the people of India, regardless of gender.