

# Minorities and Political Under-Representation in India: An Analysis of Muslim Minority in 2019 Lok Sabha

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## Abstract

Every person and community has right to influence the decision that affects them and be equally represented in policy making, particularly more important when it comes to minorities. Lack of share in power structure is an essential issue of why minorities matter because with lack of power comes feeling of exclusion. Adequate political representation is one of the most important ground for minorities to remain empowered and live without discrimination and violation of their human rights and threat and fear of persecution and violence against them. Politically empowered minorities also remain socially, economically, and educationally empowered, because when minorities have a good and proportionally equal representation in legislation and policy making, there is a lesser chance of any anti-minority legislation; there will be no discrimination in socio-economic benefits; and also other constitutional provisions of rights and equality will be fulfilled. Minorities, like all people have a right to participate in the political and economic decisions of the country and the community, but with their lack of representation and power, particular steps and measures are needed to ensure that they can. This paper analyzes the 2019 Lok Sabha elections in India and the causes and consequences of under-representation of minorities especially Muslims and it also suggest ways to improving representation.

**Keywords:** Minorities, Human Rights, Under-representation, Lok Sabha

## Introduction

India is one of the most religiously diverse country and the largest democracy in the world. Being the religiously plural country it constitutes all the major religions of the world including Hinduism, Islam, Christianity, Sikhism, Buddhism, Jainism, etc. Hinduism is the majority religion of India with more than eighty per cent of total population, while others are in minority, where Muslims are the largest religious minority constituting more than fourteen per cent according to 2011 census. (Census 2011).

India is the world's largest democracy, where citizens have equal political rights based on the system of universal adult franchise. The framers of the Constitution of India inserted all the important civil and political rights and socio-economic and cultural rights as fundamental rights and directive principles of state policy in the Constitution. There is also the system of affirmative action and reservation in employment, education and elections for some communities based on social backwardness given in the Constitution under Article 15 and 16 (Basu 2011). Accordingly, there is reservation of seats for some communities based on social backwardness in state legislatures and Parliament (Basu 2011). Minorities in India, though, are also economically, educationally and politically backward groups, (Report 2006) but they don't get the benefits of reservation in legislatures because minorities in India are categorized on the basis of religion and there is no religion based or communal reservation in India (Presidential Order of 1950). This paper will look first at the facts and data relating to the number of minorities in Parliament; then the causes and consequences of minorities' under-representation, examining some of the issues affecting the participation process and mechanisms to facilitate minority participation; and finally, it will present some conclusions and suggestions for ways forward.



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The framers of the Constitution, while discussing the rights of minorities also discussed the reservation of seats in Parliament. The Sub-Committee on Minorities headed by H C Mukherjee which was appointed by the Advisory Committee on Fundamental Rights and Minorities etc., was tasked with providing the adequate safeguards for minorities. The Sub-Committee analyzed the question of reservation to minorities together with the SCs and STs in jobs and legislatures. The Sub-Committee prepared a questionnaire on economic and political protections for religious minorities and developing a body that looks after the interests and affairs of minorities in view of constitutional rights of minorities. In its July 27, 1947 report, the Sub-Committee while rejecting the system of separate electorates, recommended reservation for religious minorities under joint electorate method, and also recommended reservation in public services. The Advisory Committee headed by Sardar Patel acknowledged many recommendations of the Sub-Committee including reserved seats in legislatures for religious minorities, among other things (Seervai 1967).

The Constituent Assembly on August 28, 1947, adopted the recommendations in the report of the Advisory Committee, which was regarding minorities' quota in legislatures and in February of 1948, these recommendations were inserted in Part 14 as "Special Provisions Relating to Minorities" in the Draft Constitution. Articles 292 to 294 of the Draft Constitution were related with the reservation of seats for religious minorities in Central and state legislative assemblies. This status was maintained by the

Constituent Assembly till April of 1949, but in the May of 1949, on the question of Advisory Committee, the Constituent Assembly again opened the already discussed and accepted issue of rights of minorities. The debate led to the abolition of provisions on special rights and protection of minorities including their reservation in legislatures (Seervai).

#### **Muslims Representation in Lok Sabha**

To protect the rights of minorities given under the Constitution some special measures of affirmative action and reservation are always required which were taken away from minorities and now they are left with no special political right. When the minorities who are numerically inferior and politically non-dominant will fight along with peoples of majority who are both numerically stronger and politically dominant are very much expected to lose and suffer and especially in democracies where the number counts, minorities will never be in equality with the majority.

The Constitution of India, though, has given equal political rights and opportunities to every citizen to participate and contest elections through different means, the minorities and especially Muslims are not equally benefitted. After independence many political parties came into existence and contested election. The minorities also enjoyed this opportunity and actively participated in the India political system, but their representation in law making especially of Muslims was limited to somehow. The following data shows the representation of Muslims in the Lower House of the Parliament:

**Table: Representations of Muslims in Lok Sabha, 1952-2019**

Sr. No.	Year	Total Population of Muslims in Per Cent	Muslims Expected on the Basis of Population	Number of Muslims Elected and Total Seats	Percentage of Muslims Elected
1.	1952	9.91	49	21/489	4.29
2.	1957	9.91	49	24/494	4.86
3.	1962	10.69	53	23/494	4.66
4.	1967	10.69	56	29/520	5.58
5.	1971	11.21	58	30/518	5.79
6.	1977	11.21	61	34/542	6.27
7.	1980	11.21	59	49/529	9.26
8.	1984	11.35	62	46/542	8.49
9.	1989	11.35	60	33/529	6.24
10.	1991	12.12	65	28/534	5.25
11.	1996	12.12	66	28/543	5.15
12.	1998	12.12	66	29/543	5.34
13.	1999	12.12	66	32/543	5.89
14.	2004	12.12	66	36/543	6.62
15.	2009	13.40	73	28/543	5.15
16.	2014	14.23	77	23/543	4.23
17.	2019	14.23	77	27/543	4.97

**Source: Table prepared with the help of Reports of Census of India and Election Commission of India. (Census of India, 2011), (Election Commission of India, <https://eci.gov.in/>)**

It can be learned from the above table that the proportion of Muslims in the Lok Sabha has always remained at very low level in comparison to their population. Since Independence, it mostly revolved around five per cent, with sometimes as high only around eight to nine per cent during the 1980 and

1984 elections which was still far behind their population proportion and sometimes as low as around four per cent i.e. in 1952 and 2014, which is a serious problem for any minority community and issue of thinking and research for social researchers and academicians.

The seventeenth Lok Sabha (2019 to 2024) concerning representation of Muslims also have very poor numbers. The 2019 general election results have one of the lowest numbers for minorities especially Muslims in India since its Independence. The results are a serious concern for the Muslim community in India with a low level of representation in Parliament. This under-representation in policy-making and law making has severe adverse effects on the Muslim community. With a population of 14.23 per cent, according to 2011 census, Muslims forms the largest minority community in India and accordingly, proportionally their numbers should be 77 in the Lower House of the Parliament but there are only 27 Muslim Parliamentarians in the seventeenth Lok Sabha, (Election Commission of India) which is far below their expected share. When there is no proper or at least proportional representation of any community in central legislature, in such a situation it becomes very difficult for any community to make their voices heard in the Parliament in law and policy making. And there are also high chances that discriminatory and sometimes anti-minority laws are enacted, which further leads to the suffering of minorities. For example, the passage of Citizenship (Amendment) Act of 2019 together with the policy of maintaining National Register of Citizens is unacceptable to Muslim minority in India because of the fear of losing the citizenship as has been seen with the NRC in Assam, where around two million Indian citizens became doubtful of their citizenship and their names are excluded from the citizen's register and are burdened to prove their citizenship. Although the new citizenship law is unacceptable to Muslim and they even felt it anti-Muslim and unconstitutional but the Act was passed without any opposition in the Parliament because of under-representation of Muslims in Parliament (HRW Report 2020).

The total number of Muslim parliamentarians won in the 17th general election has increased by four with the previous 2014 Lok Sabha, totaling 27 members, most of whom are from the Congress and the Trinamool Congress. Uttar Pradesh and West Bengal having large Muslim population have six legislators each from the Muslim community. In the 2014 general elections, no Muslim candidate had won from Uttar Pradesh. Three each Muslim member from Bahujan Samaj Party and Samajwadi Party from Uttar Pradesh represent in the Lok Sabha. The Congress party had fielded six Muslim candidates from Uttar Pradesh, but none of them could win a seat. From West Bengal five Muslims members of the Trinamool Congress party and one from the Congress party represent in the Lok Sabha. Jammu and Kashmir, then a Muslim-majority state has three MPs, all from the National Conference. Bihar could only sent two MPs from the Muslim community, which earlier had four Muslim MPs in the sixteenth Lok Sabha. Three Muslim parliamentarians from Kerala and two from Assam represent in the 17th Lok Sabha. A Muslim member of the Nationalist Congress Party won the only seat of Lakshadweep. The Congress also won the Faridkot constituency from Punjab. Indian Union

Muslim League candidate won the Ramanathapuram constituency in Tamil Nadu. The All India Majlis-e-Ittehad-ul-Muslimeen have two members in Parliament of which party head Asaduddin Owaisi represents from Telangana's Hyderabad constituency and another member represents from Aurangabad in Maharashtra (Election Commission of India).

The Muslim minorities are not only far behind from the majority community in representation in Parliament, but also with the other religious minorities which are far numerically inferior to Muslims. The other prominent religious minorities in India includes: Sikhs, Christians, Jains, Buddhists and Parsis. These are the small minorities in percentage as compared to Muslims who forms the largest religious minority in India with population of 14.23 per cent. Religious minorities other than Muslims have also low representation in Parliament but they are better represented than Muslim minorities. Other significant minorities, apart from Muslims, are Christians and Sikhs. Christians constitutes 2.30 per cent and Sikhs constitutes 1.70 per cent of total population according to the Census 2011. Thus, both the communities constitute more than 4 per cent of total population and also have around 4 per cent share in the country's Parliament. Sikhs have proportionally more representation in Parliament than their population i.e. they have 2.39 per cent representation in Parliament while their population is only 1.72 per cent. India has 13 Sikh MPs in the Lok Sabha, where Punjab, with 13 Lok Sabha seats, has 10 Sikh MPs, while three others from other states (Times of India 2019). The only reason of why Sikhs have a good representation in Parliament is that Punjab is the Sikh majority state with more than 57 per cent of Sikh population and the political parties in Punjab are Sikh-dominated and Sikh-centric. While the Christians form the third largest minority community in India after Hindus and Muslims and are dominant in Nagaland and Mizoram with around 90 per cent of the population, and in Meghalaya, Christians account for 74 per cent of total population. Goa and Kerala have also good population of Christians with 25 per cent and 18 per cent of the total population respectively (The Print Report). Thus, both the Sikhs and Christians are well represented in Parliament in comparison to Muslim minorities, where Sikhs have proportionally more share than their population while Christians are lesser represented in comparison to their population. In terms of communal share, more than 90 per cent of the total MPs of the seventeenth Lok Sabha are Hindus. Around 5 per cent of the total members of Parliament are Muslims. Other religious minorities, such as Sikhs and Christians, represent 4% of the MPs (Hindustan Times).

#### **Causes and Consequences of Under-Representation of Muslims**

Fundamental rights including various civil and political rights guaranteed and granted to every citizen the right to political participation together with right to vote, right to form political parties, right to contest election, right to be represented in Parliament, etc. Accordingly, Muslims in India have also enjoyed these rights and participated in political system

through their political rights granted by the Constitution of India. But their representation in law making has always been and remained very low and insufficient due to various reasons. Although the Constitution provided various civil and political rights to every citizen of India on the basis of equality and non-discrimination, these rights and protections remained ineffective as far as Muslims representation in Parliament is concerned. Being the minority community Muslims should have the reservation in legislatures together with Scheduled Castes and Scheduled Tribes so as to be properly represented in Parliament. As discussed previously, the reversal in the Constituent Assembly and the denial of reservation of seats in legislatures have adversely affected the most to Muslims.

Reservation of some seats for SCs and STs in Muslim concentrated areas also added in the under-representation of Muslims by blocking the seats for Muslims where they have far better chance to win the election. For instance, Karimganj in Assam has more than 55 per cent of Muslim population but is reserved for SC, Bahraich in Uttar Pradesh is another example of seat reserved for SC where Muslims constitute more than 30 per cent, others include Birbhum in West Bengal with more than 35 per cent Muslim population is reserved, and Rajmahal in Jharkhand has 47 per cent Muslim population and is reserved for ST (Ansari 2005). The Sachar Committee Report recommended the government for removal of anomalies in reserved constituencies (Sachar 2006).

The under representation of Muslims in India can also be understood with the majoritarian first-past-the-post-system. The first-past-the post system of election in India is a highly responsible reason for minorities' under-representation in legislatures. This system only promotes the dominant group of elites and leave behind a large group under-represented. This system of election may be good for democratic countries where there is two-party system and where population is largely homogenous and less diverse. But in Indian democracy, where society is largely diverse and divided, this system remains unfit. It discriminates the minorities in power sharing structure and leave behind a large population unrepresented. This system disfavors Muslim minorities who are geographically and politically scattered. Lijphart's Consociationalism, involving power sharing among groups in the executive, mostly through reserved seats in ministries, and autonomy arrangements, allowing sections of society to take important decisions on matters affecting them can be very fruitful for Muslim minorities in India. This system is supported by proportional representation and a veto power for each minority group on issues concerning them (Lijphart 2008).

In the Constituent Assembly it was argued that the representation of minority opinion in legislature was important form point of democracy, as it will lower the chances of concentration of power in one single party and increase the chance of coalitions and strong oppositions. It was argued that proportional representation would do the best for the same. It is more effective in terms of equality,

participation, accountability and power sharing which leads to more efficient governance in a democratic set-up. The proposals for proportional representation in the Constituent Assembly debates was not accepted and it was argued that it will promote separatism but this idea has been proved false by the countries following proportional representation system around the world. For example we take the case of some European countries, most importantly, Switzerland, Sweden, etc. The proportional representation system promotes greater minority accommodation than plural systems do. This system also proved to be more stable and effective. There is high representativeness and high voter turnout which make proportional representation system relatively successful in maintaining law and order, economic growth and stability, etc. The proportional representation systems around the world are proven to be more effective and successful in strengthening minority representation and protecting the democratic features of any country and on the other hand majoritarian systems weaken it (Baldwin).

Besides, no affirmative action program and no reservation to Muslims in legislature; unfavorable demographic structure; and practice of the majoritarian first-past-the-post-system, the system of polity in India including the nature of political parties, communalization of politics and majoritarian politics, etc., have also played a negative role in under-representation of Muslim minorities in Lower House of the Parliament. After Independence, there was no major Muslim political party in India. Most of the Muslims supported and joined the Congress party at national level. After three decades, the rise of the regional parties on the basis of caste, language and region, shifted a large portion of Muslims to these parties. The political parties i.e., Congress at the national level and Samajwadi Party, Bahujan Samaj Party, Trinamool Congress, Dravida Munnetra Kagazam, Rashtriya Janata Dal, Janta Dal United, etc., at state levels having high Muslim support did not proved very inclusive and thus, Muslims suffered despite giving large support to these parties and this led to their under-representation. While democratic representation has dropped in the recent BJP wave, Muslims have always had low representation in the permanent sections of the Indian state. Various political scientists and experts believe that anti-Muslim feelings has led to fewer Muslim candidates by political parties. Fearing being tagged "anti-Hindu", the Congress and other parties are refraining from promoting Muslim candidates (Scroll 2019).

Religious minorities are also being excluded from political participation through various other ways. National politics based on an exclusive idea of nationhood where people's and country's identity is understood in terms of hegemony of one or few religious groups, while other groups which constitute part of the country are excluded implicitly or explicitly (Minority Rights Group). Before the rise of the communal politics in 1990's, the seventh and eighth Lok Sabha elections in 1980 and 1984 proved the best in terms of Muslims representation in Parliament. In 1980, the total Muslim population was 11.2 per cent

and the Muslims in Parliament were 49 which was 9.2 per cent which is the best ever till date. Similar were the results in 1984, when there were 46 Muslim Parliamentarians. Since 1990s, with the rise of communal parties and politics, the graph of Muslims representation in Parliament fell down which came to least in 2014, with only 4.2 per cent Muslims in Parliament when their population was 14.2 per cent of the total population. This extreme marginalization is the result of high level of communalization. The constituencies where there was the maximum chance for any Muslim candidate to win the election, the rise of the Bhartiya Janata Party with Prime Minister Narendra Modi as its face totally communally polarized the voting process, thus Muslims losing the seats, despite having the winning numbers.

The latest i.e. the seventeenth lok sabha in 2019 showed a little progress for Muslims as compared to 2014 results. There were only 23 Muslim MPs in 2014, which in 2019 increased to 27, showing a little improvement in Muslim representation but which is still far behind the required and expected number of Muslims in Parliament. With a population of more than fourteen per cent, Muslims possess less than even five per cent seats in Parliament which shows a high degree of marginalization and backwardness and this pattern needs improvement in the political system for the democracy to be more inclusive and strong.

### **Conclusion**

Even though the Constitution provided human rights on the basis of equality of all religions and stressed that there should be no discrimination on the ground only of religion. Thus, minorities including Muslims in India are constitutionally protected, but in practice it has been seen that there are large-scale violations of the rights of minorities, there are cases of discriminatory laws, violence and crimes against minorities, and their constitutional rights are not easily fulfilled and implemented. In democracies, voices matters a lot which are and can be heard in the Parliament, but when there is lesser representation of any group, it is bound to suffer. Minority rights are often not implemented without political representation of minorities themselves. Conflict erupts when minorities are denied a voice or discriminated in political matters affecting their lives because a political power is the key to the fulfillment of all other human rights. When there is under-representation, minorities will fail to influence government policy and practice resulting in for instance exclusion from education and employment opportunities. In majoritarian democracies, majority community rules and enact laws and makes policies with negligible or no involvement of members of minorities in legislatures. Sometimes anti-minority and discriminatory laws are enacted in legislatures which adversely affects and poses a threat to security of minorities and thus to the democratic essence of any country.

Adequate political representation of minorities in a democracy is important for the overall growth and development of any country and not only for the empowerment of minorities. The politics of exclusion will pull the country backward because

when a large portion of population of any country suffers and is under-represented and remain backward, the country grow and develop at less pace and sometimes it remain under-developed. Representation of the peoples being the most important feature of any democracy, so for the successful functioning of the Indian democracy, India has to accommodate all the sections of the society including minorities in the decision-making body.

To accommodate and include all the sections of the society in policy and law-making and power sharing, a system of proportional representation is required. A system where minorities would have equal share in society, economy and polity will be the best for Indian societal structure to run smoothly and grow at fast pace. The India polity should be based on important elements of power sharing theory including large coalition governments with representation from all religious, linguistic and regional groups; cultural autonomy for these groups; proportional representation in public services and legislatures; and a system where there is a check on any anti-minority laws and practices. Formal (given in Constitution) and informal mechanisms to protect political rights of minorities and to promote political participation of minorities can be established at the national and state level. At the national level, a common arrangement to reserve quotas for religious minorities which can be reserving seats in Parliament and fixing some ministerial positions in the government. Affirmative action in the form of modifying boundaries to create minority-dominated constituencies to ensure that minorities are elected in certain districts will give assurance to religious minorities and this process will not be at the cost of majority peoples' because changing the boundaries will not only reserve more minority dominated electoral constituencies, but it also means more seats in which majority community voters dominate. Political parties based on, among other things, protection and promotion of rights and identity of minority community can play a good role in raising minority voice in Parliament, which will genuinely be desired by a community, especially one that has always been discriminated and excluded. With freedom to associate, minorities will themselves decide how they are represented and what their priorities are.

Reserving the seats and increasing the number of minority members in Parliament will strengthen and empower the voice of religious minorities in socio-economic and political life and this, further, will raise goodwill on the part of the State and will play an important role in creating an inclusive atmosphere where minorities will feel safe and can identify with and strongly feel inclusive part of the nation.

### **References**

1. Ansari, Iqbal A. (2005) *Political Representation of Muslims in India 1952-2004*, Manak Publications, Delhi.
2. Article 15 and 16 of the Constitution of India in their different clauses provides for special provisions for any socially and educationally backward classes and SCs and STs; and

- provision for the reservation of appointments or posts in favor of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State, see D D Basu, *Introduction to the Constitution of India* (Nagpur: LexisNexis Butterworths Wadhwa, 2011).
3. CAA, NRC may affect status of India's Muslim minority: Congressional Research Service, *The Hindu*, December 27, 2019, <https://www.thehindu.com/news/international/caa-nrc-may-affect-status-of-indias-muslim-minority-congressional-research-service/article30409109.ece>
  4. Canada has 18 Sikh MPs, India only 13 in Lok Sabha, *Times of India*, October 23, 2019, <https://timesofindia.indiatimes.com/india/canada-has-18-sikh-mps-india-only-13-in-lok-sabha/articleshow/71714142.cms>
  5. Clive Baldwin, Chris Chapman and Zoë Gray, *Minority Rights: The Key to Conflict Prevention*, <https://minorityrights.org/wp-content/uploads/old-site-downloads/download-174-Minority-Rights-The-Key-to-Conflict-Prevention.pdf>
  6. Directorate of Census Operation, Government of India, *Census of India* (New Delhi; Registrar General of India, 2011).
  7. Election Commission of India, <https://eci.gov.in/>
  8. Government of India, *Socio, Economic and Educational Status of Muslim Community of India* (New Delhi: Cabinet Secretariat, 2006).
  9. Lijphart, Arendt (2008) *Thinking About Democracy: Power Sharing and Majority Rule in Theory and Practice*, Routledge, New Delhi
  10. Presidential Order of 1950 denies Muslims and Christians Dalits or Dalit converts to Islam and Christianity the special privileges and reservations that they are entitled to receive as SCs and OBCs.
  11. 2019 Lok Sabha election results: Only 27 Muslim MPs elected to Parliament, none from the BJP, Uttar Pradesh and West Bengal together will send 12 Muslim MPs to the Lok Sabha, May 24, 2019, <https://scroll.in/latest/924627/2019-lok-sabha-election-results-only-24-muslim-mps-elected-to-parliament-none-from-the-bjp>
  12. Seervai, H. M. (1967) *Constitutional Law of India*, Universal Publishing Company Pvt. Ltd.
  13. "Shoot the Traitors" Discrimination Against Muslims under India's New Citizenship Policy, April 9, 2020, <https://www.hrw.org/report/2020/04/09/shoot-traitors/discrimination-against-muslims-under-indias-new-citizenship-policy>
  14. <https://theprint.in/politics/why-there-are-no-christians-among-modis-ministers-or-in-bjps-top-decision-making-bodies/293403/>
  15. <https://www.hindustantimes.com/lok-sabha-elections/from-faith-to-gender-and-profession-to-caste-a-profile-of-the-17th-lok-sabha/story-Mnp5M4pRX3aUji1UFFVy2N.html...>
  16. <https://minorityrights.org/wp-content/uploads/old-site-downloads/download-174-Minority-Rights-The-Key-to-Conflict-Prevention.pdf>