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The Dramaturgy of Ritual Performances

in Indian Parliamentary Debates

by

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Delhi.

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Most of all, I thank the Divine for making this all come together in the way it has. It has been an unforgettable journey that has transformed me on so many different levels and set me upon a career path that I had not envisioned previously.

DECLARATION

I, Bairavee Balasubramaniam, hereby declare that all the material presented for examination within this thesis is entirely my own work and has not been written for me, in whole or in part, by any other person. The material in this thesis not been submitted for examination at any other educational institution apart from the University of Warwick. All materials used from secondary and primary sources of data (such as interviews, archival material, etc.) have been appropriately cited and acknowledged.

Bairavee Balasubramaniam

22.01.2013, Coventry

~ This thesis is dedicated to all my loved ones, in this realm and the next ~

ABSTRACT

The content, style and form of MPs' performances on the floor of both Houses of the Indian Parliament has undergone dramatic change within the last decade. For example, 97% of the productive hours of the Winter (Nov-Dec) 2010 Session were lost due to intense disruption by MPs across the political spectrum seeking to stall the House. Moreover, an increasing number of Bills are debated for less than an hour, if at all, on the floor of Parliament - raising the conceptual question of whether legislation can still be considered one of parliament's key functions in India. These changes require, at the very least, an attempt to re-conceptualize the meaning and significance attributed to various tropes of parliamentary performances, including those which seemingly subvert all notions of parliamentary procedure, decorum and etiquette. In my thesis, I adopt a novel interdisciplinary analytical framework, drawing upon performance studies, micro-sociological dramaturgy of face-to-face interaction, interpretations of procedural invocations, rhetorical political analysis and the study of political rituals. My primary research question was whether the concept of ritual could usefully be mapped onto performances of debates in the Indian parliamentary context. I then asked what the significance of the absence or presence of rituals in this context would mean. Two case were studies selected for this analysis, namely the Prevention of Terrorism Act (2001-2004) and the Women's Reservation Bill (1996-2011), informed by a more general ethnography of the Indian Parliament undertaken for this research. Both studies were chosen using the logic of 'extreme case study selection' as these performances exhibit extreme forms of dramaturgical violence, protest and polarized rhetoric that is increasingly reflective of the everyday performances of the Indian Parliament. In my research, I have adopted an interpretivist-constructivist approach to the ethnographic method and have conducted two tranches of field research in New Delhi for that purpose. My analysis demonstrates the presence of a diverse range of rituals of debate being performed simultaneously during the legislative process within the Indian Parliament, namely, procedural rituals, interpersonal rituals and disruptive rituals. These findings corroborate the broader argument that the study of rituals are integral to an understanding of parliamentary processes. Moreover, instead of dismissing certain aspects of performance (e.g. physical obstruction of debate) as being symptomatic of what many scholars have called the 'decline of parliament', my findings support the cause for re-signifying, or re-reading parliamentary disruption as supporting, rather than diminishing, the processes of political representation and widening the spectrum of forms of political action considered as legitimate modes of political deliberation. The evolution of these newer, sometimes disruptive, forms of representative ritual can be read into wider processes of vernacularization and mediatization currently transforming the ethos, identity and *modus operandi* of the Indian Parliament.

LIST OF ABBREVIATIONS

AIADMK   All-India Dravida Munnetra Kazhagham

AVLS   Lok Sabha Audio-Visual Footage

AVRS   Rajya Sabha Audio-Visual Footage

BJP   Bharatiya Janata Party

BSP   Bahujan Samaj Party

DMK   Dravida Munnetra Kazhagham

INC   Indian National Congress

JD (U)   Janata Dal (United)

LS / LSD   Lok Sabha - Lower House of Parliament of India / Lok Sabha Debates

MLKSC   Muslim League Kerala State Committee

MP   Member of Parliament

NDA   National Democratic Alliance

OBC   Other Backward Caste/s

PM   Prime Minister

PMK   Pattali Makkal Katchi

POTA   Prevention of Terrorism Act

POTO   Prevention of Terrorism Ordinance

UPA   United Progressive Alliance

RJD   Rashtriya Janata Dal

RS / RSD   Rajya Sabha – Upper House of Indian Parliament / Rajya Sabha Debates

SC/ST   Scheduled Castes / Scheduled Tribes

SP   Samajwadi Party

SS   Shiv Sena

WRB   Women's Reservation Bill

LIST OF TABLES USED

CHAPTER 1: INTRODUCTION

In this chapter, I will present my research puzzle, key research questions and research objectives towards developing the main argument of this thesis. Then, I will outline the key academic contributions of thesis within the discipline of political science and legislative studies disciplinary context. A chapter-by-chapter summary of the thesis concludes this introductory chapter.

> *Parliament is the mirror of the time and symbol of the hopes and aspirations of the society . Therefore, people's acrimony, grudges, dearth and injustice, if any done to them, are always reflected and must be reflected... [but]what is the need of stalling the proceedings for several days?*

> ~ Former Prime Minister of India Atal Bihari Vajpayee,

> (LSD 22-12-00, 274-275)[1]

In the eyes of many MPs, bureaucrats, civil servants and persons associated with the parliamentary institution, the Indian Parliament is surrounded by an aura of dignity and prestige as the nation's "temple of democracy" (Spary 2010, 339). The pomp and solemnity associated with ceremonies such as the Opening Ceremony and President's Address to both Houses of Parliament, as well as the grand architectural style of the parliamentary building corroborate this vision symbolically and aesthetically. Evaluating its everyday performances, the Indian media, academics and long-time observers of the Indian Parliament lament upon the "decline" of parliamentary

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[1] The Lok Sabha is the Lower House of the Indian Parliament, or the House of the People. Every five years (unless the government dissolves prematurely), a new Lok Sabha is elected to the House. Currently, the 15th Lok Sabha (2009-ongoing) is in session. LSD refers to Lok Sabha Debates.

standards as manifested in scenes of disruption, disorder and political mud-slinging that have begun to dominate the 'character' of institutional proceedings (Kashyap 2005, para 3; Chatterjee 2007, para. 5; Rubinoff 1998, 29)[2]. Within Indian press coverage, and in everyday parlance, these scenes of disruption are termed as: *tamasha* (spectacle, theatre; Koyal 29-8-2012, para. 4), *hulla gulla* (noisy scene of protest, spectacle; Kulkarni 26-8-2008, para. 1) and *hungama* (commotion; Pandey 13-6-2004, para. 1), alluding to the sensational, spectacular and theatrical nature of parliamentary proceedings.

Between the 13th and 15th (current) Lok Sabhas, i.e. 1999-2011, an average of 25% of productive time is lost per session on disruptive behaviours enacted on the floor of the House, e.g. all-party boycotts, protests, walkouts and other disturbances that prevent the House from conducting parliamentary business . The increase of disruptive activity has corresponded with an increase in the percentage of Bills passed on the floor of the House with less than an hour of discussion, if any is conducted (see Chapter 4).

Disruption has increasingly been characterized as the tone of the proceedings in recent Lok Sabhas with no signs of abating. For example, in the Winter Session of (November-December) 2010, 94% of productive time was lost as MPs stormed into the Well of the House waving banners and chanting slogans at the start of the day's business. Out of 23 days of sitting, Parliament could only conduct business on the first day of the session as business was thwarted on all other days due to these disruptive tactics (Malik 2010, 1).

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[2]   Subash Kashyap is a former Secretary-General of the Lok Sabha, whereas Somnath Chatterjee is a former Speaker of the Lok Sabha. The two represent voices from *within* the parliamentary institution, i.e. an 'insiders' view, lamenting upon parliament's decline in India.

Similarly, on 8 March 2010, the Presiding Officer of the Upper House, or Rajya Sabha (who is the Vice-President of India) and the Secretary General of Parliament were 'nearly-assaulted' in a fracas created by 7 dissenting male MPs from regional parties, i.e. state-level parties (as opposed to national parties) that have influence in more than 1 state, who were protesting the proposed passage of a Bill to reserve 33% of Lok Sabha seats for women MPs (Gandhi 2010, para. 9; Economic Times 9-03-10, para. 5; AVRS 9-3-10)[3][4]. The dissenting MPs shouted slogans in the Well of the House, tore papers on the Clerks' Table, wrenched microphones from the Presiding Officer's dais and did not allow even unrelated business to proceed on the day. Refusing to cease their protest (despite overwhelming support from a large majority of MPs – only 1 MP voted against the Bill in the end), the disrupting MPs sat in the Well of the House[5] till they were forcibly evicted by House Marshalls (Press Trust of India 2010b, para. 2; Business Standard 10-03-10, para. 5).

These "unprecedented" (Business Standard 10-3-10, para. 1) scenes of dramatic disruption have been described as "an erosion of decorum and gravitas in parliamentary proceedings" (Raman 2011, para. 1), symptoms of parliamentary decline (Kashyap 2005, para. 3), as "black day[s]" (Ramarao 23-07-08, para. 7) in the institution's history and so on. These descriptions, emanating both from within and beyond the parliamentary institution – at least superficially – contradict the images of solemnity, dignity and august importance afforded to parliament.

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[3] The Women's Reservation Bill Debates constitute one of my case studies, and so this particular example will be explored in further depth in later chapters.

[4] AV refers to audio-visual footage procured. LS refers to the Lok Sabha (Lower House) and RS refers to the Rajya Sabha (Upper House). AVRS therefore refers to audio-visual footage from the Upper House.

[5] The Well of the House refers to the space immediately in front of the front benches of MPs' seats. The Secretary General of the Indian Parliament is seated here, at the Table of Clerks, which stands in front of the elevated Speaker's dais. Members are encouraged to send written messages born by designated message-bearers to and fro between the aisles of MPs' seats and the Speaker's dais.

A common explanation given by academics, former parliamentary officials (e.g. the Secretary General, Lok Sabha Speaker, see footnote 2) is that such scenes reflect the "decline of parliament". Even if this were to be true, the 'decline' hypothesis is used too broadly to explain a variety of phenomena in the Indian and other national contexts, ranging from the induction of more MPs with criminal convictions, to fewer sittings in the House, etc. (Kashyap 2005, paras. 4-5 and 10-12; Elgie and Stapleton 2006, 468-489) and is therefore too vague to provide a specific explanation of the processes leading to such institutional change. Contemporary political scientists have begun to question the 'decline' hypothesis, with some going to far as to deem it 'too simplistic' and as a "relatively blunt instrument for dissecting complex socio-political relationships" (Baldwin 2004, 301-302; Flinders and Kelso 2011, 249, see also Elgie and Stapleton 2006, Baaklini 1976).

As further 'proof' of the Indian Parliament's decline, commentators point to the lessening of time spent on verbal discussion on the floor of the House to pass legislation. Almost a third of bills are passed without public debate, with most debates concluded within 1-2 hours. One can question how well such time limits facilitate the expressions of so many diverse views in a country as complex and heterogeneous as India!

Nevertheless, the Indian parliament continues to be significant as a political institution and commentary on its proceedings form a part of a broader political discourse. Empirical indicators such as the increase in public participation in elections, the media and public attention paid to politically critical moments (such as trust votes, etc.) in parliament (Mukherjee 2008, para. 1; Padmanabhan 2008)[6], and

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[6]   During the Motion of No-Confidence (or Trust Vote) that took place in the Lok Sabha on July 22nd, 2008, viewership statistics from a single channel, i.e. Lok Sabha T.V., estimate that over 6.4

the importance afforded to parliamentary proceedings in the public sphere (where

they are broadcast on several 24-hour rolling news stations; Padmanabhan 2008,

paras. 6-8) corroborate the need for critically investigating the applicability of the

decline hypothesis or reformulating alternate conceptual frames to interpret the

significance of Indian parliamentary performances[7].

Towards that goal, I aim to re-conceptualize the performance of parliamentary debate

in the Indian context using analytical lenses such as 'ritual', 'performance',

'dramaturgy' and 'rhetoric', facilitating the re-integration of (generally excluded)

stylistic, theatrical, affective, dramatic elements of legislation within a political

analysis. I argue that such lenses will shed further insight on the tensions between

dignity and disruption, majesty and mayhem as seen on the floor of the Houses of the

Indian Parliament.

The goal of this thesis will be to steadily provide a incremental analysis of the role of

elements of rhetoric, procedure and dramaturgy in legislative performances on the

floor of the Indian Parliament, leading up to the identification of sub-rituals of

legislation and their representative functions. This finding is significant in that it

posits an alternative to the traditional 'decline' narrative and more accurately maps

the multitude of performative dynamics at play within legislation in the Indian

context. Moreover, it questions the traditional (Western-centric) understanding of

political deliberation – defined here in a very minimal, non-normative fashion – as

"a process of public reasoning geared toward generating political decisions or public

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million viewers watched the trust vote (Mukherjee 2008, para. 3), a four-fold increase from normal
viewership. Viewership peaked around the time Opposition MPs waved wads of Indian rupees
claiming that they had been bribed to vote in favour of the Government (Mukherjee 2008, para. 2).

[7] According to Somnath Chatterjee, former Speaker of the Lok Sabha, MPs have tended to disrupt
the House's proceedings because the "media noticed uproars more than debates" (Indo-Asian
News Service 2006, para. 2)

opinion about how to resolve shared problems" (Smith and Brassett 2008, 72; Kapoor 2002, 461-462). The following paragraphs delineate how and why my thesis achieves the conclusions that it does.

1.1. Research Puzzle, The Decline and Continued Significance of the Indian Parliament

As discussed above, the persistence of disruptive performance that detracts from time spent on legislation on the floor of the Houses of the Indian Parliament is often dismissed as being symptomatic of a 'decline of parliament' (Kashyap 2005, para. 3). Some scholars would go further to claim that parliament's "status … in public esteem" has been "hugely defamed by the disorder which marks – or mars – its 'deliberations' [author's emphasis]" (Chopra 2004, 3357). The origins of the 'decline' hypothesis reveal some its key assumptions, many of which do not fit with observed realities of day-to-day functioning of parliaments (Elgie and Stapleton 2006, 482), and which do not account for the complexities engendered in ethnically, racially and religiously diverse post-colonial societies such as India engaged in processes of rapid social, economic and political transformation (Baaklini 1976, 578-579). Moreover, the continued significance of parliament in the Indian context and the vast financial expense incurred by the government to run it defies the 'decline' explanation.

Beginning with early commentators in the 19th century (most famously, Lord Bryce), scholars have claimed that legislatures are in a state of decline. Bryce (in Norton 1990, 47), like many contemporary scholars today, argue that the executive dominates the policy-making process, leaving the legislature as a rubber-stamping

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machine of governmental policy. As the legislature has always been the most democratic element in a polity, as (1) its members are directly elected (or nominated by legitimate bodies, especially in the upper house), (2) they are often more representative than the executive and (3) members are directly accountable and have more local connections with their constituents, its decline would mean a decline in the quality of democracy (Johnson 2005, 2-3; Ornstein 1992, paras 6-10). The social and political chances brought about by industrialization, mass enfranchisement and the "cancerous growth" of party politics in the 19th century were initially attributed as causes of 'parliamentary decline' (Norton, 1990, 5). In the contemporary Indian context, the causes of decline are attributed to the "character" of MPs and their inability or unwillingness to adhere to parliamentary procedures, preferring instead to resort to disruption and stalling of proceedings (Kashyap 2005, para 3; Chatterjee 2007, para. 5; Rubinoff 1998, 29). As argued earlier, empirical indicators demonstrate the continued significance of the Indian Parliament, as is also echoed when viewed through a more theoretical lens. For instance, Norton (2005, xi) problematizes the 'decline' claim by pointing out the steady growth and proliferation of legislatures in subsequent waves of democracy in post-colonial, post-Soviet and supranational (i.e. European Union-esque) political arrangements. His argument is simple (Norton 1993), If legislatures were that faulty, why then do they persist and, more fundamentally, why do they matter?

The 'decline' hypothesis is predicated on the assumption that parliaments must fulfil certain functions and are in decline if they do not do so to the required degree. These functions are summarized in the following table (adapted from Baldwin 2004, 296; Packenham 1970; Norton 1993, 203),

Table 1: Functions of Legislatures

Representation, Redress and Express	On behalf of constituents
	On behalf of interests
	On behalf of causes
	On behalf of parties
Legitimisation	Latent – diffuse, regularly held activities
	Manifest – formal, overt forms of approval
	Safety Valve – arena for venting tensions and grievances
Recruitment, Socialisation and Training	of individuals into the political system
	of individuals into the norms of political behaviour
	of individuals in political skills
Educational and Informational	to teach the nation what it does not know
	to bring matters to the forefront of the nation through deliberation
Legislation	Scrutinizing, revising and passing acts
Scrutiny	of the executive
Taxation	giving assent to the government to levy tax on behalf the people

Whilst some of these functions will be discussed more explicitly in the following

chapter , it is generally accepted that passing and deliberating laws through a fairly

representative body of MPs voted through democratic elections is one of the

benchmarks of what parliaments are supposed to do, when they are not in decline.

Normatively-driven accounts of deliberation (in legislative activities) claim that

parliamentary discussions *ought* to be verbal exchanges of reason (i.e. rational

argumentation) to generate political solutions favouring the 'greater good' (Kapoor

2002, 461-462). In the Indian context, this conception of what parliament ought to do

and how is contested on both theoretical and empirical grounds, a recurrent theme throughout this thesis.

Whilst there are numerous studies on the content of the spoken form (e.g. that policy X will have Y consequences), political science research is "blind to" other approaches that view democratic processes as performances using rhetorical and embodied techniques of communication, with their own dramatic narratives, scripts, elements of staging, etc. (Parkinson 2010; Hajer 2005). Moreover, scholars are now exploring the concepts of discourse that place more significance on symbolic and affective expression, rather than 'rational' exchanges of arguments (Niemayer 2011) and also the significance of non-verbal elements in discourse (Ornatowski 2010; Min 2007; Zima, Brone and Feyaerts 2010). This oversight reflects a broader shortcoming in mainstream legislative research (elaborated upon in the next chapter) that favours a functionalistic, or ends-based analysis of legislation in terms of its desired outcomes (Rai 2010, 286).

Empirically, the Indian parliament has seen a progressive decline in the hours spent on deliberating legislation, with an increasing number of Bills passed with minimal (if any discussion). Moreover, disruptive behaviours on the floor of the House tend to stall parliament, foreclose any verbal discussion/deliberation, and detract from parliament's available working hours. Nevertheless, parliament's popularity and presence in Indian public discourse remains at an all-time high. The empirically-grounded objection to the 'decline' hypothesis, despite its centrality in the discourse of how well the Indian Parliament functions, is summarized best by Robert Packenham (1970, 96), "most of the legislatures of the world seem to have functions which do not fit at all closely the assumptions about functions adopted by most

studies of legislatures". It is hoped that the ethnographic findings of my research will contribute to unpacking the tensions and re-casting the relationship between the theoretically-driven notion of decline and political realities in more meaningful terms.

1.2. Main Argument

My main argument is that legislation can be fruitfully understood as a performance of political ritual, encoded within a performative grammar that draws upon symbolism, appeals to affect, drama, theatricality and other modes of behaving (including disruption) that have been traditionally excluded from mainstream conceptual frameworks analyzing parliamentary institutions. Through this reconceptualization, the same behaviours which are – as per mainstream approaches – classed as deviant, unparliamentary, disruptive behaviours are convincingly re-cast as forms of political actions that have significant political effects. This re-conceptualization of parliamentary performances engages with the evolving task of reconciling idealized/normative theories vs. empirically observed processes within the acts of political representation and deliberation, particularly in non-Western contexts.

In my re-conceptualization of legislation-as-ritual-performance, I adopt an interdisciplinary theoretical framework that combines notions of performance, ritual, rhetoric and dramaturgy towards recovering the political attributes of symbol, affect and drama in parliamentary performances. Whilst one thesis cannot by itself cover all aspects and implications of such a framework, the most pertinent and compelling

analyses drawn from the conceptual framework used are presented. The justifications for the use of this framework are presented in Chapter 2.

When I interpret legislation as performance, I do not deem it as 'mere' performance and drama, nor do I interpret the forms of acting (behaving) undertaken by MPs as insincere or frivolous (Goffman 1969, 18). The approach I use does not devalue the political importance or efficacy of legislation, it simply argues that the real power in of the legislative process ought to be interpreted in more dramaturgical terms to ascertain its true import within broader processes of political representation and deliberation. Drawing from the discipline of performance studies, to stay that behaviour is studied as a performance is to "investigate what the object does, how it interacts with other objects or beings, and how it relates to other objects or beings", as, performances "exist only as actions, interactions and relationships" (Schechner 2002, 24; Komitee n.d., 7). Therefore, performances are not limited to speeches, dances and songs performed in playhouses or theatres, they represent a paradigm of interpreting all forms of social action (at the very least). Performances can then include what we consider to be very private, intimate everyday activities (e,g, brushing one's teeth, singing in the shower, etc.), though the concept is limited by certain theoretical limits that allow it to retain analytical value. Rather than questioning what is a performance, the question I seek to pose is whether a thing can be interpreted as performance, and what added analytical depth does that angle of interpretation yield in the academic analysis of the Indian Parliament.

Certain performances have what is known as performative power (Butler 1997, 135), in that they are able to produce "binding social effects" upon the social, personal, or political perceptions and/or realities of persons. This aspect of performativity is

better understood in tandem with the concept of ritual.

Rituals as understood within my research, are "rule-governed activit[ies] of a symbolic character which draw... the attention of its participants to objects of thought and feeling which they hold to be of special significance…at different levels of consciousness and with varying emotional charge" (Lukes 1975, p. 291). Rituals can be classified as distinct from other human behaviours and performances using a schematic derived from the formal-causal properties deduced from the structure of ritual and its effects (Rappaport 1999, 32-49), namely: *form*, i.e. possessing a structure or pattern (which can be chaotic in itself), (2) *encoding by other than performers*, (3) *invariance and uniqueness*, (4) *dual efficacy* (material and symbolic) 3, (5) *performative power*, i.e. real efficacy through speech-acts and (6) *meta-performative power*, i.e. to define or establish the forms which create convention. Therefore, rituals reify the institutions, societies or contexts which they depict, by making them more 'real' through their performance (Rappaport 1999, 158; Alexander 2004; Apffel-Marglin 2011).

Having identified some of the key observed effects of rituals in other societal, cultural and institutional contexts, the presence of ritual elements in the performance or enactment of legislation can be inferred as having: cohesive (Lukes 1975, 292; Shils and Young 1953, 74), agonistic (Bryan 2000, 11; Anand and Watson 2004, 61;), cognitive (Lukes 1975, 302; Gusfield and Michalowicz 1984, 427) and/or liminal-transformational (Turner 1967, 93-95; Fischer-Lichte, 174-175) effects. Considering rituals' performative and meta-performative consequences on social, political and institutional orders, these effects of social cohesion, agnostic conflict, cognitive orientation and/or liminal transformation can be useful in understanding

how institutions originate, maintain themselves, dissolve or transform over time (Goehlich and Wagner-Willi 2001, 237-238; Waylen 2010, 53; Rai 2010, 287). Therefore, 'ritual' as a concept can map out the different kinds of symbolic effects legislation produces and its wider significance in processes of maintenance, change and institutional evolution within a parliamentary context. Within this thesis, for reasons explained further on, I analyse the verbal and dramaturgical aspects of ritual performances.

Dramaturgical approaches view human action as the presentation of an image - of self or situation - towards a particular audience, resulting in desired and sometimes undesired impressions of the performer (Goffman 1969, 3-4). Dramaturgical techniques allow the realization of the final performance that is observed and interpreted, i.e. any form of human interaction in a given context. Concepts such as 'face-work', 'impression management', 'front stage' and 'back stage' provide dramaturgical metaphors through which the parallels between theatrical methods of staging performances, everyday performances (such as wearing a tie to an interview when one normally would not), and legislative performances on the floor of the House can be examined (Goffman 1969, 1972).

Whilst legislative research has exhaustively studied legislation as the trading of political favours or the exchange of reasons, it often overlooks the intensely human interactions that arise when 500+ persons are (quite literally) shouting in cacophony to protest in a single room – and therefore does not seek to explain why such (seemingly) emotional, irrational, symbolic behaviour is conducted or what effects it may have upon the political process. The dramaturgical lens therefore, provides the 'how' or explains some of the mechanics by which political performances in

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parliament gain or foreclose opportunities to exercise symbolic power through generally forms of behaviour that often subvert or directly contradict expectations of 'proper' parliamentary etiquette, behaviour and decorum (Hajer 2005, 629-631).

If dramaturgy is the 'how' by which performances are realized, other sources of data mush provide that 'what', i.e. content and form, of performances of ritual. Alongside the spoken utterances (rhetoric) of MPs in debate, I also look to the role of institutional-procedural frameworks for legislation to understand what exactly is being performed in parliament. Procedural frameworks and devices can frame, facilitate, thwart, contest or engage with performances (and potentially, rituals) of legislation. In other words, the same spoken (verbal, rhetorical) elements of a particular performance of legislation can take on different, even contradictory meanings in parliament, depending upon the procedural framework drawn upon to give meaning to the event. The most obvious source of procedural frameworks in the Indian Parliament context are codified rules as set out in the Rules of Procedure (Lok Sabha Secretariat, 2010), the Member's Handbook (Lok Sabha Secretariat, 2009b) and the Indian Constitution (Constituent Assembly, 1949).

I interpret a procedural analysis of ritual performances as part of the broader notion of dramaturgy. According to Hay (1993, 13), dramaturgy refers to the set of techniques related to any aspect of managing a performance (Hay 1993, 13), ranging from lighting, the flow of script, camera-work, costume production, audience management, etc. Therefore navigating the procedural context of parliamentary debate as a flexible device to give meaning to the form and substance of legislative ritual is also a form of dramaturgical manipulation. The procedural dramaturgy of legislation is based upon a skilful use and invocation of constitutional rights,

procedural devices and an understanding of parliamentary norms.

Rhetoric is the final analytical tool that I address in this Introduction, which I have left last as it is possibly the most familiar approach to conventional ways of studying parliaments. The 'rhetorical political analysis' framework that I adopt in this thesis "underscore[s] the importance of speech as a form and mode of political action in its own right... for a range of concerns [such as the] … analysis of political institutions... the manifestation and circulation of ideologies and beliefs... [and] the examination of strategic-rational aspects" of political action (Finlayson and Martin 2008, 446). As the "art of persuasion", the use of political rhetoric requires the presence of an audience to influence or persuade to be effective (Triadafilopoulos 1999, 748), linking the performance of political rhetoric to the notion of political performances. Moreover the audience-consciousness and deliberate choices of word use, stylization, embellishments and other dramatic features of political speech-making corroborate the case for viewing political rhetoric as dramatic performance, or an integral component there of (Hampton 2009, 4)

The use of political rhetoric cannot be read disparately from the other components what I conceive to make up the framework of a 'ritual performance', as each component intersects with another. Taken together, the the dramaturgical, rhetorical and procedural elements of parliamentary performances during legislation are used to verify the presence or absence of ritual elements. Performance is the larger organizing concept, or meta-concept of this analysis, though it must be stated that its sub-components (procedure, dramaturgy, rhetoric) are segregated for analytical clarity. Empirically, all elements tend to have simultaneously effect in the moment of live performance . For example, an MP may be opposed to a Bill citing the failure to

follow a procedural rule or norm (we were not given the requisite time to study the bill, etc.), and if ignored, may use disruptive dramaturgy (tearing papers, etc.) or divisive rhetoric ('it is a conspiracy against minorities', etc.) to stall proceedings. In that example, the irony of an MP citing procedural rules, and then thwarting them entirely in disruption casts questions on how relevant procedural frameworks are in understanding the legislative process in the Indian parliament. More fruitfully, the boundaries of acceptability between different styles of political performance that dually invoke and subvert procedural rules can then be delineated. Such analysis facilitates a more empirically grounded understanding of how legislation actually operated within the Indian Parliament, as opposed to theoretically-driven understandings (and idealizations) of the same.

Using these concepts in the manner in which I have explained them (briefly) here, I now address my research questions,

(1) Can the process of legislation be usefully considered as a performance of ritual?
(2) Why, or why not?
(3) What is the symbolic significance of the presence of absence of ritual in legislation?

These research questions are, by necessity, 'bottom-up' (or exploratory) as they attempt to re-cast a well-researched phenomenon (legislation) through conceptually unfamiliar lenses. The first research question sets to establish whether legislation-understood-as-performance exhibits ritual qualities, and why (or why not). The second research question, building on the former, attempts to explore the significance of such performances, regardless of whether they are rituals or not.

As will be corroborated through evidence presented in later chapters, this thesis' main argument is the process of legislation on the floor of the Indian Parliament is best understood in terms of multiple, concurrent performances of sub-rituals that perform representational effects which reflect wider transformations in parliament's institutional significance and modes of legitimation through legislation.

These (representational) forms of sub-rituals (as identified here) are, procedural, interpersonal and disruptive – all of which perform specific effects that intersect with one another. Multiple forms of performance are observed during the legislative process, many of which exhibit ritual forms, Therefore, legislation can be seen as an important "ritual … site of negotiated [political] relationships" whose performers continually contest in attempts at gaining legitimacy, de-legitimizing political opponents, securing attention or media coverage, securing re-election, and a host of other purposes (Bryan 2000, 27). Though there is no 'overarching' ritual form that defines legislation, the symbolism of the dramatized performance of legislation performs such vital functions as legitimating legislation, representing the general public, primarily by acting as a forum for 'ventilating grievances' (Norton 1993, 204). The transformations of standards of parliamentary behaviour, instead of being seen as a decline, can then be seen as a response to wide scale processes of democratization, vernacularization and mediatization of the relationship between MP and his/her constituency.

Owing to the changing composition of MPs, their audiences, and the increased mediatization of the relationship between parliament and its electorate and other factors, differing notions of 'proper' modes of representation give rise to the alternate (disruptive) forms observed alongside more conventionally expected legislative

performances (Indo-Asian News Service 2006, para. 2; Bouchet and Kariithi 2003, 49). Moreover, the inability and/or unwillingness of Parliament as an institution to exert the kinds of control required to enforce an overarching, or dominant ritual also reflects upon the institution's requirement to act as a multi-functional complex (Table 1, p. 8). The co-existence of disruptive and more conventional performances of legislation can be more usefully considered as an institutional need to balance the more formal business of passing legislation alongside symbolic, dramaturgical and affective requirements of 'reflecting' the nation (p. 1).

These re-conceptualizations do not debunk the 'decline' hypothesis entirely, however, they provide sufficient grounds to explore (in future research) the hypothesis that the performance of 'rituals of disruption' contribute to the healthy functioning of what is increasingly being seen as the accepted, if not desired, mode of representing different social groups – as part of a wider understanding of the deliberative process. Conversely, one could interpret the performance of disruption as a ritual whose liminal properties (and the increased frequency of such) reflect broader transformations in Indian society, polity and representational links to Parliament. The academic contributions that such an argument makes is explored in Chapter 9 (Conclusion).

Taken to the meta-level, this argument feeds into a much wider notion that there are forms or styles of performing a 'new politics of representation' and a newer method of understanding the interplay between political deliberation and representation in legislation. By accepting disruption as a legitimate, if not crucial component of the legislative process, a later study (which I intend to undertake) built upon these concepts can identify new challenges, opportunities and understandings available of

these political processes.

1.3. Chapter by Chapter Summary of Thesis

In Chapter 2 (Literature Review and Theoretical Framework), I review existing frameworks, theories and research relevant to the study of parliaments within the discipline of political science. I then review the key concepts used within my research, namely, ritual, performance, procedure, dramaturgy and rhetoric. Each concept is firstly introduced from the perspective of the discipline that it originated from, followed by a review of how the concept has been used within the discipline of political science and/or research conducted on political institutions. Each concept is re-stated in condensed form so as to operationalise it for analytical purposes, thereby providing the theoretical and analytical backbone of this thesis. Using the Oath of Affirmation ritual in the Indian Parliament, I provide a case study example of how a ritual analysis can be fruitfully applied to the parliamentary context.

In Chapter 3 (Methods and Cases), I justify the methodological choices used to conduct an ethnographic study of Indian parliamentary performances as ritual and then introduce the two case studies which bear the brunt of my empirical focus, the Women's Reservation Bill Debates (WRB; 1996-present) and the Prevention of Terrorism Act (POTA; 2001-2004). I briefly discuss and justify the constructivist ontology and interpretivist epistemology that informs my research. I then provide detailed arguments for the methodological choices made concerning research design, research strategy, research approaches, case study selection and techniques of data collection. The ethnographic method as applied to political contexts within the

discipline is also discussed as are details of the ethnographic fieldwork conducted. I then evaluate my methodological choices in light of criteria for ensuring the quality of research and discuss limitations engendered by my choices. Finally, I focus directly upon the methodological choice of using extreme case study sampling to maximize variance in both case studies chosen, followed by detailed historical, contextual and legislative narratives of WRB and POTA debates.

Chapter 4 (Context) provides an analytically-themed, historically-oriented overview of the key features that make up the performative analysis of legislation as envisioned in this thesis. Firstly, I consider the evolution of the legal frameworks from the colonial-era till the post-Independence (contemporary) period that make enacting legislation a legal possibility and requirement. Secondly, I address the 'cast' of the performance – or the composition of the House and its key actors – in a historical context. Elements such as social background, caste, gender, religion, ethnicity/race, profession, legal status, etc. are considered and a woven into a broader narrative regarding trends of 'criminalization' and/or 'vernacularization' of Parliament. Thirdly and fourthly, I consider the statistics of time spent on legislation and disruption in the House. Fifthly, I explore expectations of 'order', 'decorum' and 'dignity' within parliamentary debate from the earliest decades of the functioning of the Indian Parliament, till the present-day (and its numerous scenes of disorder). Finally, I consider the impact of the audience in understanding the processes of mediatization in shaping parliamentary performances. Whilst I do not make a broader argument through the presentation of these findings, I hope to orient the reader – by effectively 'setting the scene' – towards the analysis of the case studies as presented in later chapters.

The first analytical leg of this thesis is presented in Chapter 5 (Rhetoric), In it, I examine the construction of political discourse embedded within the rhetoric of both case studies (Women's Reservation Bill and Prevention of Terrorism Act). Political rhetoric is understood in this chapter to mean the methods by which political discourse is constructed, without any reference to the truth-validity of claims made. Two rhetorical frameworks that uncover the strategies of 'inventing' arguments are used here, namely, stasis theory (conjecture, definition, quality, translation) (Finlayson 2007, 554-555; Leach 2000, 213; Liu 1991, 54) and the modes of persuasive appeal (ethos-pathos-quasi/logos) framework (Finlayson 2007, 557; Triadafilopoulos 1999, 744-745; Leach 2000, 214; Aristotle n.d. Book 1, Chapter 2, 1356 a) . At first, a summary of the rhetorical positions and strategies used in each debate is presented separately, followed by a comparative analysis highlighting the similarities and differences in both cases. Based on my findings, I make the argument that political parties attempt to position themselves as being ideologically polarized, through the degree of difference is (often) vastly overstated – as shown in a high degree of consensus when different parties' debates are analyzed using the stasis framework. Moreover, parties actions outside of the parliamentary chamber often stand at odds with positions taken within the chamber. In terms of modes of persuasion, legislative debate in both these case studies appears to be conducted with all three modes. Ethos and pathos based appeals serve to heighten the difference, or polarize the debate, between parties with relatively similar views. Whilst quasi-logos appeals are considered the 'better' or 'higher quality' form of debate – at least according to the legacy of normative standards and procedural frameworks derived from the colonial, pre-independence era – quasi-logos appeals are less frequently used in debates.

In Chapter 6 (Procedure), I examine and interpret the conditions under which procedures are invoked, flaunted, thwarted, re-interpreted, suspended, disrupted and the strength or authority with which the Presiding Officer enforces such procedure in each case study. Whilst this aspect of performance can also be interpreted as part of its dramaturgy, procedural invocations are purposefully presented as a separate chapter owing to the dominance of procedural references as the framework for interpreting the success of legislative performances. Firstly, I compare the use of constitutionally-sanctioned procedural devices to frame debate in both contexts, i.e. Ordinances, Joint Sessions, Constitutional Amendment and scrutiny via Committee. Secondly, I contrast the performances of the formal procedures of introduction, consideration and passing of both Bills. Thirdly, I consider the role of Presiding Officer in enforcing such procedures and attempting to enforce a dominant frame, or narrative of interpreting the performance of legislation. Based on my findings, I argue that procedural frameworks alone cannot legitimate, or de-legitimate the effects of legislative performances on the floor of the house. The legitimacy/efficaciousness (or lack thereof) of parliamentary performances appears to derive from other symbolic and pragmatic factors, such as adherence to institutional and constitutional norms and party concerns. Ultimately, the imperative of governing parties tend to override and ultimately ignore procedural and normative requirements in determining whether the form, content and dramaturgy of a legislative performance is legitimate (efficacious).

The dramaturgical interpretation of the performance of parliamentary debates within my two case studies in presented in Chapter 7 (Dramaturgy). In this chapter, I focus on the "face-work" conducted between MPs (within the same or different 'teams') and techniques of "impression management" performed to convey a general idea or

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political image as the result of performing legislation (Goffman 1969, 1972). Whilst the front and centre-stage of this chapter is concerned with legislative debate on the floor of the House, relevant performances from other (back, side/parallel, etc.) stages such as committee discussions, the Central Hall, political rallies and party leaders' meets are considered. This chapter explores how MPs appear to interact on the floor of the House, what images or ideas are conveyed through their performances and the scripting, styling and other dramaturgical techniques used to achieve these impressions in the WRB and POTA debates. Based on my findings, I make the argument that MPs' performances on the floor of the House can usefully be construed as 'political faces' or 'roles' that rapidly change upon entry to other stages, or spaces. The rapid change of face-to-face interaction between the same sets of MPs does not indicate that their performances in one space are more or less genuine than another – it simply clarifies the 'logics of appropriateness' which confer legitimacy, acceptance and some degree of the possibility of exercising power efficaciously in in multiple contexts. These findings also re-iterate the importance of analysing different contextual features of various political performances, transcending a superficial behavioural analysis of what MPs do on the floor of the House. Moreover, the impression generated by the performance of legislation is one that emphasizes the sanctity of team allegiance (intra-party cohesion) that overrides procedural and normative concerns. To some extent these findings resonate with a more cynical view of democracy, at the end of the day, is a 'numbers game' with each party seeking to hold onto power for the longest period of time. Regardless of the philosophical import of this finding, teams on the floor of the House operate in conflict with one another's agendas, as (broadly) drawn upon the lines of Government-Opposition, "women - men", "patriots - non-patriots" , etc. These attempts at polarizing debates within mostly similar points of view are achieved through rhetorical devices (Chapter

5) and dramaturgical devices (Chapter 7).

In Chapter 8 (Ritual), building on the comparisons made between both case studies in terms of their rhetorical, procedural and dramaturgical performances of legislation, I address the key research questions of this thesis, Is the performance of legislation a parliamentary ritual? Why or why not? What are the symbolic consequences of the absence or presence of rituals in this context? Firstly, the empirically observed elements of performances in both case studies are examined within Rappaport's (1999, 32-49) formal-causal criteria for distinguishing rituals from other kinds of performances. Secondly, the cohesive (Lukes 1975; Shils and Young 1953), agonistic (Bryan 2000; Anand and Watson, 2004), cognitive (Lukes 1975; Gusfield and Michalowicz 1984) and/or liminal-transformational (Turner 1967; Fischer-Lichte)effects of ritual are used as lenses to interpret their performative and meta-performative significance within the Indian parliamentary context. Thirdly, I link my interpretations to broader concerns regarding notions of parliamentary decline, re-conceptualizations of parliamentary ethos and the impact of mediatization and vernacularization. Through the research presented in this chapter, I argue for the presence of multiple sub-rituals of legislation (procedural, interpersonal, disruptive) that make up the legislative performance, infer theory-driven representational effects through their live performance and the inclusive reading of diverse political performance as legitimate forms of political deliberation. The re-working and re-reading of these forms provides an alternative narrative to interpret recent changes in the Indian Parliament, as opposed to the traditional 'decline' hypothesis which provides an analytical dead-end to understanding the further institutional evolution of the Indian parliament.

Chapter 9 (Conclusion) summarizes the various parts of this thesis and the key findings that have emerged from my research. After evaluating my findings in term of the research contributions set forth in this chapter, I then consider the limitations of my findings as well as future research questions and agendas that emerge from it.

The Appendix lists the details of field-work conducted and additional information that provides further context to the Prevention of Terrorism Debates.

Having presented the research puzzle, key research questions and the main argument of this thesis, followed by a chapter-by-chapter summary of the same, I now move onto Chapter 2: Literature Review and Theoretical Framework.

CHAPTER 2: LITERATURE REVIEW & ANALYTICAL FRAMEWORK

In this chapter, I aim to situate my thesis within the broader discipline of political science, and to introduce and justify the interdisciplinary analytical frameworks used in my analysis of the proceedings of the Indian Parliament. To begin, I present a literature review of dominant approaches or ways of framing the parliamentary institution as an object of contemporary political science research within the 'old' and 'new' institutionalist approaches. These methods of studying parliaments have typically focused upon institutional functions, such as political representation, legitimation and deliberation. Making the case that such approaches and functionalistic orientations do not adequately answer the research puzzle as outlined in the previous chapter, I then introduce my analytical framework. Firstly, I explain the 'performance perspective' and its origins from performance studies and speech-act theory. Secondly, I move onto the concept of ritual, as a subset of performance, distinguished by its form and effects. I then address sub-components of ritual performances, namely, dramaturgy, performance and rhetoric.

2.1. New and Old Institutionalisms in Legislative Studies

As a reaction to behavioural perspectives that dominated political science research during the 1960s and the 1970s (Hall and Taylor 1996, 937), several different strands of analytical inquiry that focused themselves around the concept of institutions and their relations to actors, preferences and political outcomes began to emerge. Emerging from (and in response to) 'old institutionalism', three variants of 'new institutionalism' currently dominate political science research: historical, sociological

and rational-choice institutionalism.

Contemporary studies of parliament using the new institutionalist framework can be segregated into two groups: old-institutionalist-influenced research (historical and empirical) and rational-choice institutionalism. In contrast, there are far fewer studies of parliament within the sociological institutionalist frameworks. In the following paragraphs, I summarize the broader themes and assumptions used to study parliament within these frameworks .

2.1.1. Old, historical and empirical institutionalisms

Most studies of parliaments occur within historical and empirical institutionalist frameworks, partially appropriating older institutionalist research traditions. Old institutionalists adopted formal-legal analyses and a detailed, very methodical and descriptive approach in understanding political institutions (Rhodes 2006, 93-94). The goal was not to further theoretical development of political concepts (such as legitimacy, etc.), but to deduce the normative values embedded in structural-functional analyses of constitutional and legal frameworks and evaluate empirical data in terms of an institutionally-defined system of values (Peters 2005, 7-11; Rhodes 2006, 102). In particular, British parliamentary scholars, whilst claiming to adopt the new institutionalist framework have continued this descriptive tradition (Rhodes 2006, 94).

Historical institutionalists emphasize the role of structures and ideas in determining institutional change, referred to as "path dependence", more colloquially expressed

as 'history matters' (Mahoney 2000, 507). Like old institutionalists, historical institutionalists lay emphasis on the normative goals of institutions and often conduct dense, empirically descriptive studies supplemented by inductive reasoning (Aspinwall and Schneider 2000, 22). Historical institutionalists emphasize the "construction, maintenance and adaptation of institutions" rather than the behaviour of agents (Sander 2006, 42). If any agent-centred analysis is involved, it is couched in terms of how structures "generate preferences" (Sander 2006, 43) that later become entrenched patterns within the institution.

Like historical institutionalists, empirical institutionalists also derive their research traditions from the old institutionalists. Empirical institutionalists seek to discover which arrangements contribute to the best performance of governments, i.e."what works", and are less interested in developing theories than answering specific questions about institutions of particular interest (Peters 2005, 103, see also Blondel 1973, Bailey 1989, Griffith 1989 as examples). Empirical institutionalists conduct comparative, empirically driven research to evaluate how effective institutions are with reference to formally-defined criteria (i.e. how legitimate, how efficient, etc.) (Norgaard 2001, 33) In contrast to the new institutionalists, empirical institutionalists do not seek to introduce a new perspective or theoretical framework for understanding institutions. Some scholars argue that empirical institutionalists are still part of the larger new institutionalist framework as they operate with the assumptions made within the other frameworks and so are not wholly atheoretical (Peters 2005, 104).

Empirical-institutionalist studies of parliament lack theoretical grounding, are mostly descriptive, and structure their work around formally defined structures and

procedures. Research within this scholastic tradition defines problematic areas or puzzles to study, not limited to the following (Peters 2005): (1) Comparing the merits of a presidential vs. a parliamentary system (Lijphart, 1994; Weaver and Rockman, 1993 in Norgaard 2001, 33; Tsebelis, 1995); (2) Measuring the success of legislatures by their degree of institutionalization (Polsby, 1968 in Peters 2005, 94; Squire 1992); (3) The relationships between institutions, democracy and societal development (Putnam, 1993).

Historical institutionalists have tended to focus upon the following aspects of legislative life, the passing or failing of policy initiatives within the structural constraints of voting rules, committee arrangements, executive-legislative power dynamics etc. (King, 1995 in Peters, 2005; Immergut 1992; Zelizer 2000). These particular studies are similar to empirical institutionalist studies of legislatives are as they frame their problems not in terms of broader theoretical paradoxes, but in terms of specific puzzles or problems. Both approaches tend to focus on the legislative or law-making practices of parliaments and the structures that facilitate this process.

2.1.2. Rational-choice institutionalism

In contrast to the empirical and historical institutionalism, rational-choice institutionalism appears to provide the cleanest departure from old institutionalism. Rational choice theorists utilize formal models and theories of behaviour, based on the assumption of methodological individualism, the tendency to strategically maximize utility, conceptualized in terms of materialistic interests (Hay and Wincott 1998, 954; Shelpsle 2006). Institutions are considered to be necessary rules which provide structures of incentive and disincentive that lead actors to behave

strategically, shaping their behaviour (Shelpsle 2006, 26-28). Compliance is based upon the actor's assumed rationality that maximizes utility and minimizes constraints or punitive effects . Simon (1947 in Peters 2005, 55), argues that individuals operate under conditions of bounded rationality, i.e. they are not perfectly strategic and/or may not be fully aware of their own preferences. In response to this and other criticisms (Green and Shapiro 1994), rational choice scholars have begun to refine their models and have taken into account other factors such as historical convention, etc.

Rational-choice legislative studies focus upon what is considered the most important behaviours in policy-making, e.g. voting, lobbying, negotiating, etc. influenced by structural constraints and decision points (Weingast 1979, Shepsle and Weingast 1981) c.f McCubbins and Sullivan, 1987; Cox 1999, 156-157; Tsebelis and Money, 1997 in Peters 2005, 47). Generally, the rational choice approach characterizes contemporary studies of legislatures and of the US Congress in particular. Green and Shapiro (1994, 6-7) have famously critiqued the rational-choice approach in general, on the grounds of its necessary simplification and abstraction of institutional life that largely whitewashes the more fluid and complex aspects of reality.

2.1.3. Sociological institutionalism

Sociological institutionalism derives from the body of sociological scholarship that focused on organisational structures, seeking to debunk the 'rational' , means-ends/functionalistic labelling and interpretation of processes of social organization in the 'modern' age. The modernist argument rejects wholesale the mythical, ritual, affective, symbolic and emotional components of such processes, which sociological institutional seeks to re-introduce (Hall and Taylor 1996, 946). Historically, this can

be traced to scholars such as Max Weber, Emile Durkheim and Talcott Parsons and their studies of the bureaucracy, the symbolic content of social systems and the development of societies (Norgaard 2001, 35-36).

Sociological institutionalists interpret formal and informal rules, procedures, norms and values as institutions that form the "symbol systems, cognitive scripts, and moral templates" that frame and inform actors' behaviour (Hall and Taylor 1996, 947; DiMaggio and Powell, 1983). The normative strand of sociological scholarship associates the internalization (or socialization) of norms with the performance of certain roles. Actors follow a 'logic of appropriateness' as opposed to a 'logic of calculus' (Peters 2005, 33). The latter approach is espoused by the rational choice school, whereas the former relies on notions of identity and norms which dictate what actions are appropriate and legitimate, as opposed to strategic and individually beneficial. On the other hand, the cognitive strand argues that institutions not only provide the contexts which allow for the strategic calculation of action, but also the basic preferences, self-identity, and possibilities for action of these actors (Hall and Taylor 1996, 950) . Phrased differently, sociological institutionalists do not negate the condition of rationality, but claim that rationality is itself a social construction, dependent entirely on the specific features of the institution (or organisation) at hand. Sociological institutionalist analyses suffer from one major drawback, that it is difficult to devise models that generate testable hypotheses based on the level of complexity addressed (Peters 2005, 108).

Within the discipline, there exists relatively few, detailed applications of sociological institutionalist analysis to the legislative context (Miller and Banaszak-Holl, 2005). One major exception is in the emerging field of EU studies, which seek to explain the

isomorphism (or emergence of similar or parallel institutional structures) of parliaments as the cause for the strengthening and continued growth of the European Parliament (Rittberger, 2005; Aspinwall and Schneider 2000, 21). These studies, however, do not delve deeply into the causes of how parliaments acquire this special recognition as emblems of democratic governance, and whether these notions fundamentally constitute legislators' identities but begin with the starting point that this is so.

Having reviewed the broader ambit of institutionalist studies and the frameworks they can offer to address the theoretical questions posed earlier, I now state my reasons for not labelling my research within these frameworks. Though I respect the importance of concept of 'institutions', I find that institutionalist research has not yet embraced the concept of 'performance' and its potential contributions to the discipline of political science. My work most strongly resonates with the constructivist views of meaning making and cognitive scripts in the sociological institutionalist view, and with the fixation on power dynamics to explain institutional change in the historical institutionalist framework. Despite scrutinizing a single political institution (the Indian Parliament), whilst my work is institutionalist, I choose not to adopt a particular label from the variants of 'new institutionalisms' available. My reasoning is that the concept of 'performance' bridges together various elements studied within disparate strands of institutionalisms in a novel manner, without detracting from the focus on the institution itself. Moreover, by studying legislative proceedings as performances, my work also requires me to focus upon external environmental features such as the general public, the media, constituents, etc. that may directly effect the performance of MPs – who appear to largely ignore procedural and normative frameworks of the institution itself. To situate my work

within the broader discipline of political science, I would argue that my ethnographic, exploratory approach to studying performances and ritual in the Indian parliamentary institution aims to provide empirical data that can be used in future institutionalist studies, and to demonstrate how the concept of performance ought to find a greater emphasis within contemporary institutionalist thinking.

Having discussed the frameworks within which much of mainstream political science scholarship has conceived of political institutions and parliamentary research, I now turn to more substantive theories surrounding parliament's identities, roles and functions. Before proceeding, I acknowledge that newer strands of institutionalisms could have been addressed here but were not owing to the world limit and relevance to the thesis.

2.2. *Theories of Parliamentary Functions*

For the most part, studies of parliament have 'carelessly' (Obler 1981, 128) made *a priori* assumptions about the institution's functions, and the processes by which these are achieved (Packenham 1970, 96; Rai 2010, 286). This has led to a behavioural (allegedly neutral, objective) focus on rational, utilitarian outcomes that are directly observable and easily deducible as having an effect on legislation and as being 'political', e.g. bargaining, lobbying, coalition forming, debating, etc. (Rai 2010, 287). Consequently, many elements of parliamentary life such as drama, emotive appeal, symbolism, ceremonies and rituals are typically dismissed as having no impact or relevance on political outcomes. In this section of my thesis, I will review and identify shortcomings within typical approaches used to study parliaments and

present the case for alternate theoretical and methodological frameworks.

Parliament's institutional identity has typically been viewed in terms of its functions (summarized on Table 1, p. 8) wherein key parliamentary functions were identified as, representation legitimisation, recruitment, education, legitimation, executive scrutiny and taxation. In this review, I focus upon the functions of legitimacy, representation and deliberation (as part of the legislative process) in legislative research. Whilst the other functions are undoubtedly important within the broader political system, I omit them from this analysis due to pragmatic constraints of time available in the PhD. Essentially, the 'decline' hypothesis argues that parliamentary standards to the extent that parliament fails to perform these functions to the ideal, desired degree.

Departing from the conventional understanding of law making as the primary function of legislatures (Obler 1981, 128), Norton (1990; 1993) argues that the formal definition of legislature (i.e. in terms of their policy-making function) is archaic and fundamentally misleading. Therefore, he argues, political science has yet to understand why legislatures persist and proliferate in light of centuries' old fears of their decline. Empirically, Packenham (1970) in his study of the Brazilian parliament identified various functions of legislatures, defined as "consequences for the political system" (Norton 1993, 6). Of these twelve functions, reproduced in the table below, law-making occupied the 7th rank in terms of importance.

Table 2: Legitimation, recruitment and decisional functions of legislatures, ranked in order of importance

Rank	Broader Function	Specific Function
1		Latent Legitimation
2		Manifest Legitimation
3	LEGITIMATION	Safety Valve
4		Recruitment
5		Socialization
6	RECRUITMENT, SOCIALIZATION AND TRAINING	Training
7		Law-making
8		Exit' Function
9		Interest Articulation
10		Conflict Resolution
11		Administrative Oversight
12	DECISIONAL OR INFLUENCE FUNCTIONS	Constituent Patronage

Despite the "breath, sophistication and empirical support" of this typology and the one present in Table 1 (p. 9), these functional schematics and possibilities they affords to re-conceptualizing legislatures and systematizing legislative inquiry has had limited engagement within the legislative studies literature, being neither accepted nor rejected by scholars (Norton 1993, 8) . At this stage, it is necessary to specify the focus on parliament, rather than on legislatures as a whole.

Norton argues that, had Packenham studied a congress rather than a parliament, the rank of law-making functions would be higher. Polsby (in Ornstein 1992, para. 23) terms the difference between the two as "transformative" vs. "arena" legislatures. Transformative legislatures, like the US Congress in particular, have a much more active role in policy initiation and legislation. Arena legislatures, typified by

parliaments, have less control over legislation and act as a forum for debate and an airing of views. Mezey's (1979 in Norton, 1990) typology of policy-making, policy-influencing and marginally powerful legislatures capture a similar notion.

Parliaments have lesser control over legislation as they infuse both the executive and legislative bodies within a single unit. Thus, proposals initiated by government, i.e. the majority who sits in Parliament, are less likely to be shot down. In the British context where party discipline is strong, very few proposals initiated by government are ever defeated in the House of Commons. When these do happen, they are recognized as politically significant moments. Thus, Norton (1990, 1993) argues, the primary function of parliaments, therefore, is not make or necessarily seek to change law, but to "give assent" to law and therefore fundamentally legitimate the polity, i.e. a policy-influencing arena legislature.

As will be demonstrated in this thesis, a similar interpretation can be made of the Indian parliament as – ultimately – the government's will (where the executive is part of parliament) carries the day even in spite of procedural and constitutional norms. Rubinoff (1998, 23), a proponent of the 'decline hypothesis', argues that the "overlapping nature of the ruling party and government" has "severely limited" parliament's role in policy-making, rendering its primary function as a "public forum for the ventilation of grievances".Moreover Rubinoff (1988, 28) claims a "widespread apprehension" by the government that an "aggressive" legislature would "ultimately cross the line into policy-making and attempt to manage the day-to-day affairs of the bureaucracy". Clearly, the norms surrounding the appropriate role of the legislature vis a vis the executive in India stand in stark contrast to the oft-repeated ideal that legislatures' primary roles are to legislate!

2.2.1. Legitimation

The process of legitimation is the manufacturing of consent (in the governed) for the authority held by those who do govern. Different political systems across continents and historical epochs manufactured consent differently. For example, Sumerian monarchs manufactured consent for their rule through rituals of "sacred marriage" wherein a priestess of the Goddess Inanna-Ishtar may bed a would-be king for a night before he is allowed to seize power (Bruinsma 2011). The British Empire sought to manufacture consent (at least amongst the princely classes in India) through the performance and staging of spectacular pageants known as durbars, the most famous of which was the Delhi Durbar of 1911 (Nayar, 2010). Similarly, the spectacular pomp and ceremony surrounding the inaugural speech of the newly elected President of India to the Joint Sitting of the Houses of Parliament re-affirms the centrality of Parliament to the Indian political system.

Norton identifies three sub-modes of legitimation, Latent, Manifest and Safety Valve in his typology (Table 2, p. 45). Manifest legitimation refers to the oft-quoted "rubber-stamping" role of parliament, where it provides "formal and public approval of measures of public policy" (Norton, 1993, p. 131; Leston-Bandeira 2002, 78). Manifest legitimation is also implicit in a parliament's acceptance of the current government, i.e. that a confidence vote is not called for. As observers and scholars note, though parliament have lesser influence over policy-making, their conferring of approval is largely symbolic. One can argue that the ostentatious ceremonies described above are also part of the broader notion of 'manifest legitimation' as such ceremonies, which require enormous amounts of time, planning and resources,

validate the parliamentary institution itself and its relationships to other branches of the political system.

The media attention and frequency of trust votes in the Indian context indicate the symbolic power of manifest legitimation that parliament possesses in the Indian context (Padmanabhan 2005). Moreover, even if procedural and normative rules are violated, if the government of the day chooses to 'bulldoze' its way through to pass a Bill, parliament continues to function. Therefore, even if the 'rubber-stamping' function may not always be performed in an orderly, decorous manner in the Indian context, it does perform the manifest legitimation role in its own manner.

Latent legitimation derives from activities that persuade the masses of the elites' rightful (or legitimate) claims to rule. Cataloguing these activities is difficult as they include behaviours that do not overtly seek to substantiate those claims. For instance, Packenham (1970; Norton 1990, 87; Leston-Bandeira 2002, 79) claims that the "regular and uninterrupted meeting" of the legislature contributes to "popular acceptance of the government's moral right to rule". In the Indian context, this is far from the case considering low rates of attendance and massively disrupted working hours. Despite these circumstances, Parliament continues to occupy a great segment of political discourse in the Indian media when it is session and participation in Indian elections is on the rise! Moreover, during the recent movements led by Anna Hazare in 2011, popular opinion wanted to see a bill on political reform passed through the Indian Parliament as the legitimate means of reforming aspects of the Indian political system (Times of India 25-8-2011, para. 1). This fixation with the legislative process only confirms the continued symbolic significance of parliament, and the fact that the general public share that view despite its alleged decline.

Activities which latently legitimate parliament are best identified when their absence or breach provokes response. For instance, when a critical issue arises during parliamentary recess, in the Brazilian context, parliament is convened for an emergency session (Packenham 1970). In the Indian context, an Ordinance (see Chapter 6) is passed by the Government which ultimately must be ratified by Parliament (where it often passes in any case). Moreover, though the outcome of a parliamentary debate on the topic is more or less predictable, and often follows a "pre-planned script" (Economic Times 30-12-2011, para. 1), it is the "meeting and airing of views" that matters (Norton 1993, p. 136).

Deliberations in Parliament provide a sense of having spoken for one's cause, or having been represented at the highest national forum even if such speeches do not translate into concrete policy outcomes that address the social, political or economic grievances of constituencies (Interview 2009a). The act of having spoken for one's constituency is sometimes seen as more important than persuading MPs and ministers present within the chamber itself, particularly to members of the constituency who have the power to elect MPs into office. Thus, latently legitimating activities may be more difficult to identify, unless special circumstances breach or circumvent their practice.

The third function associated with legitimation is that of the "safety valve". Norton argues that by allowing diverse opinions to be expressed within a public space, Parliament contains and neutralizes otherwise damaging political pressures. Most MPs I interviewed expressed their right to speak, protest and dissent in the manner they saw fit, viewing parliament as the highest forum where political sentiments can be represented (Interview 2009b; 2009c), with reasonable limits often justified

through procedural and conventional frameworks.

These pressures are likely to be felt by and expressed more vehemently by groups that are marginalized in the (final) outcome of a bill that is passed, etc. By providing this deliberative palliative, parliament enhances its claims to legitimacy, and "[bolsters] mass support for the political system" as a whole (Norton 1993, 137). Moreover, the Government of India declares one of the functions of parliament to be the "ventilation of public grievances" (National Informatics Centre 2005). I limit my discussion on legitimation to the above, as it is a very vast subject, and is touched upon within other sections of the thesis in its entirety.

2.2.2. Representation

In terms of an academic understanding,, Hanna Pitkin (1967) identifies four different modes of representation, formalistic (38-39; 42-43), descriptive (60-61), substantive (Celis et al 2008, 100) and symbolic (Pitkin 1967, 92-93) representation. Formalistic representation requires the creation of formal structures to facilitate the act of representation, often including the legal authorization of a person to act as a political representative, and the creation of structures of accountability to hold said representative to account for his/her actions. Whilst representatives are formally held to account for their actions through mechanisms of oversight, etc., all of their actions are said to be 'representative' with no reference to the quality of representation (Celis et al 2008, 100) Descriptive representation premises itself upon the degree of similarities of shared racial, ethnic, cultural, linguistic or other sources of identification and experience between representative and the represented. The merits of legislators in terms of competence are not considered as important as such shared

characteristics. John Adams (in Pitkin 1967), adopting this idea, argued that 'true representation' could only happen if legislatures were "an exact portrait, in miniature, of the people at large, as it should think, reason and act like them". Celis et al (2008, 100) critiques this notion on qualitative grounds, arguing that representation would be considered successful regardless of what a representative actually did. Substantive representation refers to the ability of a representative to act in the interests of the represented, regardless of the presence of shared sources of identity (Pitkin 1967 163-165; Celis et al 2008, 100). Symbolic representation requires the assent of representatives to be represented by a certain person, and that person's ability to 'stand for' something, or signify something to their representatives (Pitkin 1967, 92). Celis et al. (2008, 100) critique the notion of 'symbolic representation" as it opens representation to "manipulation by representatives" who may cast "images that are largely arbitrary … [with] little or no real meaning" as significant gains or acts of representation.

Whilst this typology is contested in academic circles (Dovi 2002, Mansbridge 1999; Urbinati and Warren 2008), it still provides a basic starting point to understand how representation is conceptually understood with respect to parliaments. Saward (2010, 9) critiques this typology for being too formalistic and normatively oriented towards roles, functions and typologies of political representation. Instead, he emphasizes the interpretively understanding how representation in practice is constituted through action, as opposed to narrowly defining it. Addressing the invalidity of assessing representativeness through procedural rules, Iris Marion Young (2000, 40) argues that despite the "nominal" inclusion of marginalized groups into public institutions, the rules around the appropriate forms of making claims, speaking and interacting within that space reflect "norms of articulateness and dispassionateness sometimes

serve to devalue or dismiss the efforts of some participants to make their claims and arguments to a political public". Such norms are "culturally specific" often related to "socially privileged" groups or the political elite, as opposed to marginalized groups (Young 2000, 39).

Within the Indian parliamentary context, norms used to evaluate the propriety and standard of parliamentary performances are found (either explicitly or implicitly stated) in rulebooks such as Rules of Procedure (Lok Sabha Secretariat, 2010), Member's Handbook (Lok Sabha Secretariat 2009b) and the Indian Constitution (Constituent Assembly, 1949). Much of these rules, norms and formal procedures are a still-present "colonial hangover" as the Indian parliamentary institution still "copies the *lex parliamenti* of imperial Britain" (Nigam and Vineetha 1996, 154).

Such norms of what constitutes 'decorous', 'proper' and 'orderly' behaviour underlie the procedural rules of the institution and can be traced to the practices of colonial Legislative Assemblies (preceding the parliamentary institution) and in the first few Lok Sabhas (sittings of an elected body of MPs). For instance, in first few Lok Sabhas, whilst instances of walkouts and scenes of disruption did occur – they were rarities; the "content, canvas and culture of debates" was far more substantial and orderly (Kashyap 2005, para.9). Up till the early 1970s (Kashyap 2008), procedural devices were generally used without garnering too much controversy to frame budgetary and other financial bills put forth by the Government. In contrast, today's political parties are in a state of (now too-common) political deadlock as Parliament is stalled over a controversy in procedure. Then incumbent Congress Party-led United Progressive Alliance (UPA) Government is seeking to expand Foreign Direct Investment services in retail, whereas the Bharatiya Janata Party (BJP)-led National

Democratic Alliance (NDA) Opposition terms it a move that will create a nation of 'sales-boys and sales-girls' (The Financial Express 7-12-2012, para. 1). The current controversy is over whether the BJP, citing former precedent, demands that the policy be put to the vote, whereas the Government insists that it is practice not to vote upon financial Bills. Arun Jaitley, Leader of the Opposition in the Rajya Sabha, termed the Government's reluctance to allow voting upon the Bill as undemocratic.

Many of the Indian political elite, i.e. nationalist leaders seeking freedom for India from British rule, were from upper-caste families and had usually studied abroad (Weiner 2000,196). Most members of the 1st Lok Sabha were lawyers by profession (Kashyap 2008, 47). They were therefore not descriptively representative of the masses of Indian public who were of lower castes, possessed little or no education, and had little exposure to British political institutions. The fact that this elite group of leaders chose to adopt the colonial rules surrounding the appropriate form of framing motions, posing questions and decorums surrounding parliamentary behaviour, indicates the kinds of political identities which were not present during the decision-making process.

Many scholars and commentators on India's 'decline' attribute the lack of decorous behaviour in Parliament due to the changed social composition of MPs. Where lawyers and agriculturalists were the dominant occupation represented amongst MPs, that has now given way to an increasing number of industrialists, traders, builders and big businessmen – from a far wider range of caste-based identity groups (Social Watch India 2011, paras. 4-5). Whilst an increasing number of MPs are educated and are cognitively aware of Western legal norms and procedures, the reasons for their election to office are grounded within their performance in their constituencies and in

state-assemblies (had they held prior office there). Within the 'vernacularization' discourse, as MPs of different social and political value systems enter the institution, they transform it by virtue of their different normative frameworks. Considering the preponderance of caste in forming regional party power bases, the preponderance of caste specific vote banks, it is no wonder that the ideal normative foundations of British colonial procedures are being shifted, and gradually eroded. Rather than viewing this as conclusive proof of a decline, by adopting a constructivist view, it is possible to argue that the elitist norms underlying the institution are giving way to the pressures of vernacularization and mediatization, ultimately resulting in a more representative (if not necessarily effective institution). The Indian parliament appears to derive its legitimacy from the performance of political representation, more so than the actual legislative passing of policy (which the executive in many cases does irrespective of Opposition opinion).

2.2.3. Deliberation

The attributed functions of representation and legitimation to the cause of parliaments appears to be largely driven by theoretical views as to what representation ought to look like, or how legitimation ought to transpire. These normative views find an empirical bridge in the decades-old assumption that the ways in which parliaments legitimately perform their duties, one of which is to represent, is through practices of deliberation.

In etymological terms – the roots of the word 'parliament' underscore the centrality of the spoken word in understanding what parliaments (are commonly understood to) do, *parlee* (French) which is 'to speak', *parley* (English) which is to hold 'conference

with an enemy' and *parabola* (Latin) which is to 'speak in parable', or to 'compare' (Harper n.d.). The self-description of parliamentary identity (i.e. from within the institution by its members) is strikingly similar, Westminster describes parliament as "an event arranged to talk and discuss things" (UK Parliament n.d. (a), para. 1) primarily to "make laws, debate topical issues and look at … taxes" (UK Parliament n. d. (b), para. 1). The Indian Parliament describes itself as "the supreme legislative body of the country" whose "main function is to pass laws" (Lok Sabha Secretariat n.d.c, 1). All of these functions are made possible through practices of deliberation.

I will address four different approaches used to study deliberation within democratic institutions, or the wider democratic system, namely, classical (Habermas 2006; Cohen 1989; cf. Rawls 2005), critical (Young, 2001), agonistic pluralist (associated strongly with Mouffe, 2000) and empirical/ethnographic approaches (Mansbridge, Hartx-Karyp, Amengual and Gastil 2005; Gastil 1993; Rummens 2011). I begin with some minimalist definitions of deliberation (in the classical sense of the term),

> "*[Q]uestions are decided by argument about the best ways to address problems, not simply exertions of power, expressions of interest or bargaining from power positions on the basis of interests*"
> ~ Cohen and Sabel 2006, 779

> "*a system of government in which free and equal citizens engage in a collective process of political debate […] informed by*" the idea of 'public reason' *[…] that specific the norms that are to regulate democratic institutions and political decisions be defended on the basis of reasons that all participants can accept*"

> *"a process of public reasoning geared toward generating*
> *political decisions or public opinion about how to resolve*
> *shared problems"*
> ~ Smith and Brassett 2008, 72-73

The definitions above constitute the more classical understanding of deliberation, as inspired by Jurgen Habermas' view on deliberation and John Rawls' idea of public reason.. Habermas describes his view of deliberative democracy as "epistemic proceduralism" whereby a knowledge (epistemic) outcome is generated for society as a whole through adherence to democratic procedures which facilitate value-neutral debate to find consensual outcomes through deliberation (Habermas 2006, 413; Cohen 1989, 345; see also Rawls 2005). The 'knowledge-generating' process is said to occur through the interactions of anonymous audiences responding to "informed elite discourse and a responsive civil society", mediated through a "self-regulating media system" operating independently of societal and political pressures.

Ultimately, Habermas (2006, 413) argues that deliberation within the democratic profess "generate[s] legitimacy" following procedures of "opinion and will formation" that are transparent, provide equal opportunities for participation and inclusion, and which will result in rational changes in actors' preference thereby leading to "reasonable outcomes". The premise of 'reasonable outcomes' is built on the idea that "institutionalized discourses" highlight relevant issues, facilitate the critical evaluation of arguments and lead actors to make rational choices. Similarly, Cohen refers to an "ideal deliberative procedure" as one wherein "outcomes are democratically legitimate" if they are subject to "free and reasoned argument between equals" to arrive at a "rationally motivated consensus" through the process

of reason-giving, i.e. reasoning, where participants are committed to adhering to the deliberative process (Cohen 1989, 346-348).

Within the Indian parliamentary context, adherence to the rules of procedure which provide the framework for deliberative possibilities are routinely flouted *en masse*, irrespective of party, age, gender, etc. The very act of reason-giving is thwarted through noisy opposition and disruptive behaviour, rendering reasons and arguments given for a particular policy completely inaudible. The independent Indian media, rather than reporting on the content of speeches read out over the din, reports instead on the frequency and form of the disruption instead. Instead of constituting anomalies within the day-to-day routines of the institution, disruption (of reason-giving) and inhibiting other MPs from engaging in acts of public deliberation appear to be norm.

Whilst one can argue that deliberation does in fact take place in the Parliament's numerous committees, as these committees are not held in the public gaze (even through the lens of the media), this form of deliberation cannot be said to mirror the acts of public exchanges of reason described above. Therefore, if any conception of deliberation is to be applied to the Indian parliamentary context, it requires an appreciation of the passions expressed within the political process and a question of the norms underpinning so called rational processes of reasoning and deliberation. I engage with the work of Iris Marion Young (2000, 2001) and Chantal Mouffe (2002) in their critique of the Habermasian vein of deliberative theory.

Iris Marion Young's critique to Pitkin's typology of political representation (2000, 39-40) also applies to the Habermasian ideal of deliberation: that the norms

underpinning the institutional form of 'reason-giving' does reflect underprivileged or marginalized social and political groups who were absent/excluded from processes of institutional formation. In the Indian context, this would refer to middle and lower caste groups who were not represented to a great degree in the first phase of the development of the legislative institution in India. Political elites who drafted the Indian constitution were almost all lawyers, the most prominent of whom had been schooled in England and received their legal training from Western countries. Therefore, these elites were very comfortable with adopting wholesale (with some minor modifications) colonial rules of procedure and approach to conducting parliaments.

A further critique is the exclusion of the concept of power and ideology within deliberative theory (Young 2001, 675 and Mouffe 2000, 14). In the classical conception of deliberation, those who possess power over others and their ability to narrow the scope of dialogue, to choose who participates and how either through direct coercion or the threat of force is ignored. Powerful elites representing vested interests or privileged segments of society have through formal and informal channels, the ability to influence political policy and the managing of deliberative settings (Young 2001, 677). Moreover, Young (2001, 685; see also Mouffe 2000) also point to the role of hegemonic discourse and its ideological power, in shaping the discursive terrain which makes certain political positions, and modes of articulating those positions permissible, whilst others are excluded or rendered improper or illegitimate.

Power is not hidden from the deliberative process on the floor of parliament, it is exemplified and reified through performative gestures, divisive rhetoric other

unorthodox dramaturgical forms through the medium of team of actors aligned on party lines. For example, despite having the numerical weight to do so: numerous ruling parties over successive Lok Sabhas have been unable to pass the Women's Reservation Bill owing to the dissent of a few regional parties. The members of these parties tend to use highly disruptive forms of protest and disruption of debate, any time the Bill is even mentioned for introduction (let alone consideration or passage). One of the possible reasons why the Government is unable to sanction those disrupting MPs is their dependence upon such regional parties to the larger stability of the ruling coalition.

One can argue that disruptive dramaturgy, i.e. stalling or boycotting parliamentary proceedings is in itself an attempt to draw attention to the hegemonic nature of discourse within the institution – or it can more cynically be viewed as an attempt to de-legitimate those in favour of a Bill. Either way, the Indian government continues to pass its Bills with the confidence of a numerical majority based on a multi-party ruling coalition, regardless of whether discussions even take place on a Bill. This complicates the whole issue of whether deliberative practice is even seen as mandatory on the floor of the Houses of the Indian Parliament, and why the lack of public discourse has yet to de-legitimate the institution itself in the eyes of the public.

With respect to ideological-discursive power, Chapter 5 (Rhetoric) demonstrates how discussion in parliament does not tend to question key premises upon which discussions are based. In the case of the Prevention of Terrorism Act, few MPs actually questioned the essentialist discourse which identified Muslim militants from Pakistan as the main source of terrorist threats to India – those who attempted to argue that the threat did not affect the whole width and breath of India, but only its

border states (such as Kashmir) were accused of being unpatriotic (p. 214); other examples are provided in the Chapter 5.

Despite the Habermasian insistence upon consensus in deliberation, despite the existence of consensus ascertained through a rhetorical analysis of debates in both case studies, consensus is claimed to be 'non-existent'. The very staging of consensus, in the Indian parliamentary context, becomes a highly fraught political issue which must fulfil stringent dramaturgical requirements in order to be viewed as successful. One MP pointed out that there were examples of key Bills such as the Indo-US Nuclear Deal which was signed without parliamentary approval in 2008 (Interview 2010a). The issue precipitated a vote of confidence which the Government won by a margin of 19 votes. The passage of the Prevention of Terrorism Bill in 2002 despite the staging of political polarization is also a case in point (See Chapter 6).

As an alternative means of conceptualizing participation in disruptive, non-conventional forms of political performance, Young (2001, 675) argues that in contrast to participating in public deliberation, those who use tactics such as protest, boycott and disruption to raise awareness and lead the (viewing) public to question procedures, agents and terms of discourse that had hitherto been found to be normal and acceptable. Participation within deliberative institutions in real-world settings can be viewed as being complicit with and effectively legitimizing institutions whose norms, procedures and logic of aggregating political preferences effectively marginalizes dissent. She cites the use of "slogans, humor and irony" through disruption and other protest-related activities to impose the "power of shame" unto elites who control agendas for discussion, e.g. protests against the closed World Trade Organization Meeting in Seattle 1999 (Young 2001, 676-7). Ultimately, she

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makes the case that, rather than demonising those who disobey institutional conventions and conventions as being 'non-democratic', they can more fruitfully be understood as agents acting in the name of social and political change, but with a wholly different conception of what constitutes "public virtue", e.g. adherence to established standards and tacit acceptance of existing institutions, or subversion/disruption of said institutions to promote a more open, democratic form of debate and a re-thinking of political positions, policies and possibilities.

From the same line of critique, Mouffe (2000, 26) calls for such adversarial tactics to be considered as a legitimate form of democratic engagement between agonistic (as opposed to antagonistic) adversaries in the process of deliberation. Rather than viewing political opponent as enemies (antagonism), Mouffe's vision of 'agonistic pluralism' allegedly channels "collective passions" and allows for their free expression in ways that avoid practices of essentialising (e.g. seeing the 'other' as enemy). Her understanding of 'adversary' is someone whose views one might disagree with, but whose right to air those views in a form acceptable to him/her is never contested (Mouffe 1999, 15).

In the Indian context, as will be examined in further detail in Chapter 8 (Ritual), the rhetoric and dramaturgy of those who disrupt parliament seek to frame themselves as activist-crusaders working in the greater interests of democracy, rather than to promote their own self-interest. Whether this is true or not is beyond the scope of this thesis to verify, though it is nevertheless considered a distinct possibility. However, it must be noted, that there is a strong tradition of protest politics, political boycott of parliamentary and other political institutions that emerged within the framework of the Indian nationalist movement, seeking independence from Colonial rule (Kashyap

2008, 66). It is quite plausible that such form of disruption is considered legitimate within the day-to-day fabric of Indian politics, but is being termed as wasteful, non-productive, shameful, etc. as a means of minimizing their true political worth.

Young (2001, 688) argues that non-traditional forms of political action, typically seen as forms of protest, such as picketing, disrupting debate, staging plays and musical protest, performing in street theatre be viewed as a far more "rowdy, disordered and de-centred" form of meaningful political communication in a "vibrant democracy" be included in a wider under that inform the policy and influence opinions on decision-making (akin to Habermas' idea of deliberation as an epistemic procedure, described above). Mouffe (2000, 10-11) in a similar vein, views that the tendency to privilege rationality in the substance and procedure of holding deliberation, leaves out the "crucial" elements of "passions and emotions" within the wider process of democratic engagement and the development of democratic values within the individual. Her argument is that deliberative theorists view individuals apart from the "social and power relations, language, culture and the whole set of practices that make individuality" possible, and therefore the "forms of life that foster identification with democratic values". Mouffe provides a rationale for appeals to affect, etc. as she claims it will engender a personal sense of what it means to be a citizen within a democratic polity, and the rights and responsibilities inherent. It is important to note that whilst, for decades if not centuries, such practices have been taking place to mobilize emotion (e.g. political rallies, mass protest marches, musical concerts promoting political activism, etc.) their comments come in response to the more sterile, verbal, ordered form of reason-giving and behaviour prescribed in legislative institutions – which classical deliberative theorists such as Habermas view as (form) conferring legitimacy upon these institutions.

Mouffe's critique of the theory of deliberation departs from Young's objections in that she takes it to a far higher level of abstraction. Mouffe (2000, 8) questions the very possibility of arising at a rational consensus within any deliberative body in real-world settings, without necessitating some form of political exclusion and that that deliberative theory seeks to erase the plurality inherent in all politics through its agenda of arriving at total, rational consensus. The notion of one proper mode of engagement, and one common solution shared by all, she suggests, leads to the essentializing of identities and the polarization of views in any institution following such rules. Moreover the selection of a verbal, reason-giving mode of arriving at consensus itself excludes identities who do not or cannot follow those rules, particularly if the criteria for admission/facilities for mastering these rules of procedure are limited to elite segments of society.

Both Mouffe (1999) and Young (2001) argue that a broader notion of what constitutes forms of political communication and engagement be considered as legitimate parts of the processes of opinion formation, decision-making and legislation. This is due to exclusions made at the time of institutional formation, in the setting of deliberative agendas and the placing of limits on the scope of policy choices. Subtler exclusions circulate through hegemonic discourses which underpin the terms of questioning, engaging with and the limits to subvert or critique debate on a given topic. Both critics of deliberative theory encourage appeals to emotion and passion through forms traditionally viewed as disruptive, noisy – or as some would argue – vibrant. Within the Indian parliament, whilst disruption is still lamented upon considerably in journalistic commentary and academic discourse, it has tacitly acquired some form of legitimate status – owing to its continual performance, and the continued relevance of Parliament in India's political discourse.

Recent works by deliberative theorists informed by the Habermasian tradition have sought to integrate the more emotional aspects of political discourse within their understanding of deliberative practice. For instance, with respect to the formation of public opinion within a much wider network of the "global civil society" as part of the global governance discourse, Brassett and Smith (2010, 414) argue that "emotional impact of verbal and non-verbal campaigning" … is becoming central to the substantive politics of global civil society". They go on to argue that the self-understanding of global civil society and its multiple audiences is facilitated through the *affective* dimension of deliberative practice, mediated through the use of music, comedy and film in political campaigns.

As will also be explored, deliberation in the verbal sense is often (if not almost always) interspersed with dramaturgical performances that disrupt speech through their aggressive physicality and intimidatory nature, e.g. rushing the well en masse, snatching papers and shouting slogans. Therefore, the process of public reasoning has always been one that has involved emotion, bodily gestures, histrionic appeals – it is now a matter of reconciling the two theoretical positions and understanding how different forms of political performance merge, intertwine or undermine one another. The question of which mode is more or less legitimate is not within the scope of this thesis to answer; the question here is whether these performances have become political rituals in themselves, and whether these rituals have significance for the way in which the Indian parliament operates.

Having reviewed some of the major theoretical approaches to understanding deliberation, I situate my work within the emerging branch of deliberative theory that calls for an inclusion of disruptive political forms of performance that are viewed as

legitimate, in fact, necessary components to deliberation. I now address more empirically-driven approaches to studying deliberative practices within parliamentary institutions.

Research on political deliberation has moved past these early normative considerations and found more expression in inductive explorations of deliberative practices. For example, Mansbridge, Hartx-Karyp, Amengual and Gastil (2005, 1) adopt a 'facilitators' approach to deliberation, informed by professional norms, practices and experiences of those in position to do so. Gastil (1993, 24) interprets deliberation as "discussion that involves judicious argument, critical listening, and earnest decision making", facilitating the inclusion of emotive appeals into the deliberative process. This favouring of inductive, empirically-oriented research has begun to overturn formalist definitions of institutional practices based on narrowly defined functionalist views.

Moreover, scholars have linked the functions of political representation and legitimation as introduced above as observed through practices of deliberation, drawing upon frameworks not unlike the one I adopt in this thesis. For example, Rummens (2011, 1-2) distinguishes between conceptions of deliberative institutions as forums, networks and stages (with specific reference to parliaments). Proceeding from this characterization Rummens goes on to establish the disjuncture between the theory and practice of deliberation and makes the wider argument that by parliamentary institutions are best conceived of as stages as they have a 'visibility' that allows them to 'play an ineliminable role in the connection of political power to public reason' (2011, 3). I will return to this particular line of argument when discussing my analytical framework in sections to come.

Returning to the concluding remarks made on the theoretical discussion above, I would argue for a methodological pluralism informed by an ethnographic (i.e. empirically-driven) approach to studying the Indian Parliament and its workings. Similarly, in the proceeding section, I reviewed both the key approaches to studying political institutions (the new institutionalisms) and the functions of parliaments in particular (through the lenses of legitimation, representation and deliberation). In all cases, I reviewed dominant approaches and distanced myself from pigeon-holing my approach of studying ritual-as/through-performance within any one of these categories, whilst acknowledging how each of these more established approaches intersect with the approach used in this thesis – explained in the following section. Whilst I cannot hope to bridge all the gaps between political theory and empirical realities in any single body of work, I explain the eclectic, methodologically pluralist, approach I have chosen to take with a view to addressing these research gaps, between theory and practice, institutional decline and resilience, maintenance and change.

2.3. *Analytical Framework*

The classical modes of understanding legitimation, representation and the centrality of deliberation within normative and functionally driven studies of parliament, have already been introduced. Owing to invalidations at the empirical levels, and also the maturation and sophistication of political theory, these views are gradually being overturned by political researchers in search of alternate ways of addressing the same issues. In this chapter, I introduce the components of my analytical framework which seek to address the research gaps identified in the previous section, all the while

identifying cases where such approaches and concepts have similarly been used by political scientists. The components are introduced in the following order, Ritual, Performance/Performativity, Dramaturgy, Rhetoric and Procedure.

2.3.1. Ritual

I began my thesis by asking whether the concept of ritual could be usefully mapped onto performances of legislation. The use of rituals in studying parliamentary interactions, the staging of debates and in the holding of symbolic, ceremonial events has been revived through the efforts and publications of the Gendered Ceremony and Rituals in Parliament Program (GCRP 2011). A Special Issue in the Journal of Legislative Studies (2010) featured a host of papers from GCRP collaborators (Rai 2010; Waylen 2010; Hasson 2010; Spary 2010; Franceschet 2010; Celis and Wauters 2010; Puwar 2010; Crewe 2010; Armitage 2010). The volume, and the collective research output of the GCRP group, contributed to the legitimacy of using rituals as 'framing concepts' through which parliaments can be analyzed within the discipline of political science. In words of Shirin Rai, editor of the special issue,

> "*Studying ceremony and ritual in politics challenges the*
> *utilitarian and rational choice understanding of political*
> *scope, decision-making and policy outcomes. It highlights the*
> *role of emotion, sentiment and affect in politics and helps us*
> *understand how everyday rituals and ceremonial*
> *performances hold disparate interests, histories and visions*
> *of the future together against all odds, while at the same time*
> *embodying the possibilities of evolutionary, transgressive and*
> *disruptive change.... Ceremony and ritual at times disguise*
> *or even conceal what is present – conflict, political*
> *differences, social tensions, disruptive moments – by creating*

> *a sense of ordered histories of institutions, appropriate*
> *modes of behaviour legitimised by performance and*
> *recognition over time; they help reify politics"*
> ~ Rai 2010, 287 and 293

"Ritual" is an "essentially contested concept" (like fairness, power, etc.) that lacks common definition in terms of its nature, functions or forms of manifestation (Armitage and Malley 2008, 3; Roth 1995, 301-302). In part, this is due to lack of uniformity in the appropriation and application of the concept within the various disciplines it has been studied in, namely, anthropology, sociology, religious studies, performance studies, media studies, organisational studies and to a much lesser extent, political science. In this brief review of the concept, I firstly engage with the academic debate on whether it is more important to study the composition or function of ritual, followed by an exploration of four effects/functions (cohesive, agonistic, cognitive, liminal-transformational) (Roth 1995, 302; Lukes 1975)[8]. I do not claim to be able to solve or bridge these disparate means of studying rituals, and can only situate my own interpretation upon these axes, acknowledging the strengths and limitations of such a choice.

Typically, anthropologically-oriented scholars focus upon the description of the specific sequence of rituals, explaining each gesture, symbol, artefact, person, sound,

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[8] Roth (1995, 303) also identifies the issue of whether ritual is a 'type' (Bell, 1992)or an 'aspect' (Goffman 1972) of human action as a matter of academic debate. To some extent, I use both conceptualizations in my use of Goffman (1972) and Rappaport (1999). Goffman interprets all human interaction as having a ritual, or ceremonial component which signifies values such as honour, respect, etc. Whereas, Rappaport's formal-causal schema for identifying rituals provides a compelling method to make ritual identification and analysis a more meaningful and worthwhile endeavour. My own view is that when seen as an aspect of all human action, the concept becomes too diffuse as to be empirically operationalizable for the broader objectives of this thesis (Roth 1995, 315). Scholars have also sought to differentiate rituals as a separate type of human action by creating untenable distinctions (Lewis 1980 in Roth 1995, 318) between to the domains of the sacred/secular (Moore and Myerhoff, 1977; Gusfield and Michalowicz 1984), the symbolic/expressive vs. instrumental/rational (Radcliffe-Brown 1948 [1922]; Evans-Pritchard 1937 in Roth 1995, 318; Goody 1961).

etc. through which the ritual is composed and performed (see also Turner 1967; Van Gennep 2004). For example, Turner (1967, 185) in his study of the Ndembu tribe in Africa, describes, in microscopic detail, the sequences of events which make up the Mukunda (circumcision) ritual held to initiate young males into adulthood: *Kwing'ija* (entry), *Kung'ula* (seclusion) and *Kwidisha* (return). The notion of 'ritual' is not limited to so-called primitive tribes and societies, it is prevalent within (again, so-called) modern society and is not limited to religious ceremonies. Van Gennep (2004, 3) makes the argument that each individual life even within "civilized" societies undergoes a series of "rites of passage" such as "birth, childhood, social puberty, betrothal, marriage, pregnancy, [parent]hood, initiation into religious societies...advancement to a higher class, occupational specialization... and funerals". Whilst rituals/rites are more obviously associated with religious institutions such as places of worship (churches, mosques, temples, synagogues, etc.), scholars have also identified the presence of rituals within social, political and educational institutions. For instance, Jardeau (2002, 14)s argue that the ritual of "Secret Santa" (gift-giving practices amongst office staff) held during office Christmas parties, "displa[y] the internal relations between members of the department … and allows for the expression of individual characteristics". As the question of form and function are both relevant to this thesis, having introduced the applicability of the concept briefly, I now turn to a discussion of which frameworks I use to identify performances of ritual as such.

I adopt Roy Rappaport's (1999) schema of the formal-causal properties and Stephen Lukes' (1975) condensed definition to identify rituals and distinguish them from other forms of behaviours, and then to interpret their effects.

Stephen Lukes' (1975, 291) exceedingly condensed definition of ritual reads as follows, Rituals are "rule-governed activit[ies] of a symbolic character which draw the attention of its participants to objects of thought and feeling which they hold to be of special significance…at different levels of consciousness and with varying emotional charge" (Lukes, 1975, 291). Rappaport's (1999, 24) definition of ritual as "the performance of more or less invariant sequences of formal acts and utterances not entirely encoded by the performers" echoes the former definition. Based on his definition, Rappaport (1999, 32-49) went on to deduce six formal-causal properties of ritual, namely, (1) form, i.e. posssessing a structure or pattern (which can be chaotic in itself), (2) encoding by other than performers, (3) invariance and uniqueness, (4) dual efficacy (material and symbolic), (5) performative power, i.e. real efficacy through speech-acts and (6) meta-performative power, i.e. to define or establish the forms which create convention. Of theoretical interest is ritual's form, repetition, efficacy (material, symbolic, performative, meta-performative) and its reliance upon prior convention in understanding practices of legitimation through highly symbolic, emotively charged (and by the same token, subtle and under-emphasized) performances of ritual. To briefly re-iterate, performative aspects of ritual "acheive conventional effects through conventional procedures" (Rappaport 1999, 126). Therefore, by performing a speech-act in the prescribed form, in the correct location can result in a prescribed effect dictated by convention. For instance, a woman uttering the words 'I do' to her intended will lack performative impact on legalizing a marriage union if she does so without the presence of witnesses and a suitable public figure (e.g. justice of the peace, ship's captain, priest, registrar, etc.). Meta-performative consequences are a step further up the ladder of abstraction as they "establish the conventions in terms of which those effects are achieved" (Rappaport 1999, 126). Through the repeated enactment of ritual performances, the

very institutions which afford legitimacy to certain situations or transformations of status are reified (brought into being) and legitimated in themselves.

Taken in context, Rappaport (1999) sought to explain how the liturgical orders were reified and kept alive through the repeated performance of religious ceremonies. Despite the analytical utility of his schema, his original interpretation of ritual was conservative, in that religious rituals were a vehicle for reinforcing, rather than challenging, constructing or transforming previously existing societal or institutional structures, which the following interpretive schema seeks to re-dress.

There are four dominant interpretations of what dynamics rituals produce within a given social context, cohesive (Lukes 2001; Shils and Young 1953, 74), agonistic (Bryan 2000, 11; Anand and Watson, 2004, p. 61), cognitive (Lukes 1975, 302; Gusfield and Michalowicz 1984, 427) and/or liminal-transformational (Turner 1967, 93-95; Fischer-Lichte, 174-175).

Emile Durkheim, a scholar who influenced many social anthropologists and scholars of rituals including Erving Goffman (1969, 1972) and Roy Rappaport (1999), viewed ritual as "as both an index of and a mechanism for social integration", emphasizing "how ritual facilitates expression of meaning through actors' shared orientations to commonly valued symbols" (Lukes 1975, 292; Roth, 1995, 302).

In contrast, "agonistic" approaches, also known as "conflict" approaches, view ritual "as a means of mystifying and naturalizing social stratification", emphasizing "how ritual allows for manipulation of human emotions by imposing patterns and routine"

(Bourdieu, 1991; Bloch, 1989 in Lukes, 1975; Bryan 2000, 11, see Mouffe 2000 for a similar notion in deliberative theory). The agonistic approach has also been interpreted as a "Neo-Marxist critique of functionalism" (Anand and Watson 2004, 61), in line with the view that rituals function as a "mobilization of bias", expressing "the very real conflict inherent in a social group" (Lukes 1975, 292; Anand and Watson 2004, 61). Some authors argue that both effects are not mutually exclusive, and occur in relation to one another, those these combinations are not of interest in my current analysis (Gluckman, 1991; Alexander 1988).

The third effect of ritual, as understood in this thesis, views ritual as a cognitive determinant of the ways in social reality is constructed and communicated to individuals. Therefore, ritualized action is the "process" which facilitates individuals to "make sense of the world, link the past to the present and the present to the future, allow expression of powerful emotions , or order (reaffirm, contest or disguise) relationships within the social and political systems" (Crewe and Mueller 2006, 13). Rituals define "as authoritative certain ways of seeing society", while marginalizing alternative perspectives as "modes of exercising, or seeking to exercise, power along the cognitive dimension" (Lukes 1975, 301). Similarly, organisational scholars consider ritual as "dramatic enactments of values through symbolic systems of ordering reality" (DiMaggio and Powell 1991, 243). Most scholars agree that rituals fulfil symbolic and instrumental functions through the process of their enactment, with reference to a larger, transcend principle or system of meanings. Therefore, in terms of the construction of political identities (such as citizenship, nationality, for example) rituals are theorized to serve an important role in creating the script of templates through which such identities can be understood in relation to a broader (societal, national, etc.) context.

This line of interpretation resonates strongly with the sociological institutionalist understanding of how meanings that influence actors, and actors' notions of their own identities and scope of agency is sedimented over time. A 'cognitive' effect afforded to rituals can both explain perceived states of cohesion and/or conflict and is, in that sense, performs a far deeper function.

Political rituals should be seen as " reinforcing, recreating and organizing" the collective representation and symbolism inherent in "models or political paradigms of society" and how it functions (Lukes 1975, 301). Therefore, ritual "render[s] intelligible society and social relationships, serving to organize people's knowledge of the past and present and their capacity to imagine the future … it helps to define as authoritative certain ways of seeing...and not seeing... society" (Lukes 1975, 301).

Within this interpretation, rituals are foundational constructing identities and actors' interpretations of the possibilities of action within social contexts. Political institutions and embedded structures of power (gendered, racialized, sexualized, ethnicized, etc.) can therefore be seen as iteratively constituted products of rituals (c.f. Butler 1997 on performativity) that legitimate and consolidate such structures. The converse, where rituals can be seen to transgress, resist or challenge hegemonic norms within institutions, is equally facilitated by this understanding.

Therefore, rituals are capable of conveying multiple meanings, norms, ways of knowing and being, i.e. discourses, to subjects that are composed of various identities (gender, religion, party, caste, race, etc.) and who perform various roles (parliamentarian, party member, caste member, family member, etc.). As such, they

are the vehicles of forming, contesting and negotiating the construction of ideologies and subjectivites. Therefore, rituals and ceremonies are political tools able to foster political beliefs, i.e. in legitimacy of authority.

The final effect of ritual explored here is ritual's ability to effect signal liminal periods of transformation between different phases of a person's, institution's, relation's life-cycle (Turner 1967, 93-95; Fischer-Lichte, 174-175). In liminal periods, i.e. moments where an individual is in-between a previously-held and future social status, rituals serve as actions that relocate the individual geographically, socially and spatially till the desired status is achieved (Roth 1995, 313). During such phases, traditional conventions of behaviour would be broken or inversed. For example, young boys of the Ndembu tribe enduring initiation rites of passage into adulthood are separated from the broader social group and are taken to the wilderness to learn how to hunt, having just been dependent which other adults had to take care of (Turner 1967, 7). During this phase of separation-initiation, the neophytes would witness rare performances by masked dancers, who would only dance at initiation and funerary rites (Turner 1967, 9). Once the individual has passed the threshold of indeterminate status (limen), i.e. the initiate has become a member of a society, fraternity, gang; the child has become an adult, etc., social conventions once again enter into effect.

It is important to note that liminal phases can lead to "reinforcement or schism" with the former being the more common outcome (McKenzie in Bial 2004, 28). Liminal spaces and phases such as social unrest in North America and Europe during the 1960s have adopted the latter route, where the wider societal context was transformed as consequence.

Scholars such as Monnoyer-Smith (2006) and Herzog (1987 in McLeod 1999, 361) have used the concept of liminality to address the processes of inculcating values and identities of political citizenship through the liminal phases within political rituals of general and presidential elections. There is a lack of scholarship within the discipline on the notion of liminal-transformation through political ritual with few exceptions, Spary 2010 explores this idea to some degree with respect to disruptions in the Indian Parliament; Rothenbuhler 1988 examines this idea in the context of mass industrial strikes.

Having discussed how I identify and interpret rituals within my study, I now review some of scholarship of ritual within the discipline of political science.

Though they have not constituted a mainstream approach to studying political actions within the discipline of political science, there is a long-standing tradition of studying political rituals from other disciplines such as sociology and anthropology (reviewed above). In Kertzer's (1987) *Ritual, Politics, Power* , he interpreted the American presidential contest as a form of "socio-drama" embedded within a larger ritual cycle (108), as empirically corroborated by McLeod (1999) using the examples of the Clinton-Bush presidential race and their respective campaigns. Ross and Joslyn (1988, 317-318) make the related argument that the news coverage of election night (results) constitute a form of political ritual that provides "symbolic reassurance" for the public in a time of "uncertainty and stress", thereby "promot[ing] and re-inforc[ing] orientations towards the political system". There are numerous precedents to his tradition of interpreting political rituals, of coronations (Shils and Young 1953), elections (see above), presidential speeches (Bellah 1967), presidential inauguration and commemoration (Abeles, 1988).

In a different vein, following an in-depth, empirical analysis of political rituals at work in the industrial context of Soviet occupation, Christel Lane (1981, 282) argues the political rituals in "modern society" arise only to "obscure the gap between the ideologically determined definition of social and political relations" vs everyday experiences of the same. For example, when young members are inducted into a co-operative unit, they are handed down implements, badges by other members identified as 'heroes'. Though these persons may have performed some heroic act, outside the ritual context of 'hero worship' and initiation, their deeds would not be recognized. If a hero is shown to have had personal contact with Lenin, that person can "bridge across generations to the very source of holy revolutionary tradition" (Lane 1981, 209). Lane's analysis fits in well with agonistic/cognitive interpretations of ritual as discussed previously.

With respect to the study of legislatures, Lukes (1975, 303-4) suggests that legislative activity such as parliamentary debates, questions, committee meetings, etc. be viewed as forms of political ritual that "define what the citizen takes for granted... [as] dominant definitions of the meaning of politics … the proper channels and permissible limits of political conflict". Parliamentary scholars such as Crewe and Mueller (2006) have investigated the role of procedures, rituals and ceremonies in various national contexts in forming parliamentary reputation, conveying political messages to the public and other functions. As introduced above, scholars within the GCRP program have, taking Lukes' interpretation as their primary starting point of analysis, attempted to further explicate the empirical realities of parliamentary functioning and the role of parliamentary ritual within these institutions.

In her ethnography of why legislators in the British Upper House (of Lords) attend,

participate and vote along party lines regularly, Crewe (2010) studies processes of socialization within the House and political rituals involving the Lords. Crewe (2010, 318) argues that (in part) the "symbolic capital" that peers enjoy through their titles, access to the Palace of Westminster, and the "elevation of the peerage" in ceremonies of state, provide some explanation as to the discipline of Lords (in attending, voting, participating, etc.). Crewe (2010, 324) concludes by arguing that political rituals and other symbolic practices 'create' political realities for legislators, they are therefore "integral to [understanding] the political process".

Having presented a brief overview of the concept of ritual and its applications within the discipline of political science and the study of parliaments, I use the example of the Oath of Affirmation (swearing-in-ceremony) as an example of how the ritual framework can (at this stage of its delineation within this thesis) be used to interpret ritual performances within the Indian parliament.

2.3.1.1. *Applying a ritual analysis to the Oath of Affirmation ceremony within the Indian Parliament*

Within the Indian parliamentary context, there exist few moments of relative calm and quiet on the floor of the House wherein cohesive rituals of integration are easy to identify – with the exception of the Oath of Affirmation. The first act of a Member who has won election or has been nominated to the Houses of the Indian Parliament is to intimate that s/he wants to publicly perform the oath of affirmation in front of the Presiding Officer on the floor of the respective House. Without this performance, MPs are not officially recognized within the chamber as Members of the House and do not have the right to participate, i.e. to move motions, take part in debate, vote,

etc. If an MP fails to take the vote and attempts to participate in the House, s/he must pay a penalty of 500 rupees per day (Rajya Sabha Secretariat n.d., 329).

Post-electoral victory, an MP must approach the Table Office in Parliament House and notify the relevant official there of their her/his intent in making the Oath of Affirmation (Lok Sabha Secretariat 2009b, Chapter 2, 79). The official concerned informs the MP of the procedure expected. At this stage, the Member must specify which language s/he intends to take the oath in so that the appropriate script can be handed over to her/him on the actual day of performance. The script of affirmation, taken from the Rajya Sabha (similar to that used in the Lok Sabha) is as follows (Rajya Sabha Secretariat n.d., 328) in the English-language version,

> *I, A.B., having been elected (or nominated) a member of the Council of States (Rajya Sabha) do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter.*

The same document goes on to specify the procedure for making the oath on the actual day of performance (Rajya Sabha Secretariat n.d., 333):

> *On the name of a member being called by the Secretary-General, the member proceeds from the place he is occupying to the right-hand side of the Secretary-General's Table.*
>
> *A copy of the form of oath or affirmation, as the case may be, in the language of the member's choice is then handed over to him. The member faces the Chairman and*

while standing makes the oath or affirmation...

... [S/he] then ascends to the Chairman's rostrum, shakes hands with or greets the Chairman and then passing from behind the Chair descends to the other side of the Secretary-General's Table...where [s]he signs the "Roll of Members."

In practice, members are observed, depending upon their political allegiances, to show signs of salutation (respect) through the folding of hands to political leaders of the Government/Treasury Benches and the Opposition as they pass by them. Not all members recognize and salute both sides, though it has been observed in the case of smaller regional parties (Dravida Munnetra Kazhagham (DMK) of Tamil Nadu, etc.).

The atmosphere of the chamber varies during the Oath of Affirmation ceremony, though members are expected to refrain from doing anything that would "mar or disturb the solemnity of the occasion" (Rajya Sabha Secretariat n.d., 335). In many cases, there is a general hum of low-key background chatter as the numbers of MPs (700+ in both Houses), like a well-oiled machine, utter their oaths one after the other. The total time taken between calling a member, the member rising, affirming, traversing the back of the Speaker's/Presiding Officer's chair and signing the Roll of Members is usually 30-40 seconds long. The Secretary General calls the name of a next Member as soon as the first Member has finished reading out the script (10 seconds maximum). Most, if not all MPs, receive some form of applause upon completing their speech by other MPs' thumping their desks, though not all MPs watching would do so – the sound of sporadic thumping forms part of the background noise of the larger ritual.

The Oath of Affirmation qualifies as a ritual performance as it fulfills all six criteria of Rappaport's (1999) six-fold criteria specifying the formal-causal properties of ritual performances, (1) form (2) encoding by other than performers, (3) invariance and uniqueness, (4) dual efficacy (material and symbolic), (5) performative power, and (6) meta-performative power.

Firstly, the performance of the Oath of Affirmation is a scripted, stylized sequence of acts which requires a great deal of planning for successful execution. Scripts are provided in advance by institutional sources and no deviation from the script provided is recognized. Even in instances where MPs have omitted certain phrases (e.g. allegiance to God), the Presiding Officer has treated the Oath as having been successfully enacted, i.e. legitimate (Rajya Sabha Secretariat n.d., 333). Logistically, MPs are expected to adhere strictly to the script and bodily gestures expected of them as they must finish taking the oath quickly to allow the next member to do so – as only a few days at the start of 5-year term of the Lok Sabha can be allotted to taking the oaths of 500+ and 250+ (in the Lok Sabha and Rajya Sabha respectively) members. A great deal of precision is used to specify the form of performance expected to schedule all these performances.

Secondly, the form or structure of the ritual performance was encoded (or given meaning by) individuals and institutions apart from the performers of the ritual themselves (i.e. MPs). MPs are effectively following an institutional script which they are expected to adhere to. Whilst MPs themselves may affectively feel for the oath of affirmation ceremony (Interview 2009b), their emotions surrounding the event are meaningful for their personal subjectivity, though these emotions have little bearing on whether the institution recognizes the act as having been successfully

enacted, i.e. a legitimate act.

Thirdly, the specific performance of the Oath of Affirmation varies for individual Members in terms of language used, time taken (slight variations), clothing worn, political affiliation, gender, religion, ethnicity and other representations of personal and party identity. I observed footage of Dr S. Jaiswal of the BJP party from the state of Bihar making his oath (AVLS 1-6-2009). Wearing a long flowing white kurta, the bespectacled male MP did not make eye contact with any member from the Treasury Benches. He read out his speech, shook hands with the Presiding Officer, and upon emergence from the other side of the latter's Chair, made eye contact with and exchanged a salute of folded hands (namaste) with L. K. Advani (at that time, Leader of the Opposition in the Lok Sabha, currently senior leader of the BJP). Some applause (thumping of desks) was heard from the Opposition back benchers upon the conclusion of Mr. Jaiswal's speech. This instance of performing the oath of affirmation reflects 90% (based on observation) of oaths which are performed, with some key exceptions.

For example, in May 2012, when "Bollywood's most glamorous star" Rekha Ganeshan "sashayed into [the Rajya Sabha's] august precincts" to take her oath of affirmation as a nominated member – the ritual was performed in a legitimate, yet highly unconventional manner (India Today 16-5-2012, para. 1). Firstly, to avoid being mobbed by dozens of journalists waiting her arrival through the usual exits reserved for Members to enter the House, Ms. Ganesan was allowed to use the exit reserved for the Prime Minister (NDTV News Footage 15-5-2012).

She was called "Ms. Rekha" after her screen name, as opposed to her full legal name,

by the Secretary-General. After affirming her Oath in English, and "in the name of God", Ms. Ganesan turned to greet Mr. Hamid Ansari, Chairperson of the Rajya Sabha. The Chairman is seen to stand up, face Mrs. Ganesan fully by twisting his torso towards her. He is also seen to say 'Welcome' and gestures her (by the folding of hands) at least twice. This is highly unusual behaviour on the part of the Presiding Officer who, is seen to be seated, maintaining eye contact with minimum effort. Louder-than-average applause accompanies Ms. Ganesan as she crosses behind the Chairperson's chair and sits down to sign the Roll of Members.

There are other examples of celebrities who have been nominated into the Rajya Sabha such as Sachin Tendulkar (the famous cricketeer) and have similarly undergone unusual rituals of oath of affirmation, whilst technically adhering to the form of the ritual itself (Business Standard 5-6-2012, para.5). Therefore, this ritual fulfils the dual criteria of invariance and uniqueness at the same time – in that the script is kept static, but there are numerous human elements which, can serve to signify rituals in diverse ways upon different occasions.

In a less star-studded affairs, the atmosphere surrounding the Oath of Affirmation itself varies, depending on whether members are agitating for certain political concessions, or if a member wants to highlight a tragedy (and so ensure that Parliament observes a moment of silence for the deceased), or if political leaders want to stage a walkout, etc. (Rajya Sabha Secretariat n.d., 336). During my field research, I observed, on numerous occasions during the Winter Session of 2010, where Parliament would only function on a single day owing to continuous month-long disruptions at the start of each day (whereupon the Speaker would adjourn the House) – several instances where the Oath of Affirmation took place amidst a

chaotic, rancorous atmosphere of slogan-shouting, placard carrying MPs. These Oaths of Affirmation were treated as being perfectly legitimate (i.e. Members then had full privileges of participation within the House) despite the chaos surrounding their performances.

The fourth criteria presented in Rappaport's (1999) schema was that of dual efficacy, in the material and symbolic senses of the term. This has partially been addressed in previous sections. Once the Oath is Affirmed, Members can then participate in the House without penalty; they become Members of a House protected by sets of different parliamentary privileges. The symbolic efficacy of the ritual is more apparent in individual MPs' accounts of taking the Oath of Affirmation. One MP (2009b) recalled wistfully, his first Oath of Affirmation. He was excited to hear his name called, as he considered speaking in the Parliament as a significant act. One can also argue the fact that the symbolic power of the ritual ensures its continued performance through intense disruption, without fail. However, beyond the material efficacy of the ritual which grants Members the full power of participation, the symbolic dimension appears to relate primarily to affect-based responses in socializing MPs, and creating a sense of solidarity amongst a cohort of Members who, in some capacity, have to function together for 5 years.

In this context, the performative effect of the swearing-in ritual facilitates a transformation of status, from an elected official to a fully functioning Member of Parliament. It allows an MP to be recognized on the floor of the House to perform acts such as moving a motion, raising a point of Order, standing up to catch the Speaker's eye to have an opportunity to address the House, etc. The meta-performative effect of this ritual appears to confirm the hallowed, sacroscant status

afforded to the parliamentary institution as a whole highest forum in the country (Interview 2009b; 2009c), and of MP's being members of a very special political collective for the task of addressing national issues for the whole length and breadth of a country as complex and diverse as India.

The continued performance of this ritual alludes to the importance of affirming one's affiliation to certain values (God, nation, democracy, parliament, etc.) before being allowed to formally take office. It is in fact, the only ritual where MPs formally pledge their allegiance to what can be referred to as the 'spirit of parliamentary democracy'. The diversity which is represented through language, dress, gender, party (as shown on informative bars on TV screens), region, etc. , is transcended by all as they collectively (verbally) espouse the values of such a democracy. As will be described in later parts of this thesis visions of what constitutes the proper observation and performance of these values in practice differ significantly amongst multiple political identities and interests expressed/represented within Parliament.

Having described and analyzed the formal-causal properties of the performance of the Oath of Affirmation using Rappaport's (1999) framework, I now discuss the swearing-in ceremony in terms of the four ritual effects discussed previously (cohesive, agonistic, cognitive, liminal-transformational). The analysis above addresses all but the agonistic effect. The cohesive element is demonstrated through the signals of applause, the (usual) relative silence in the space of the chamber (which itself takes effort when there are more than five hundred people in a room within talking space of one another), etc. The cognitive element can provide an individual sense of identification with the institution and the values which underpin it. Liminal transformational effects are the only ones which have not been addressed

thus far, to which I will turn.

There is a liminal moment in between being an elected member, and a fully functioning Member of the House – it occurs just after the MP has spoken and ends once s/he has greeted the Chair, walked around the back of the Chair's chair, and exited from the other side, then to sign the Roll of Members. This indeterminate moment is performatively depicted through the traversing of space in a fixed pattern or loop within the Well of the House. Regardless of political leaning, all Members must approach the podium erected for delivering the script of affirmation out loud. This is significant because, normally, a Member can speak with through the microphones available at each seat – and all Members have a seat allocated. Without the formal confirmation of their Membership through this ritual, a Member is not entitled to use that facility. The podium itself is on the left hand side of the Table of Clerks and is next to the Treasury benches. Members from Opposition parties in particular, must cross the floor of the House and walk over to their opponent's sides to face the institution of neutrality and arbiter of House proceedings, the symbol of the House itself, as personified in the office of the Presiding Officer. Even if the Presiding Officer her/himself is not seated (but with a Member of the Panel of Chairpersons seated instead at the very least), the physical prop of the wooden dais, attended by House Marshalls symbolizes the solemnity of that office. This act of walking over to face the speak by passing by one's opponents is a method of bringing political opponents into the same political space (figuratively and substantially on this occasion).

Having affirmed their values, the MPs then must greet the Speaker (neutral body) and pass through the mysterious space behind Presiding Officer's large wooden chair.

It is valuable to note that MPs do not acknowledge House Marshalls and peons as participants in this ritual unless they have to do something such as pass a message to the Speaker through the use of written slips. The only eye contact that tends to be made is with party leaders in the front benches of the sitting arrangement, the script, the Presiding Officer and the Roll of Members. It is an exclusionary gaze which does not recognize the Secretary-General, the clerks handing out scripts, transcribing proceedings and holding the Roll of Members and peons who convey written messages in the chamber.

The liminal phase of transformation, in this context, reinforces the legitimacy of the parliamentary institution and a Member's participation within it, instead of creating a schism within the same. It occurs in a site where cameras are forbidden (behind the dais) though the physical act of crossing that space, but within a wider context that (irrespective of party), and MP has made a full circuit of the Well of the House and has (whether s/he chooses to greet them or not) had a view at least of key members from all political parties who tend to sit in the front benches.

Having analyzed the ritual of the Oath of Affirmation using Rappaport's formal-causal schematic and in terms of the four effects of ritual discussed previously, I have provided an example of the kind of ritual-centric analysis this thesis adopts. I now turn to the second key concept within my analytical framework, performance.

2.3.2. Performance

Taken together, the methods of conceptualizing, identifying and interpreting rituals within my analysis have just been presented. I now address my attempt at

operationalising the concept of ritual for systematic analysis, by firstly understanding it as a form of performance (as an overarching, or meta-concept) understood in terms of three components , rhetoric, procedures and dramaturgy.

There are three different disciplinary traditions which engage with performances, as understood within this thesis, performance studies (Schechner 1965, 2002) , micro-sociological dramaturgy (Goffman 1969, 1972), and ethnographic accounts of ritual (Turner 1967, 1980). The ideas of many scholars within these traditions overlap, and are in fact cited by one other. For the purposes of clarity, the discipline of performance studies is briefly introduced here, with micro-sociological dramaturgy featured in the 'Dramaturgy' section, and 'Ritual' featured in the 'Ritual' section. Here I address the discipline of performance studies, and then move on to its (admittedly dramaturgical) introduction of key concepts.

Performance studies, as a discipline, traces its origin to Richard Schechner's (1965) article *Approaches to Theory/Criticism* wherein he makes the claim that different tropes of behaviour, i.e. play, games, sports, theatre and ritual, can be usefully considered as 'performances' (Schechner 1965, 35; Komitee n.d., 4). There are numerous ways of conceptualizing performance within this discipline as performance "resists definition" (Schechner 2002, 19; Komitee n.d., 2-4, 7). In the foundational introduction of the discipline, *Performance Studies, an introduction*, Schechner (2002, 22) provides a four-fold typology of types of behaviours observed in life, being, doing, showing the doing, explaining showing the doing. *Being* refers to the state of existence as a property that any person, object, idea or God has on account of a person's definition of reality. *Doing* refers to activities done by objects, and subjects that 'be'. Therefore, writing a PhD thesis, is an act of 'doing', that I, the

author, can only accomplish by 'being'. *Showing the doing* is "performing, pointing to, underlining and displaying" doing (Schechner 2002, 22). *Explaining showing the doing* is the task and scope of performance studies. Both 'showing the doing' and 'explaining showing the doing' are also forms of 'doing'. 'Explaining showing the doing' is "a reflexive effort to comprehend the world of performance and the world as performance" (Schechner 2002, 22).

Another way of conceptualizing performance and performance studies (i.e. showing the doing, and explaining showing the doing) is to consider performance as "twice-behaved" or "restored" behaviours, i.e. is behaviour that has been repeated, i.e. it has been performed before (hence twice-behaved), requiring conscious training, discipline and practice to enact successfully (Schechner 2002, 22; Bial 2004, 57). The "habits, rituals and routines of life" are also forms of restored behaviour, i.e. they are performances, through years of socialization and experience (Schechner 2002, 28; Bial 2004, 57). Restored behaviour therefore range from, everyday habits such as brushing one's teeth or putting one's left shoe on before the right, or reified and codified as rules of sporting contests, parliamentary etiquette, etc. .

Twice-behaved behaviour, i.e. performances, are highly "symbolic and reflexive" – their meanings can only be interpreted by "those in the know" (Schechner 2002, 28). Though certain generalizations can be made about types of restored behaviour, a live performance (or even the watching of a previously recorded live performance) is unique, it can never be repeated in exactly the same way, under the same conditions (Schechner 2002, 29). This particular interpretation makes the ethnographic research method, particularly that of 'thick description – wherein the description of behaviour is embedded with the description of context to render the former meaningful – ideal

for the study of performances (Geertz 1973; Spry 2006, 339).

This emphasis on context is also echoed in Erving Goffman's approach to micro-sociological dramaturgy, discussed in a later-sub-section. Moreover Schechner (2002, 23, like Goffman (1969, 15-16) also views a performance as an interaction where one person is seeking to communicate a particular impression of him/herself to another.

Though there are different ways of defining performances (and only a few of these have been presented here for reasons of space), understanding the underlying thrust of performance studies and its aim is of the most relevance to my analysis,

> *Performance studies is a "method of inquiry" that views all*
> *human behaviour, be it brushing one's teeth, to coronations,*
> *to parliamentary debates, as having "an underlying*
> *dimension of' performance'"*
> ~ Madison and Hamera 2006, 265; Komitee n.d., 2.

> *To treat something, be it a shoe, a painting, street theatre, as*
> *a performance is to "investigate what the object does, how it*
> *interacts with other objects or beings, and how it relates to*
> *other objects or beings", moreover, performances "exist only*
> *as actions, interactions and relationships" in what is usually*
> *an ethnographic analysis of context*
> ~ Schechner 2002, 24; Madison and Hamera 2006, 360

Building on this loose definition, performance studies scholars have taken the discipline in multiple directions, Dwight Conquergood (1991) has written of the performance of ethnography (and ethnography of performance); Connie Kratz (1994) has attempted to study the role of media communication in performance; Janelle

Reinelt (2011a) has explored the role of public performances in the shaping of the public sphere, etc. Whilst performance scholars have engaged directly with political events or political aspects of performance, e.g. Munoz's (1999) study of the performances of coloured homosexuals in drag, or Reinelt's (2011b) study of how the concept of 'political correctness' is defined performed, in contexts such as theatre and in the American presidency.

Before moving on with the analysis, to answer the 'so-what' question of why performance is a useful concept through which to study human behaviour, I briefly discuss the related notion of 'performativity'.

2.3.2.1. Performativity

In *How To Do Things With Words*, J.L. Austin (1975, 6) defined a performative as an 'utterance' that does not simply make statements that are verifiable true or false, but in fact 'performs an action' that can transform social and political realities. Examples of performative utterances include (but are by no means limited to), a judge reading out a verdict in a courtroom, a couple saying "I do" at the wedding altar, thereby transforming the social identity or status of a woman into 'wife' (Austin 1975, 5). The performative can only be considered successful if there was a (1) pre-established procedure that described the actions, persons, and gestures needed to utter to performative to full effect; (2) the performative was uttered to the exact specifications of such procedure and (3) with full conscious intent of its consequences and (4) subsequent behaviour and modes of interaction with transformed persons or objects must reflect their changed status, i.e. the performative

must be effective (Austin 1975, 14-15). Failed attempts at fulfilling the first two requirements are termed as "misfires", whereas failures in the latter two are "abuses" (Austin 1975, 16). While misfires occur due to a breach of procedure, abuses result from a deliberate intention to mislead[9].

This (very condensed) understanding of performatives and their effects has been engaged with by de-constructionist and post-structural scholars (Derrida 1982 in Hollywood 2002; Butler 1997; Parker and Sedgwick 1995). Derrida (1982 in Hollywood 2002, 105) argues that all linguistic utterances (not necessarily performatives) derive their power, legitimacy and ability to function from a shared understanding of meanings, a broader context or"structure of signification" that a speaker draws upon. Thus, established norms and ritual understandings of meaning acquire, reproduce and sustain their continuing power through citation; therefore, utterances on stage do not violate this general principle of citation (Hollywood, 2002, 106). Rather than discrediting the Austinian notion of performative, Derrida's critique de-constructs certain assumptions to show that creating performatives is a far more complex process, open to fluid, shifting understandings within and amongst speakers and audiences.

Building upon Derrida's emphasis on citation and reiteration, phenomenological theoretical claims of social construction, etc. Judith Butler (1997) ties in both these narratives with a Foucauldian understanding of discourse and power. Butler (1993, x-xi) argues that the "materiality of sex" is a performative effect constructed through a ritualized repetition of norms". This "citational practice", drawing upon gendered,

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[9]   Gruenberg (2011, 1-4) reviews the content summarized above and interrogates the conditions for
       successful utterances in gendered terms, i.e. she questions why women are more easily 'silenced'
       owing to social constraints and norms which prescribe their accepted domains of speech.

racialized, sexualized, etc. norms continuously and iteratively constitute gendered,

racialized and sexualized subjects. Phrased differently, Butler understands gender as

a facet of identity to be a process of doing or the repeated enactment of a certain

authoritative discourse within a highly politicized, ideological system of norms

Thus, a person's gender is in no way fixed, given or stable, it is continuously

changing (and for the most part, reinforced) through a "stylized repetition of acts

[…] bodily gestures, movements and enactments that constitute the *illusion* of an

abiding gendered self"(Butler 1988, 519). Thus, a subject's gender is communicated

and understood as a naturalized system that is impossible to question, subvert and

ultimately overcome. Other scholars have extended the principle of performativity to

explain the processes of constructing other identities, such as ethnicity and race

(Byrne 2011), masculinity (Brickell 2005) and homosexuality (Blackman 2011).

Given its implications for political theory, scholars of politics have begun to embrace

the concept of performativity (along with the concept of performance). For instance,

Kulynych (1997) argues that the Habermasian notion of deliberative democracy as an

ideal procedure and the Foucauldian understanding of the "micropolitics of

resistance" (p. 315) ought to be combined in the study of political participation

within performative terms. Political ethnographies such as Raminder Kaur's (2005)

of the strategic intersections of vernacular culture, political processes and religious

rituals in Western India sought to demonstrate the performativity of these intersecting

processes in "co-constitu[ting] political programs" (xv) [10]

With few exceptions (Wendt 1998; Martin 2004; Kenny 2007; Mackay and Meier

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[10]   In a different vein, economists have begun to study the 'performativity of markets' to understand
how markets are 'scripted' (Storbacka and Nenonen 2011, 260) and how they are "constructed"
(Araujo 2007, 217)

2003) scholars working within the 'new institutionalist' paradigms have not integrated Butlerian notions of performativity within their research. As a sub-field of sociological institutionalism, organizational scholars (Marsh and Musson 2007; Hancock and Taylor 2007; Powell and Gilbert 2006) have sought to integrate notions of performativity with studies of masculinity, aesthetics of corporate symbols, and the performativity of professionalisation in the practices of workers' organized resistance (respectively). These studies provide value insight to the ways that this concept can be made more operationalisable.

Therefore, returning once again to the meta-concept of performance, the concept of performativity and performance are undoubtedly interrelated, though not identical. According to Judith Butler, performance "presumes a subject", whereas "performativity" contests the very notion of the subject, i.e. it is that "aspect of discourse that has the capacity to produce what it names" (in Aoki 2001, para. 2). This property of performance is in terminology and effect, suggestively similar to what Roy Rappaport (1999, 126) terms as "meta-performative" effects that reified (or made real) the orders which give them meaning in the first place. Whilst others have different views, this working definition is sufficient for the purposes of this paper.

Therefore, having reviewed performance as critical method of interpreting human behaviour, and performativity as a process which provides the ontological frames that inform the context of behaviour, I now turn to the first component of performance within my analysis, Dramaturgy.

2.3.3. Dramaturgy

The concept of dramaturgy, as understood within this thesis, is intimately linked to the meta-concept of performance as introduced. One can usefully interpret dramaturgy as the set of techniques by which the performance is achieved and interpreted. There are two traditions of interpreting what 'dramaturgy' actually means, from the world of staging plays and theatre (itself related to the discipline of performance studies), and from the micro-sociological studies of everyday interaction. I make the argument that both interpretations identify the same kinds of outward physical performances, though the the latter understanding the significance of such performances in terms of interest to the present study.

A "sound and etymological working definition" of dramaturgy within theatrical production is "making drama work" (Hay 1993, 13), including the examination of technical and artistic processes that result in the production of specific genres of theatre, e.g. comedy, tragedy, etc. Therefore, a dramaturgy of lighting, sound effects, choreography, costume design, seating, etc. make up a successful performance of drama. Within the social sciences, "dramaturgy" was applied by Erving Goffman , a micro-sociological theorist employing anthropological and ethnographic approaches. Goffman's work built upon earlier scholarship, e.g. Kenneth Burke and his theory of dramatism, Marcell Mauss and his analogical comparison of ritual with theatre and Victor Turner's notion of the ritualized 'social drama' (Burns 1992, 109-110). To say that Goffman studied social interaction as dramaturgical, is to say that he viewed social life as "something like a staged drama", and as "a religious ceremony filled with ritual observances" (Charon 2004, 175). Goffman would refer to analogies from theatrical practices and principles such as "front-stage/back stage" (Goffman 1969,

117; Burns 1992, 112), the "arts of impression management" (Goffman 1969, 183) and interpret their role in facilitating face-to-face, i.e. micro-sociological interaction, as applied to both formal and informal organizations. Goffman's approach was taken up by sociologists, forming the sub-field of dramaturgy, classified as a phenomenological micro-sociological approach.

2.3.3.1. The Goffmanian view of micro-sociological dramaturgy

To anticipate the question as to why so much reference to Goffman's corpus of works, as other scholars have recognized, his treatment of the dramaturgical approach remains, till this day highly influential. In certain academic circles, the name "Goffman" stands for "something outside itself such as a particular brand of sociology" (Lemert and Branaman 1997, x), where the name itself has become (somewhat incorrectly) "synonymous" with the dramaturgical approach as a whole (Smith 1999, 34). Moreover, as Manning (1991, 1) argues, dramaturgical ideas are "central to modern sociology".

Goffman analyzed everyday, social settings such as restaurants and crossing for the "interaction order", i.e. the "structure, process, and products of social interaction" facilitated through dramaturgical techniques of interaction (Charon 2004, 175). He adopted a symbolic interactionist viewpoint which understands everyday life as a process of meaning-making through interaction (Charon 2004, 175) .

Performance is not, however, indicative of artificiality – I suggest that the term "enactment" is better suited. In any social interaction, an individual "helps to define

the situation", and enables others to "know in advance what [s/]he will expect of them and what they may expect of him[/her]" through "activity … which occurs during a period marked by [a performer's] continuous presence before … observers …. which has some influence over them" (Goffman 1969, 1; Goffman in Lemert and Branaman 1997, lxiv; Manning 1991, 40). The individual therefore performs some kind of expressive action, intentionally or unintentionally, to give a certain impression of him/herself within the situation, and to give off unintentional impressions to observers (Kendon in Drew and Wootton 1988, 22-23). For instance, when a student stands irritably in line to speak with an academic counsellor, giving off signs of impatience such as stamping his/her foot or frowning, s/he is projecting two images, (intentionally) of wanting to speak to the other person and (unintentionally) of being in a bad disposition. In everyday life, and in political institutions, some of these performances are more carefully staged than others to elicit certain desired effects, e.g. the pomp and ceremony at the Presidential Address to Parliament conjures up images of tradition, solemnity and majesty. Similarly, wearing a smart tie and brushing one's hair before attending a job interview connotes images of dependability, the lack of tardiness, and acknowledgement of the importance of making 'the right impression'. For the purposes of this analysis, persons engaged in acts of impression, or the production of meaning through dramaturgical techniques, are referred to as performer, enactors or actors. The primary vehicle of producing impressions, in Goffman's framework, is the concept of 'face'.

2.3.3.1.1. Face-work

Face refers to the "positive social value a person […] claims through the ... the pattern of verbal and non-verbal acts by which [s/]he expresses his[/her[view of the situation" and evaluation of self and others in context (Goffman 1972, 5l; Manning 1991, 38-39). Adopting a certain face or an "image of self delineated in terms of approved social attributes" shared by self and others (Goffman 1972, 5). Therefore, a performer's face summarizes various elements of his/her identity, authenticity, social status, mood/demeanour/attitude, intention and reliability in interaction (for starters). Multiple societies across cultural contexts have expressed a similar understanding of interacting with faces. For example, to'"lose face' refers to the state of being shamed (Goffman 1972, 9) whereas to 'save face' refers to processes by which the actor dramatizes the 'fact that s/he has not lost face, or has regained face. In the Chinese culture, 'giving face' refers to the practice whereby one provides a way for another to avoid losing face (Goffman 1972, 9). Therefore, based on dramaturgical theory and cultural knowledges, the concept of maintaining, preserving, rescuing (and conversely, attacking) faces appears to be ubiquitous in social interaction. Goffman (1972, 6; Charon 2004, 181) argues that actors feel "an immediate emotional response", i.e. are emotionally attached to the state of their faces, and by extension, members of the same 'team' are more likely to want to save the faces of their comrades in instances of attack (e.g. discreditation,, humiliation, etc.).

Face-work refers to "actions taken by a person to make whatever he is doing consistent with face... [or] counteract incidents … whose effective symbolic implications threaten face" (Goffman 1972, 12). For example, maintaining poise during a job interview to hide timidity or a lack of self confidence is an act to

'maintain face. Apologizing to someone you bump into in the street, not backing down in a confrontation are also other forms of face-work. Goffman suggests three sets of 'interpersonal rituals' as the "basic kinds of face-work" (Goffman 1972, 15), presentational, avoidance, corrective and aggressive rituals (Goffman 1972, 15, 22-24, 62; Smith 2006, 52).

2.3.3.1.2. Interpersonal rituals

Goffman uses the notion of 'ritual' in a different manner to the one used in the rest of this analysis, as a quality or layer present in all human interaction. According to Goffman (1972, 19) the term 'ritual' refers to "acts through whose symbolic component the actors shows how worthy he is of respect or how worthy he feels others are of it", reading into the Durkheimian interpretation of ritual-as-effecting-social-cohesion (Collins in Drew and Wootton 1988, 43; Burns 1992, 22). Incorporating the notion of 'symbolism' and the 'sacred', Goffman argues that "one's face … is a sacred thing … [therefore] the expressive order required to sustain [one's face] is … a ritual one" (Goffman 1972, 19; Collins in Drew and Wootton 1988, 49-50). As there is no definitive way of defining rituals, both concepts are correct, only that they must be differentiated at this stage, it is useful to read 'interpersonal rituals' as 'interpersonal habits, practices or routines'.

Presentational practices (rituals) refer to such as salutations, greetings, invitations, compliments, etc. seek to positively honour individuals in a community and affirm a fundamental trust that allows social interactions to occur (Goffman 1972, 72-73; Manning 1991, 75). For example, a doctor may ask the patient's permission before

lifting the flap of a hospital gown to look at how a wound is healing. Presentational rituals concern themselves with "specific prescriptions" to depict the performer's "appreciation of the recipient", conversely, avoidance rituals are "specific proscriptions .. interdictions and taboos" to avoid the performer from "violat[ing] the right of the recipient" in some way (Goffman 1972, 71-73). Such rituals cam occur in highly formalized instances, e.g. monarchical ceremonies

Avoidance practices, as the name suggests, refer to the deliberate omission, ignorance or avoidance of encountering discrediting or dishonouring facts, statements, contexts or persons (Goffman 1972, 15). For example, the hosts of a dinner party may choose not to invite two ex-partners to avoid awkward scenes. Similarly, they may shift the topic of conversation when a guest makes an overly controversial or inappropriate remark. Avoidance rituals are not always successful, as is anecdotally known, the deliberate ignorance of undesirable elements can themselves create awkward scenes of there being 'an elephant in the room'. Avoidance rituals are not always positive strategies of 'saving face' as historically, they have been used to deny experiences of violence, subjugation or oppression on the grounds of gender, race, ethnicity, religion, etc. - what is 'undesirable' is subject to the specific dynamics of interaction and does not automatically imply one party or another as being 'in the right'. Avoidance strategies may be used by the potential target of offence, the potential offender, or by by-standers watching the interaction – regardless of whether the offence is intentionally or unintentionally committed. If avoidance is unsuccessful, corrective rituals are introduced as a remedy.

Corrective interpersonal rituals tend to occur when avoidance rituals have failed to prevent incidents that threaten, discredit or humiliate participants' faces, i.e. an

"event that is expressively incompatible with judgements of social worth … that is difficult to overlook" (Goffman 1972, 15). Corrective rituals seek to re-establish a state of 'ritual equilibrium' for actors so they feel that they faces are 'preserved' or 'recovered'. The intensity of the face-attack or threat is proposition the length and intensity of the corrective practice. For instance, in the criminal justice system an incident classed as a misdemeanour receives far less jail time than murder in the first degree. Buying flowers and a card for a female partner when one has forgotten her birthday is a less dramatic example. Corrective rituals include apologies, gestures of conciliation/concession, acknowledgements, punishment, compensation, explanation etc. and can be instigated by the offender, the offended party or external observers (Goffman 1972, 21).

Aggressive interpersonal rituals 'make points' against the face of another performer – either deliberately (to cause offence) or accidentally (without design) (Goffman 1972, 24). Goffman argues that aggressive rituals can be designed to test the limits of face-saving practices, A performer can "wilfully" introduce a "threat" to "safely" gain whatever benefit possible, knowing that face-saving measures will be resorted to (such as avoidance, etc.) (Goffman 1972, 24). For example, a performer can 'safely offend' another knowing that s/he will be prepared to accept a verbal apology as compensation for the offence, or to ignore the offence entirely. Alternatively, the offender can enact "sudden withdrawal", or "arrange for [the other] to hurt his feelings" to 'sustain' "ritual disequilibrium" in which it is difficult to 'save' the other's face (Goffman 1972, 24). In extreme circumstances, an offender can "patently refuse" to heed warnings and continue with regular offensive behaviour instead of "setting the activity to rights" (Goffman 1972, 24). The challenger (offended party) has his/her 'bluff' called in a 'face-off', and may resort to "tactless, violent retaliation,

destroying themselves" or the offender or "withdraw … in a … righteously indignant, outraged … huff … confident of ultimate vindication" (Goffman 1972, 22-23). The "winner" of such exchanges is typically the one that "demonstrates that as interactant [s/]he can handle him[/her]self better than his[/her] adversaries", i.e. as a mark of superiority (Goffman 1972, 25).

Taken together, these rituals have profound effects on the 'faces' of performers, and on the impression conveyed of the performance troupe/group as a whole.

2.3.3.1.3. Team performances

Social interactions take place between individuals, and between groups of individuals, e.g. between rival teams in school debating contest, in apologizing to someone one has just bumped into in the street, etc. Similarly, in dramatic performances, the audience views the play as interactions between individual characters, as a monologue (which is still a form intended interaction with the audience) or communication amongst/within groups of characters. In Goffman's dramaturgy, he introduced the concept of "teams" of performers working together to produce a given impression, or performance (Goffman 1969, 66; Charon 2004, 178; Burns 1992, 120). For example, though a couple dining at a restaurant view the performance of their waitress primarily, it is the efforts of the larger team of performers, e.g. cleaners, cooks, cashiers, managers, etc. that make the performance possible in its entirety. As a definition, Goffman (1969, 69) understands 'team' as "any set of individuals who co-operate in staging a single routine.

In addition to the knowledge requirements and capacities of the individual performer to elicit a desired impression from an audience, a team has further complications it must negotiate to put on a successful performance. A team's members must want to convey the same impression, or object of performance, e.g. at an office meeting one member may want to show how a product was conceived and marketed, whereas another may want to emphasize his/her own prowess at the expense of other members. Moreover, any team member has the power to disrupt the entire performance (Goffman 1969, 71), and so each team member is forced to rely on the "good conduct and behaviour" of colleagues. In parliamentary practice, this is akin to the principle of collective ministerial responsibility, and the convention that discussed held at Cabinet level are never publicly revealed except in official governmental statements to the press. Related considerations of managing a team are addressed in the discussion on the 'arts of impression management'.

2.3.3.1.4. The role of the audience

The relationship between performers, performances and audiences has been explored in media and cultural studies of "audience theory" and "audience reception theory" (Carpentier 2011; Allor 1988; Morley 2006; Press 2006). Though conceptual tensions remain within this discipline (Press 2006, 94), there is general consensus that "active audiences" do not always receive the same message that dramaturgs (or those who scripts) intend (Morley 2006, 101-104). Audiences are therefore not passive receptacles of information, be it propagated by a state, or by capitalist media houses. The 'active audience' is one that   within these attempts to understand how audiences interact, negotiate and ultimately determine for themselves, operating within their

cultural contexts, the meaning that they ultimately interpret (Carpentier 2011, 520).

Dayan 2001 (in Morley 2006,103) acknowledges the analytical potential of the

'active audience' construct in understanding the "crucial role of the media" in

processes of forming "cultural citizenship" – and laments the lack of attention given

to understanding such processes. Schrøder and Phillips' (2007, 891) argue that the

power relationship between the media and the citizenry is made up of "bi-directional

interdependencies" in the process of constituting one another – therefore, citizen's

deliberations were found to influence the content of media productions, and vice

versa.

Whilst much more can be written about the relationship between performers and

audiences, and the extension of that relationship to the parliamentary-public context,

the review presented is sufficient for the primary scope of this thesis. Goffman,

despite creating a structural-contextual method of differentiating audiences and

performers, has not delved into the political, performative or other effects and

reflexive relationships that arise through such interactions, i.e. the viewing of

performances.

2.3.3.1.5. Front-stage; Back-stage and other regions of performance

Performers enact their roles or characters in the "front stage", reverting to other roles

(i.e. getting out of character) and/or rehearsing performed roles in the "back stage"

(Goffman 1969, 117). The components of the 'front stage' performance have been

discussed above, namely the performance itself as observed by the audience. The

back stage can be defined as a region where front-stage performances can be

"knowingly contradicted as a matter of course", i.e. it is past the threshold where the performance is shown to be artificial, unnatural and staged (Goffman 1969, 97; Collins 1988, 56). For instance, a waitress smiles and responds politely to customers even if they are rude, and adopt other roles in the back stage, i.e. the area behind the kitchen doors where the waitress can complain about the same customers to her colleagues. This powerful framing device of 'stage' has been used by contemporary political theorists (Rummens 2011) to understand the ways in which the visibility of parliamentary institutions privileges it as a site for symbolic enactment of dramaturgical conflict, and for performing effects of political representation.

Stage, or region, refers to the spatial delineation between the front-stage, back-stage and other parts of the performance that have a specific relation to the rest. For instance, front-stage refers to the phenomenon of interest, with 'centre-stage' being the focal point of attention. I use the term 'stage-work' to refer to ways that MPs attempt to 'steal centre-stage', or redirect attention to their desired foci- thereby stalling or shifting the significance of political actions unto themselves.

In their analysis of interactions at Annual Law Meetings at various American academic institutions: Grillo and Wildman (1991, 401) identify three strategies through which dominant groups (typically male, white persons) marginalize persons of colour (and the perspectives of women of colour therein) through several strategies, taking back centre-stage temporarily occupied by non-dominant groups (African Americans, Hispanics, etc.); fostering essentialism (so that women and people of colour belong to distinct categories, rendering coloured women invisible); or, when dominant groups appropriate pain or deny its existence based on unrelated experiences of discrimination – arguing, as an analogy that they therefore understand

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racial discrimination and/or it is not approach to differentiate it in terms of race. In so doing, members from the 'majority' race attempted to 'capture centre-stage' and detract attention from performers of other racial backgrounds.

2.3.3.1.6. The arts of impression management

As performances are vulnerable to exposure, redefinition and discrediting through gaffes or unintended human errors (such as missing one's lines or inadvertently revealing a team secret) or intentional attempts of sabotage. Impression management is essentially the technique whereby actors establish and maintain impressions that corroborate the perceptions they want to convey to audiences (Goffman 1969). The question of what kind of impression how is it maintained/managed, what is emphasized and/or omitted becomes relevant especially when the audience makes assumptions on performance's reality / falsity, authenticity / insincerity, consequentiality / inconsequentiality, and so on[11]. Therefore, the degree of impression management in a given context also exemplifies the degree of cohesion, scriptedness (in a more conscious sense) present in a performance. Goffman (1969, 187-192) identified three principles of impression management, i.e. dramaturgical loyalty, dramaturgical discipline and dramaturgical circumspections (Lemert and Branaman 1997, xvi).

Dramaturgical loyalty refers to the practice whereby "team-mates must act as if they have accepted certain moral obligations" such as not betraying team secrets such as the artificiality of the performance to the audience (Goffman 1969, 187; Lemert and

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[11] Managing performances does not imply inauthenticity or guile, but is understood as a natural form of exhibiting human behaviour. For instance, a candidate for a job interview might be additionally cautious when drinking a cup of coffee to avoid staining his shirt to maintain an impression of competence.

Branaman 1997, lxvi). This requires "high in-group solidarity" to defend itself against "disloyalty" from errant team members who may seek to destroy the effect of the performance conveyed (Goffman 1969, 189). Alternatively, if the performers are likely to betray their team mates' secrets to the audience owing to "affective ties between performers and audience", then the audiences could be periodically changed (Goffman 1969, 189). Goffman (1969, 189) attributes the routine shifting of bank managers, ministers and colonial administrators for the same reason.

Dramaturgical discipline refers to the ability of the performer to convey "a show of intellectual and emotional involvement in the activity [s/]he is presenting" without being "carried away" by his/her own performance so as to not to be able to deal with dramaturgical contingencies (Goffman 1969, 190; Lemert and Branaman 1997, lxvi). Phrased differently, a performer must be fully 'in character', as far as the audience can perceive, but must retain his professional discipline as a performer to be able to respond to, for example, someone else forgetting their lines, an unexpected collapse of a prop, etc. The disciplined performer can then offer an acknowledgement, apology, or general response to the "disruptive event" in a joking, serious, or some other appropriate manner (Goffman 1969, 190). The maintenance of dramaturgical discipline throughout disruptive or unexpected parts of the performance, and in the general maintenance of the flow of drama, can usefully be seen as part of the face-work repertoire.

Dramaturgical circumspection refers to strategic choices determined in advance to facilitate the most effective staging of a show (Goffman 1969, 192). Such choices include choosing members who are loyal, disciplined and capable of fulfilling1st and 2nd principles of impression management) to be part of the team (Goffman 1969,

192). Selection can also be made on the "kind of audience" that will present performers with the least trouble (Goffman 1969, 192; Lemert and Branaman 1997, lxvi). These considerations are designed to minimize the possibility of disrupting the performance (or message intended to be conveyed), and can also be seen as a pre-emptive preservation of 'face'.

Taken together, this micro-interactionist approach to understanding how a performance is constructed, scripted, stylized and enacted forms a powerful analytical tool within which social interactions of all forms can be interpreted. These conceptual tools form an analytical lens through which parliamentary proceedings can be interpreted as the product of dramaturgical techniques that are premised on less accessible, often unstated, sets of shared understandings (within teams) between MPs.

2.3.3.2. The use of Goffmanian approaches in political science

As Goffman's (1969, 1972) original studies included both formal and informal organizations and institutions, exporting the dramaturgical metaphor to the formal field of organizational studies was largely unproblematic. For the most part, organizational scholars have not changed or deviated significantly from Goffman's articulation of dramaturgy. Mangham and Overington's (1987) *Organisations and Theatre, A Social Psychology of Dramatic Appearances* provides a rich overview of dramaturgical metaphors and their applicability to organizational analysis (see also Anderson, 2005). For instance, Hallet (2003, 128) develops Goffman's original framework by interpreting it within a broader notion of 'organizational culture'. He

demonstrates how the manager of an auditing firm consciously manipulates symbols that represent both the company and its negotiating partner whilst conducting business. Boje, Rosile, Durant and Luhman (2004) study the Enron firm and its use of spectacles through dramatic performance, relegating audiences, i.e. the general public to a passive role.

Various political scientists have addressed and applied Goffman's framework, most notably Murray Edelman in *Constructing the Political Spectacle* and *The Politics of Misinformation* (Borreca, 1993; Edelman, 1960). I argue that Edelman's interpretation of politics, though reliant on some aspects of the dramaturgical metaphor, focuses itself on drama in the sense of spectacle, emotive or highly-charged. For the most part, these analyses have been focused on moments of high tension and visibility, e.g. presidential speeches, campaigning, media events, political demonstrations etc.

Within the discipline of political science and studies of legislation, scholars such as John Parkinson (2010) have embraced the view of politics-as-performance, creating frameworks to understand how 'democratic' actors would perform scripted roles on the stages of representative institutions. Maarten Hajer (2005) has used a similar perspective to frame governance as a 'performance', made up of scripting, styling and staging processes. Rummens (2011) , citing the above two scholars, attempts to study political representation through deliberations in the legislature, understood as a constructive, fundamentally enacted/performed dramatic process. Without using the explicit grammar of performance, numerous political scholars have implicitly engaged with some of the key principles of dramaturgical engagement, particularly in in the role of the mediatized political performances and citizens' behaviours.

For example, Banducci and Karp (2003, 463) argue that, at the individual level, media campaigns mobilize political behaviour and contribute to citizens' perceptions of efficacy and trust held in political parties. Popkin (2006, 339) argues that the rise of "soft news" that presents the news in a more dramatic, humorous sometimes emphatic fashion (e.g. on the Oprah show or the John Stewart in the US) has become more popular amongst some groups of society, in comparison to more distanced presentations of fact in "hard news" programs (Popkin 2006, 339). The rise of 'soft news' has changed the political "agenda" by demonstrating that people's sentiments, or affect are more easily influenced by "personal impact and drama", thereby demonstrating how, when "communications technologies" change the content of news, so too does forms of political organization and preferred styles of performance (Popkin 2006, 327-339).

Having conducted a review of the concept of dramaturgy and the ways in which it has been utilized within the discipline, I now address a further sub-component of 'performance' within this analysis, rhetoric.

2.3.4. Rhetoric

At the outset, I make the disclaimer that separating rhetoric from dramaturgical and procedural analyses of performance stems from a purely heuristic requirement of analytical clarity. Rhetorical analysis, as will be argued below, is an indispensable component of the performance of parliamentary debates as it features the techniques of argumentation and their strategic use in discourse. Using the Rhetoric Political Analysis approach (Finlayson 2004b, 2007; Finlayson and Martin 2008), I explore methods of charting the structure of discourse (stasis theory) and modes of

persuasive appeal (ethos, pathos, logos, quasi-logos) to explore the real content of rhetoric on the substance of parliamentary debate, and to understand the forms of rhetoric which appear to have the greatest influence in debate.

In *Rhetoric*, Aristotle defined rhetoric as "the faculty of observing in any given case the available means of persuasion (Book 1, Chapter 2); other scholars similarly attribute the rhetorical use of words to form "persuasive dimensions of discourse" (Bruner 2011, 407; Leach 2000, 207). The study of rhetoric, has from Aristotelian times, till the present-day been integral to the study of political communication. Garsten (2011, 160-161) has argued that the study of rhetoric is currently in the process of revival within the discipline of political science, owing to political scientists' dissatisfaction with the forms of reasoning and argumentation stipulated within normative theories of deliberation.

Rhetorical and discursive studies of political institutions have, in recent years, expanded substantially in their scope and depth. For example, Cornelia Ilie (2010, 899) interpreted the rhetorical use of questions and interruptions to subvert the authority of the Speaker (and conduct other forms of face-work) in various forms of parliamentary addresses in the UK and Sweden. The same author (Ilie, 2001) studied the role of insults in parliamentary debates, arguing that they constitute practices of other-ing, as a rich resource for understanding the interpersonal dynamics of debate. Vanderbeck and Johnson (2011, 654) analyzed the rhetorical techniques used in UK parliamentary debates to discursively legitimate opposition to homosexuality on religious grounds (see also Van Djik 2000). Meisel (2009, 245) argues that humour as a rhetorical strategy, "masks… the nature of personal aggression in parliamentary debate", and is a tool to assert/subvert dominance used

differently in the hands of political insiders and outsiders.

At this juncture, it is fruitful to mention other discursive approaches and frameworks used within a political context that have facilitated the studies cited above, and many others. Alternate discursive approaches include Critical Discourse Analysis (Fairclough 1995; Wodak and Meyer 2009) and its sociolinguistic applications, Political Discourse Theory (Laclau and Mouffe 1988; Glynos and Howarth 2007), and Interpretive Policy Analysis (Bevir and Rhodes 2004; 2006; Yanow 2000). Whilst these approaches would have been equally valid choices to use in my analysis, I opted for Rhetoric Political Analysis (described below) owing to the historical relationship between rhetorical analysis and the study of political discourse (Aristotle, n.d.), the conceptual and empirical linkages between rhetoric and the study of rituals, performance, dramaturgy (Blackstock 2008, 100; Turner 1980, 154; Gottweis 2007, 244), and in its suitability for the parliamentary context, whose verbal interactions are characterized by sensational, highly emotive, dramatic engagements – even without the use of embodied dramaturgical techniques.

Within the rhetorical component of my analysis, I adopt the framework of 'rhetorical political analysis' to carry out my research (Finlayson 2008, 2004; Finlayson and Martin 2007; Glynos et. al. 2009, 13-17) . Finlayson (2004, 530) argues that political scientists have begun to acknowledge the necessity of understanding the "role of ideas … in politics" because the discipline "tends to conceive of politics as a social 'output' and to abstract from the specific, strategic contexts of political action within which, alone, the ideas can be understood". As Wedeen (2002, 714) argues, political science frameworks tend to dismiss the role of symbolism, emotions and ideas expressed through rhetoric as epiphenomenal, i.e. a secondary phenomenon. The pre-

ferred explanadums for notions of political 'legitimacy', 'authority' and observed 'compliance' are generally material explanations (wealth, weapons, etc.).

Critiquing the treatment of the role of ideas within more traditional rationalistic-positivistic views of political behaviour and in the more recent 'new institutional' approaches, Finlayson (2007, 547) argues that the disciplinary emphasis on institutional cultures, habits and routines "obscures the processes by which reasons are produced and decisions made", necessitating for a more interpretivist approach to the study of ideas (Bevir and Rhodes 2003 in Finlayson 2004b, 129).

Finlayson (2007, 552) goes on to say that ideational and interpretive studies of politics ought not to focus on ideas, but rather arguments – as it is the conflict between differing ideas/beliefs or points of view that is of interest in the political analysis, rather than the presence or existence of those beliefs themselves. In line with her interpretation, I view political culture and (as a subset of it) political rhetoric as a series of semiotic practices that instil processes of meaning-making (ways of knowing and doing) of subjects – consonant with the interpretation of ritual-as-cognitive-mapping-tool presented above. Moreover, as Triadafilopoulos (1999, 743) argues in his attempt to interpret the creation of a Habermasian public sphere using Aristotelian rhetorical techniques, given the "centrality of speech" in deliberation it is "surprising" that contemporary theorists have not engaged with it extensively. As Paine (1981 in Triadafilopoulos 1999, 743) argues, the issue of political legitimacy is "related to the problem of getting people to listen to and accept what is said", i.e. to the persuasiveness (or rhetorical abilities) of speakers. The "formation, effects and fate" of such arguments are part of the "activity of persuading", which 'rhetorical political analysis' aims to explicate (Finlayson 2007, 552).

As within performance studies and dramaturgical approaches, rhetorical political analysis begins with a statement of what is the "rhetorical situation", i.e. the "context of relations" within which rhetoric is uttered (Bitzer 1999 in Finlayson 2007. 554; Leach 2000, 211). The effects of rhetoric within this framework, as with dramaturgical perspectives, is to bring an "acceptance of certain roles… [or] positions vis-à-vis one another", or various impressions/performances of self to the context (Finlayson 2007, 554).In the parliamentary context, Finlayson (2007, 554) argues that the rhetorical context is "ambiguous" owing to the presence of audiovisual media that can 'collect, disseminate and interpret" political communication to a far wider audience than the immediate observers of rhetoric.

Within this rhetorical context, speakers then must present the content (substance) and form (or type) of argument to establish their definition of the situation (similar to dramaturgical acts of self-presentation and impression management) (Finlayson 2007, 554). Within my analysis of Indian parliamentary debates, I use two analytical frameworks within RPA that pertain to the invention (or "finding the means of persuasion") in of rhetoric (Larson 1968, 126), stasis theory and the modes of persuasive appeal.

Stasis refers to the "method" or procedure whereby speakers would identify the problem, or area of disagreement within a situation (Carter 1988, 98). Stasis theory identifies four overlapping categories of questions which speakers directly or indirectly address in their speeches, namely, conjecture (did something happen), definition (what happened), quality (was it a fair or desirable outcome), translation (what is the right produce/context to address the issue) (Finlayson 2007, 554-555; Leach 2000, 213; Aristotle n.d. Book 1, Chapter 2, 1356 a). As will be shown in the

analysis of the Prevention of Terrorism Act Debates and the Women's Reservation Bill Debates, MPs vary in their articulation of stasis points depending upon their gendered, religious, party and professional orientations. The stasis framework provides an accurate mapping device to chart the points of rhetorical conflict and consensus amongst speakers, along with the general progression (or stagnation) of the content of debate.

Alongside the analysis of stasis procedures in debate, I also identify different modes of persuasive appeal used by speakers, namely , *ethos* (appeals to moral authority, personality and charisma); *pathos* (appeals to passion); *Logos* (appeals to reason, facts, objectivity on clear axiomatic grounds) and *quasi-logos* (similar process, but with premises that are more uncertain, ambiguous, or hidden) (Finlayson 2007, 557; Triadafilopoulos 1999, 744-745; Leach 2000, 214) . Ethos based appeals rely upon the "credibility of the author or speaker" who possesses authority, competence, similarity (of identity) charismatic appeal, etc. (Leach 2000, 214; Finlayson 2007, 557). Pathos based appeals seek to move the audience to emotional states such as "anger, pity, fear" to arouse them towards a specific action (Finalyson 2007, 557), e.g. by asking for funds for medical research to prevent children from dying (Leach 2000, 214). Logos based and quasi logos appeals rely upon the logical method where the validity of a particular argument rests upon and follows from its premises; the premises of logos appeals can be verified, whereas they are not verifiable, i.e. they are probable, in quasi logos appeals (Finlayson 2007, 557). Therefore, arguments such as 'you will get wet once you leave the house unless you take an umbrella" based on a verifiable premises such as 'it is raining outside' are logical. Arguments such as 'you will get wet once you leave the house unless you take an umbrella' based on unverifiable premises such as 'it might rain today' are quasi-logical, but no

less effective, as a mode of persuasion.

The modes of persuasive appeal framework can just as easily be applied to embodied dramaturgical forms as communication of meaning can take place in both verbalized and non-verbalized forms (Gottweis 2007, 245). For instance, physical dramaturgy such as crowding the Speaker's dais or surrounding the Law Minister *en masse* as he attempts to introduce a contested Bill whilst shouting, grabbing and tearing papers may appeal to the passions of the Law Minister (e.g. of intimidation to withdraw the Bill, of righteous indignation to pass it regardless, etc.) – this would be an example of *pathos-centric* dramaturgy (Gottweis 2007, 245). Similarly, depending on the modes of appeal that dramaturgy elicits, one can find ethos-centric, pathos-centric and logo/quasi-logo centric appeals.

Having reviewed the concept of rhetoric and its revival in political analysis, I now move onto the final sub-component of performance in my analytical framework, procedure.

2.3.5. Procedure

Procedural frameworks such as the Rules of Procedure (Lok Sabha Secretariat, 2010), Member's Handbook (Lok Sabha Secretariat 2009b) and the Indian Constitution (Constituent Assembly, 1949) exist as codified manuals to perform parliamentary actions (some of which are rituals) and to more generally conduct one's self in the chamber. Whenever there is a contesting claim made (on the proper procedure to be followed), the Speaker of the House arbitrates based on his/her specialist knowledge of parliamentary procedures (Bach 1999, 212-213). References

to procedural rules and frameworks form a crucial component of parliamentary proceedings, alongside rhetorical and dramaturgical exchanges on the content of a Bill and the interpersonal interactions that occur during its debate. One can also interpret procedural invocations as a dramaturgical method in the wider sense of the term – i.e. techniques which make drama work.

Whilst rhetorical and dramaturgical exchanges derive ability to influence or persuade audiences through tropes of ethos, pathos and logos and other highly contextual features of performance, the invocation of procedures formally and technically relies upon codified orders as prescribed by the institution itself, independent of a wider environmental content or even the interpretation of its actors. For this reason, I have separated procedural performances from the dramaturgical and ritual components of my analysis. To provide a concrete example: In procedural terms, a Bill is successfully considered as introduced if the Member utters the prescribed script of Introduction (i.e. I hereby introduce the Bill) in the chamber of the House, when called upon to do so by the Presiding Officer (AVLS 14-7-1998) . The source of 'success' of introducing a Bill in this purely procedural interpretation relies upon the performer's correct adherence to the Rules of Procedure and other institutional prescriptions and is independent of cultural, political and other considerations. One can also describe the success of a procedural performance as being efficacious, authoritative and/or legitimate.

The notion of 'procedure' has been engaged with by democratic theorists (Dahl, 1991; Schmitter and Karl 1991), theorists of political deliberation (Benhabib 1996 in Garsten 2011, 165; Cohen 1997), new institutionalist scholars (Hall and Taylor 1996, 19; DiMaggio and Powell 1991; Meyer and Rowan 1997; Shepsle and Weingast

1984), parliamentary scholars (Chapman 1962; Wheeler-Booth 2001; Hamm, Hedlund and Martorano 2001; Norton 2001; Hasson 2010) and other political scientists in a multitude of ways within the discipline.

With the advent of the 'new institutionalism' in political science, the role of 'procedures' has undergone significant re-conceptualization. In the 'old institutional/empirical' approach, procedures were never defined or theorized in conceptual terms beyond their formulaic ascribed functions (Waylen 2010, 355; Chapman 1962; Wheeler-Booth 2001). For example, Chapman defined parliamentary procedures as "those rules and arrangements made by either House for discharging its functions within the framework of the Constitution" (Chapman 1962, 186). Arguing that the institution of parliament existed before democratic rule (179), "list of rules" in itself can automatically "bring democracy" into parliamentary practice (185). Citing the words of the first Speaker of sovereign India (Mr. G. V. Mavalankar), Chapman argued that the "success of parliamentary government" in a democratic set-up is dependent more on the "attitude of mind, the will, that ensures [parliamentary] rules" such as not suppressing the Opposition, are followed (185). Therefore, despite procedural arrangements to facilitate democratic rule, the democratic nature of parliamentary proceedings is "dependent on the will to respect the spirit behind the words", i.e. compliance (186). This interpretation of procedure exemplifies the 'old institutionalist' focus on formally defined rules (in functional terms) to further a broader normative argument (i.e. how rules help democratic institutions thrive).

Within rational-choice institutionalism, Shepsle and Weingast (1984, 207) view rules of procedures within institutions as important "institutional details" facilitating

interactions between actors to secure the lowest cost of transaction. Such rules, are

set and accepted by self-interested actors to further their motives (Shelpsle 2006, 25).

Procedures are simply "formal rules" which have been codified, but are not less

important than "informal rules" as expressed through conventions and unwritten

norms of behaviour (Shepsle 2006, 28). When an institution is in "in equilibrium", all

actors agree to the rules of the games, whereas it is "fragile" if actors choose not to

obey the rules (Shelpsle 2006, 26). Waylen (2010, 356) dismisses the rational-choice

interpretation of procedures as it narrowly views rules as the product of "rational

self-seeking individuals" without accounting for wider environmental or external

factors which may influence actors to change their preferences in the first place.

Sociological institutionalists such as Meyer and Rowan (1977, 340) consider

"institutional rules" to be "myths" which institutions of a similar kind adopt, i.e. to

become "isomorphic", thereby securing "legitimacy, resources, stability and

enhanced survival prospects". Stated differently, Westminster-style parliaments (of

former British colonies) mimic the rules and procedures of Westminster in order to

be seen as more legitimate. Whilst sociological institutionalists study both formal and

informal rules of behaviour as providing "frames of meaning … that guid[e] human

action" through "symbol[ic] systems, cognitive scripts and moral templates" (Hall

and Taylor 1996, 347), their approaches view "shared norms as cohesive" that

promote "stability and self-reproductive capacity of institutions", thereby limiting an

analysis of power relations engendered through conflict (Waylen 2010, 358).

Moreover, within this strand of critique, it can also be argued that institutions and

actors seeking to assert their independence from former colonial rule – thereby

establishing indigenous or vernacular sources of legitimacy – may deliberately

deviate from those rules.

Procedures, as conceptualized within historical institutionalist (HI) analysis, is similar to the sociological interpretation, with the added caveat that HI scholars are interested in processes of institutional changes – unlike sociological or rational choice approaches (Mahoney and Thelen in Waylen 2010, 360). Actors' non-compliance, 'playfulness' towards and re-interpretations of formal rules (procedures) and informal rules (conventions) are viewed as a "fundamental source of [institutional] change" (Waylen 2010, 360). Whilst I would not describe my work as being historical institutionalist, this interpretation reflects my use and understanding of how MPs' invoke, engage with, thwart or use procedures in the performance of parliamentary debates.

Again, as argued previously, whilst I embrace some of the insights of sociological and historical institutionalist research, my interest is in exploring the viability of the concepts of performance and ritual as analytical lenses through which the institution of parliament can be read. In so doing, the findings of my ethnographic research are definitely amenable to institutionalist analysis in future research.

Rejecting classical conceptions of deliberative practices, Habermas (2006, 413) and Cohen (1989, 345), scholars such as Saward (2010; 2003) have called for a more reflexive, empirically driven, process-oriented approach to studying deliberation. Other political scientists reject this deliberative strand to interpreting procedure, and have proposed alternatives such as 'reflexive proceduralism' (Saward 2003, 162). Reflexive proceduralism stresses how principles, institutions and devices are turned "*inward* towards each other, gaining vitality and meaning *from each othe*r, as ideas and as concrete political practices, without reference to some philosophical 'outside'" which can justify and define the principles with finality (Saward 2003,

163). Therefore, rather than ascribing procedures with normatively driven abilities to secure legitimacy, the significance of procedural invocations in a given context is viewed in terms relevant to that context. In a happy coincidence, the author putting forth this notion also subscribes to the performative notion of 'enacting' democracy (Saward 2003). My own interpretation of the role of procedures in performances of the Indian Parliament reflect more of the historical institutionalist approach, with the view of interpreting the meaning of procedures invoked in the broader context of the performance itself, i.e. using the reflexive proceduralist approach.

After introducing the different ways in which institutionalist approaches of political science and legislative research have conceptualized 'procedures' within parliaments, I presented the way in which I intend to use the concept in my analysis. Having introduced and justified the uses of the concepts of performance and ritual (as a kind of performance) and dramaturgy, rhetoric and procedure as sub-components of parliamentary performance, the following section summarizes all that has been said and concludes this chapter.

2.4. Concluding Remarks

In this chapter, I firstly reviewed the dominant institutionalist frameworks that inform the ways parliaments are (functionally) conceived and studied. Whilst I do not critique these frameworks for being flawed, as each has its own strengths and weaknesses, I argue that such frameworks would only benefit by introducing the concept-perspective of performance into their analysis. My work can be viewed as institutionalist in that I focus upon the practices of a single (parliamentary) institution

and consider how that context (and others) influence parliamentary actors. However, instead of labelling my work as being sociological, historical, etc. I would conceive of my work as ethnographic, exploratory research that explores the viability of including alternate theoretical concepts and perspectives – i.e. of performance – within these frameworks.

I also reviewed the dominant theoretical functions ascribed to legislatures and described the ways in which contemporary scholarship seeks to transcend ideal normative constructs with more reflexive, ethnographic attempts at bridging theories with observed political practices. Rather than critiquing the validity of a functional typology, I use these functions (of legitimation, representation and deliberation) to critically interpret the effects of parliamentary rituals (once identified as such) within the context of the parliamentary institution and the broader academic discipline of political science. This contextualization links my (primary) ethnographic sources to the theoretical literature of the field and validates my work as being more than a mere 're-description' of what is already known about parliaments.

Finally, I introduced the key analytical components of the framework through which I identify performances of ritual. Following a discussion on how rituals are defined (formal-causal schema, see Rappaport 1999) and their effects (cohesive, agonistic, cognitive, liminal-transformational) understood within this thesis, I then proceeded to conduct a ritual analysis of the Oath of Affirmation ceremony held in the Indian Parliament. Several sub-components of performances were then identified, micro-sociological dramaturgy (as the techniques of 'making drama work'), procedural invocations (which can be read as a context-specific form of dramaturgy) and political rhetoric. These sub-components are used to present an overall image of

'performance', whereupon the presence or absence of ritual can then be ascertained. In Chapter 9 (Ritual), I build a composite picture of various rituals that take place during parliamentary debate on the floor of the Indian Parliament, contextualized within longer trends of institutional change, precipitated by factors such as vernacularization and mediatization (explored in Chapter 4), and in terms of the political functions of legitimation, representation and deliberation.

The next chapter introduces the epistemological, ontological and methodological choices that informed this research, and go on to introduce my case studies.

CHAPTER 3: METHODOLOGY AND CASE STUDIES

Having situated my thesis within disciplinary and conceptual frames, this section provides an additional mooring through which my thesis, its objects, and methods can be better understood. In the first section of this chapter, I introduce and justify the methodological choices that have informed this thesis. The second section presents practical information concerning data collection during periods of field research undertaken. In the final section, I introduce the two case-studies (Prevention of Terrorism Act and Women's Reservation Bill) that form the empirical core of this research endeavour.

In this exploratory ethnographic case study of the performances observed in the Indian Parliament, I adopt the ontology and epistemology of constructivist-interpretivist approaches (Yanow 2003, Bevir and Rhodes 2004; Bevir and Rhodes 2006). The aim of my study is to verify whether frames of reference such as performance and ritual provide alternate means of integrating features of parliamentary debate such as symbolism, affect, theatricality and emotion into the study of legislative processes. Therefore, given these aims of research, it would be fallacious for me to assume *a priori* that rituals are 'real' parts of the structure of parliamentary performances. Moreover, as I attempt to collate multiple responses to the task of interpreting performances, I privilege the knowledge generated by actors' themselves in performing and re-producing parliamentary debates.

3.1. Epistemological & methodological paradigms

Interpretivism as an epistemological choice, focuses upon the processes of meaning-

making and the content of shared intersubjective traditions amongst participants of a given social context (Hay 2011, 169). Interpretivism facilitates ethnographic research, owing to the latter's emphasis in emic level analysis, e.g. based on the participants' own understandings of a situation rather than the researcher's own constructs (Boyle 1994 in Goulding 2004, 300). The interpretivist researcher is guided by the theories from his/her own discipline, using them as a tool to interpret data generated by the informants themselves. In so doing, the researcher does not assume a detached, objective stance, but instead engages with participants' interpretations reflexively and empathetically. Interpretivist research typically uses qualitative research methods and generates rich, complex, detail-oriented accounts of social life (Hay 2011, 175). By starting out with a general theoretical framework to focus analysis, interpretivist research facilitates data-driven generation of more specific theories (Matthews and Ross 2010, 28).

In terms of methodological paradigms, rather than review the vast array of possibilities such as feminism, post-modernism, post-structuralist, etc. I would situate my thesis at the intersection of phenomenology and the growing discipline of performance studies. Phenomenologists typically view the social world as the sum of interactions amongst members, giving rise to concepts and sub-fields such as ethnomethodology and symbolic interactionism, associated with the 'Chicago School' (Goulding 2004; Deegan in Atkinson et. al. 2007, 11). The methods typically used within the paradigm are participant-observation and ethnography. Goffman's study of performance as the sum of interpersonal interactions amongst members of team, and also as the audience's engagement with those actors addresses both the internal and external meanings generated of such a performance fits in well with the methods and aims of phenomenological research. Moreover, it transcends meanings

generated of a specific social context by its own members and facilitates an understanding of how other actors engage with such meanings. Having addressed the ontology, epistemology and research paradigm of my undertaking, I now move onto more concrete aspects of methodology.

My research questions the applicability of the concept of ritual as mapped onto parliamentary performances and the different avenues of discussing the political (in)significance of symbols, affect and theatricality that arise henceforth. The goal of my research is to describe empirical observations in terms of a particular analytical framework, and then to explore (rather than explain) the resulting themes of analysis. Based on my research questions and the nature of data required to answer those questions, I opted for qualitative research methods (Matthews and Ross 2010, 113). Therefore, rather than seeking to explain (the why question) or evaluate parliamentary performances in the Indian context, my research seeks to describe the context and explore it using novel analytical tools. Ultimately, I hope to evaluate whether such concepts are useful to understand the study of parliaments, in the hope that they will integrate oft-overlooked aspects of political performances in parliament.

3.2. Research design

Four major types of research design dominate research methods in the social sciences, experimental, cross-sectional, longitudinal and case studies (McNabb 2010, 40; Matthews and Ross 2010, 115). The experimental approach is not applicable to my work as it concerns itself with real-world observations of a political institution

that is open to external, unpredictable environmental factors. Moreover, the context of research (the Indian Parliament) is not one that I, as a researcher, could or would want to manipulate by inducing controlled variation as they would contravene ethical codes of social research.

I did not adopt a cross-sectional research design in my work owing to the complexity of intersecting identities within the Indian parliamentary context. It would have been futile to isolate groups of individuals based on their caste, regional, religious, gendered and ethnic backgrounds as it was difficult to identify the primary identity that MPs performed – with the exception of party identity – in advance of conducting the research. As my work can shed some light on the ways that identities are performed, it constitutes a starting point which could contribute to future cross-sectional research on the same.

A longitudinal research design was similarly inapplicable for my research – within the context of a 5-year PhD – owing to the time-scale that such research efforts typically take, ranging from years to decades (McNabb 2010, 44). Moreover, a longitudinal study following a specific cohort would have been challenging to do with political elites who (1) did not spend most of their time in Delhi and (2) when in Delhi, were not able or interested in participating in repeated research interviews. Again, the exploratory nature of my work can well contribute to future such studies by interested researchers.

Having shown why alternate research designs would not be applicable for the scope and purposes of my thesis, I now address my methodological choice, case study approach. Using the case study approach, my research attempts to present an in-

depth, ethnographic analysis of 2 parliamentary debates in the Indian context. The case study approach is the most appropriate methodological research design for my research goals as it facilitates exploratory research owing to the richness and complexity of data it enables me to collect. I had five major choices in the type of case-study research to use, critical case, extreme/unique case, representative/typical case, revelatory case and longitudinal case (Matthews and Ross 2010, 128; Teddlie and Yu 2007, 82).

The critical case choice was inapplicable as the objects of such cases are to test the limits of a hypothesis; in this case, the object of research is to generate a hypothesis. A longitudinal approach was not desired owing to the short time-frame of research (4 years). It is somewhat difficult to differentiate revelatory, representative/typical and extreme/unique case study research in the context studied. One can argue that exploratory research must use revelatory cases, however, the definition of such an approach premises itself upon the idea that the researcher has access to "something hidden" (Matthews and Ross 2010, 128). As the information used in these cases is available in the public domain, this approach does not appear to fit with the analysis. Moreover, owing to the increasing trends of parliamentary disruption, sitting alongside more conventional performances of parliament, it is difficult to determine whether my cases actually demonstrate a 'typical' performance, or an 'extreme' one. As parliamentary disruption appears to have gained intensity since the 14th Lok Sabha (2009), taking a broader historical perspective of parliamentary performance since 1952, I would define my case study selection criteria as being based on extreme/unique case study research, as the persistence and intensity of disruption observed is a fairly recent phenomenon.

I chose to use an ethnographic research strategy to conduct extreme case study research (McNabb 2010, 272; Atkinson et. al 2007). To do so, I conducted two tranches of field research, observing the proceedings of the Indian Parliament through visits to the institution and/or TV footage. Ethnographic research differs from just conducting 'field research' as it involves a degree of immersion and a reflexive engagement between the ethnographer and the context of study (Marcus, Atkinson et. al, 2007, 118). Moreover, ethnographic research is inductively oriented, in that theory is generated through systematic observations of the research setting.

To facilitate data collection, I used a mixed-method, triangulated approach, combining elite interviews, observation and archival research (de Volo and Schatz 2004, 370). During my field research, I conducted interviews with MPs, former and current bureaucrats within Parliament, veteran columnists regularly covering parliament, and civil society organizations. These interviews helped me to distinguish between institutional perceptions of parliamentary proceedings (with persons of authority quoting the Rules of Procedure, etc.), members' perceptions and external views reflecting the general public. The multiplicity of perspectives proved crucial in my final analysis of what ritual performances of parliament actually perform to diverse audiences. Please refer to the Appendix for a complete list of all materials collected, interviews conducted, etc. Owing to the rules of parliamentary privilege, I have opted to find public statements made by MPs, etc. to the press espousing similar views to the ones I found in my interviews. As many of my interviewees articulated their views frankly, in ways construable as politically sensitive or critical of MPs and Parliament, I found the use of public statements to be more liberating and less risky to me as a foreign researcher.

3.3. Ethnographic field work

I directly observed parliamentary proceedings on two occasions, the election of the first female Speaker to the Lok Sabha (Lok House) and the Motion of Thanks to the President's Address in June 2009.

As direct observations only allowed one hour's worth of entry into the parliamentary galleries with no writing materials permitted, I chose to observe parliament closely through live telecasts on the LSTV (Lok Sabha TV), a television channel dedicated to broadcasting House Proceedings.

Moreover, as the terms within which parliamentary performances are interpreted is also central to my research, I observed the ways in which the media covered events of significance during my field research. Moreover, thanks to the Bureau of Parliamentary Studies and Training within the Parliament Library context, I was able to freely work within the institution, contributing to the sense of institutional immersion.

As a side note, other sources of 'immersion' included talking to members of the secretariat (parliamentary interns, bureaucrats) about political happenings (in casual conversation), viewing protests taking place in the street, viewing 24-hour rolling news stations and engaging with members of the public in that discourse.

Even though the case studies I chose to analyse were not debated during my field research trips, my ethnography sought to provide a broader, more holistic view of

how parliament is generally conducted. I could not schedule my research trips to coincide with desired debates as (1) the Prevention of Terrorism Act was repealed in 2004 and (2) the increasing disruption in the House has tended to stall all legislative business each session, especially when it concerns the Women's Reservation Bill. Audio-visual footage was procured (with thanks to my colleague Dr. Carole Spary) from the Parliament Library's repository during these terms of research. In terms of archives, I relied upon transcripts of parliamentary debates provided by the institution, in their English translation. The translated versions were only available by accessing the archives in person, in Delhi. I have also relied upon archival research of newspaper coverage of past parliamentary debates to inform my wider analysis.

3.4. *Quality and Limits of Research*

In this section, I acknowledge the limitations of my research arising from methodologies used (addressed above) and describe techniques employed to minimize their effects. Regardless of whether it is qualitative or quantitative, the nature of academic research in the social sciences is "structured and purposeful … rigorous … robust and defensible … [and] systematic" (Matthews and Ross 2010, 9). The structure and purpose of my research endeavour is clearly stated in the Introduction Chapter, Theoretical Framework and the Methods Chapters of this thesis. It is hoped that readers of this thesis will be convinced by the intricacies of the analysis, methodological justifications and analytical explorations made to find my work sufficiently rigorous – insofar as an inductive, ethnographic case study can be. If being systematic is understood to mean that all categories of objects, persons,

phenomena studied is treated the same as others in the same class of object/subjects of inquiry, then this criteria is (as subsequent chapters will show) also inherent in my research. It is hoped that the presentation of my research questions, their relevance and necessity to understanding political institutions, and the methodological choices used to answer these questions would have satisfied these and other criteria.

To further my reflexive discussion on the limitations of my research, alongside its admissibility I discuss seven criteria of research quality, reliability, dependability, validity, credibility, transferability, generalizability and ethical standards (Matthews and Ross 2010, 11-12; McNabb 2010, 82). Reliability of research refers to replicability of my research, i.e. whether other researchers can find the same results using similar methods. Dependability questions the completeness and accuracy of materials collected that inform analysis. To demonstrate reliability and dependability, the researcher must make his/her processes or methods of data collection, analysis and their relationship to research findings as transparent as possible. Validity refers to the researcher's ability to answer his/her desired research questions using appropriate methods. It is a measure of the researcher's own consistency in research goals, designs, methods and findings. Credibility refers to the believability of the researcher's analysis of findings, and the relationship between interpretations of research and theories. Generalizability and transferability refers to the extent that research findings can be applied to other contexts. Ethical criteria refer to the researcher's considerations of how his/her research methods and research findings will affect persons directly engaging with the context studied.

Ethnographic case study research is particularly susceptible to the critique of replicability, or reliability of findings (Lecompte and Goetz, 1982). In practical

terms, one ethnographer may have had access to unique happenings that another may not encounter in his/her field research. This may be due to the rarity of such happenings, or the researcher's individual ability to negotiate access as an 'outsider' into privileged spaces reserved for members of the community or institution being studied. Barriers such as security checks, institutional procedures, etc. can prevent even the most skilled researcher from getting access to such private spaces. This is certainly the case with the Indian Parliament that has tightened access to its spaces, made security checks more stringent since an attack by armed gunmen in 2001.

Through two tranches of field research, I found that I observed similar happenings in both instances, numerous days of disruption in Parliament, and the threat of sessions cut short owing to political controversy. In this sense, I would argue that other researchers of Indian Parliamentary proceedings are likely to find similar results. In terms of dependability, i.e. completeness and accuracy of materials provided, if required, the transcripts of interviews cited are available upon request. Moreover, my final analysis does not depend entirely on my own individual interpretations of context; they are corroborated by other perspectives from elite observers and commentators of performances studies.

The validity of my research, i.e. the internal consistency of my research questions, design, methods and approaches has been discussed in the previous section. In terms of credibility, i.e. the relationship between interpretations, findings and research questions, I must acknowledge the possibility of cultural sensitivity / bias in influencing my findings, but no researcher can escape this. Moreover, my analytical commentary on ritual effects does not derive primarily from my interview material, rather it stems from newspaper reports, public statements made by MPs, institutional

self-reflection and academic commentary. The role of interviews in my research was to inform the evolution of my own understanding of the context and to identify 'emic' categories or constructs used by MPs in interpreting their performances. However, as using the 'performance approach' is a study of relationships between perspectives, rather than perspective themselves, the interviews themselves helped me to map one part of this relationship – and so do not dominate the final write-up of findings. Moreover, the use of a mixed- methods, or triangulated approach in conducting ethnographic research bolsters the validity and credibility of my research methods and findings.

The least defensible criteria of research quality with respect to ethnographic research are that of transferability and generalizability. Using this methodological approach, I can only acknowledge that my findings apply to the specific institution and political culture it is embedded in. From an academic perspective, findings from other researchers including colleagues from the GCRP project corroborate my findings, even across other cultural contexts. These studies will be referenced in situ. Moreover, as my research endeavour is exploratory, rather than explanatory, at this stage of research, generalizability is not the most vital issue at stake – as opposed to validity and replicability of research, for instance.

Finally, I address the ethical issues surrounding my research questions, methods and findings and their impact on participants of my research context. Each participant was sent a covering letter briefly introducing my position as a researcher at the University of Warwick, my research goals and my reasons for contacting them. No interviews were conducted without informed consent on the part of the participant.

Secondly, the principle of Parliamentary Privilege that holds whichever person who quotes parliamentary proceedings out of content, or defames parliament, as liable to prosecution also applies to researchers. Whilst I do not wish to 'defame' the institution by any means, as a researcher, I have to tread a fine line between being critical of the institution and being liable for prosecution.

Thirdly, with one exception, the MPs interviewed tended to describe their membership within the institution as a source of personal pride and emotional attachment. One MP expressed his sincere wishes that I would do the institution justice in my analysis and to reflect its more human face. It is important, for me, as a researcher to realize – at the end of the day – that whatever I write about Parliament, using materials from its members, can potentially be seen as a 'betrayal' of their views and their trust in me as a researcher to represent their institution accurately.

Therefore, I have had to tread a fine line between adopting any one view, e.g. of parliament being the 'supreme legislative body', of parliament being 'in decline', of parliament being a 'mockery' and maintain some element of neutrality in my analysis.

Have integrated discussions of limitations of research with the quality of research generated, I now introduce the case studies presented, the Prevention of Terrorism Act and the Women's Reservation Bill.

3.5. Case Studies

As introduced above, my research is primarily ethnographic and uses the extreme case study research design to facilitate exploratory research on performances on the floor of the Indian Parliament. In this section, I will explain the methodological choices behind each case study used in this search and then provide a historical, substantive and legislative history of each.

The Prevention of Terrorism Act (POTA) and the Women's Reservation Bill (WRB) are extreme case studies of parliamentary performances in the Indian context on three grounds, Firstly, both case studies are extraordinary in their performances of dramaturgy, procedural invocation and political rhetoric. Secondly, both debates widely covered by the media and highlighted as highly significant political moments of their time. Thirdly, the case studies address topics that are very different from one another, facilitating the identification of similar patterns of performance in diverse circumstances.

To understand why these case studies are extreme, I now discuss the 'typical' – in this case, idealized – case of performance in the Indian Parliament. As argued earlier, it is difficult to declaim disruption as the extreme case of parliamentary performance, in contrast to a typical, more decorous form as its counter-foil. This is because of the increasing incidence of disruptive tactics used to stall productive hours of Parliament and also due to the lack of time spent on discussing legislation. When I make reference to the 'typical' form of parliamentary performance, I contextualize performance from a vaster historical vantage point.

There is quite possibly no stronger advocate for the 'decline of parliament' thesis in India as one of its former Secretary-Generals of Parliament, Dr. Subhash Kashyap. Dr. Kashyap is the most eminent historian of the parliament in India and has written numerous articles and books on various aspects of its functioning. I had the privilege of interviewing him during my 2nd round of field research as an expert informant. As discussed in the Context Chapter, Dr. Kashyap asserts that there has been a "tremendous erosion in the respect and esteem for parliamentary institution and [its …] legislators" (Kashyap 2005, para. 2). He attributes this erosion to changes in the "character of parliament" owing to changes in its composition, as evidenced by the decline of time spent on its legislative function, from 48% to 15% (Kashyap 2005, paras. 5-6). Moreover, he alleges a" distinct change in the content, canvas and culture of [parliamentary] debates" since the days of the 1st Lok Sabha (Kashyap 2005, para. 9).

As an example of how differently debates were conducted in past decades, Kashyap (2005, para. 8) offers the following anecdote, Though the Congress party had an unquestionable majority in the House, during the first 30 years after independence, the Opposition was "more effective and had greater impact potential" on policies despite their small numbers. Nevertheless the Government's leadership could "show greater magnanimity and accommodate Opposition viewpoints without losing face", owing to party stability and the "high quality and character of membership on both sides". When rejecting an amendment moved by Mr. Rajagopalachari, the then-Prime Minister Jawaharlal Nehru stated, "You see, Rajaji, the majority is with me", to which the latter retorted "Yes, Jawaharlal, the majority is with you but the logic is with me". Nehru laughed, along with the whole House, and Rajaji's amendment was accepted. Kashyap laments that such "gestures are hardly conceivable" in the current

parliament.

For example, in the Winter Session of Parliament (November-December 2011), the first two weeks of parliamentary proceedings were been stalled by Opposition members boycotting proceedings by causing disruption in the House (Kumar 2011b) . The cause cited for the disruption was the issue of introducing foreign firms such as Wall-mart into the Indian marketplace. In the Winter Session of 2010, the Opposition disrupted the House yet again to agitate for the constitution of a Joint Parliamentary Committee with the power to summon the Prime Minister concerning the embezzlement of one of the largest financial scams in recent (Indian) history (observed during field research). Rather than a culture of accommodation and verbalized exchange described by Kashyap (2005, para. 8), the examples show that there has been a significant change in parliamentary culture. Other aspects of the 'decline' hypothesis are explored in more depth in the Chapter 4.

Returning to the question at hand – namely – what is the 'typical' case study of legislation, my only response is that there may not be an easy solution to that query. What appears to be happening is an extreme display of dramaturgical violence, acerbic rhetoric, with a shift in parliament's priorities. There are, however, significant discussions still held on non-legislative matters during parliament's productive hours of sitting. For this reason, I have not suggested that disruption of the House in its totality be considered the 'norm' of proceedings.

Having introduced the rationale of selection of my case studies, I now provide historical, legislative and substantive introductions of each, beginning with the Prevention of Terrorism Act followed by the Women's Reservation Bill.

3.5.1. Prevention of Terrorism Act

The Prevention of Terrorism Act (or POTA), is one of the most recent anti-terrorism laws enacted by the Indian Government, that arms the Indian state with repressive instruments for the avowed purpose of preventing and prosecuting persons involved in criminal activity. The POTA debate sparked great controversy amongst members of the political Opposition, civil society groups, lawyers and representatives of the Government both inside and outside parliament (Venkatesan 2004, para. 2;). Some of the more controversial clauses in POTA included the use of confessions as evidence sufficient for conviction, the use of bail provisions to incarcerate a suspect for up till a year with no trial, the removal of the presumption of innocent till proven guilty, etc. Parliamentary debates on POTA were characterized by sharply divisive political rhetoric, (comparatively) mild forms of dramaturgical protest and politically controversial uses of procedural devices.

The Bill was introduced and adopted in the Lok Sabha and in the Joint Sitting of both Houses (as the Rajya Sabha, where the government had less seats, rejected the Bill) in 2002 under the NDA-led government. POTA was later repealed by the UPA-led government 2004 due to its unpopularity and allegations of misuse – including the incarceration of politicians such as Mr. Vaiko of the Dravida Munnetra Kazhagham (DMK) in Tamil Nadu for more than 19 months. POTA, however, is not 'a dead issue' as its law acts retroactively (i.e. persons booked under POTA are tried by its laws even if the law itself has been repealed) (Singh 2007, 67). Moreover, many of its provisions were incorporated (symbiotically, simultaneously) in the Unlawful Activities Prevention Act 1967 (which did not require periodic review), at the same

time of its repeal.

The Prevention of Terrorism Act 2002 and 2003 is (barring the modifications to the Unlawful Activities Prevention Act made in 2004, alongside POTA's repeal), is a comparatively recent law passed by the Government of India to specifically address the issue of countering terrorist activities. It was preceded by the Terrorist and Disruptive Activities (Prevention) Act 1985, extended in 1989, 1991, 1993 and allowed to lapse in 1995. Like POTA, TADA was found to be widely unpopular owing to numerous charges of misuse. Tens of "thousands of individuals were arbitrarily arrested, detained and tortured" under TADA with a successful conviction rate of less than 1% (Amnesty International 15-11-2001, p. 2, para. 1). Though TADA (1989) and POTA (2002) are relatively recent laws, the Indian state has had a long history of promulgating legislations to counter different forms of violence and unrest.

Some of the other laws enacted to maintain internal security and investigate and prosecute various criminal acts (e.g. organized crime, militant insurgency, etc.) include, Unlawful Activities Prevention Act 1967; Maintenance of Internal Security act 1973; National Security Act 1980, amended 1984 and 1987; Anti-Hijacking Act 1982; Suppression of Unlawful Acts Against Safety of Civil Aviation Act 1982; Terrorist Affected Areas Special Courts Act 1984; National Security Second Amendment Ordinance 1984; National Security Guard Act 1986; Criminal Courts and Security Guard Courts Rules 1987 (Sail 2007, pp. 3 and 5).

Various states within India, facing their own security issues (insurgency, domestic unrest, organized crime, Naxalite/Maoist violence, freedom movements etc.)

promulgated their own laws in local assemblies, e.g. the Bihar Maintenance of Public

Order Act 1947; Madras Suppression of Disturbances Act 1948; Assam Maintenance

of Public Order (Autonomous District) Act 1952; Nagaland Security Regulation Act

1962; Gujarat Prevention of Anti-Social Activities Act 1985; Uttar Pradesh Gangsters

and Anti-Social Activities (Prevention) Act 1986; Uttar Pradesh Control of Goondas

Act 1970; Jammu and Kashmir Public Safety Act 1978; Armed Forces Punjab and

Chandigarh Special Powers Act 1983; Punjab Disturbed Areas Act 1983; Chandigarh

Disturbed Areas Act 1983; Maharashtra Control of Organized Crime Act 1999;

Madhya Pradesh Special Public Security Act 1999; Karnataka Control of Organized

Crime Act 2000; Andhra Pradesh Control of Organized Crime Act 2001;

Chhattisgarh Special Public Security Act 2005 (Sail 2007, pp. 6-7). This list is

incomplete.

I now present the sequence of events, beginning with the events of September 11

2001, through to the promulgation of Prevention of Terrorism Ordinance 2001, the

passing of the POTA in 2002 (through Joint Session) and 2003 and POTA's repeal in

2004[12].

In its 173rd Report, at the behest of the Ministry of Home Affairs (as part of the BJP-

Led NDA coalition government) the Law Commission of India presented a draft

"Prevention of Terrorism Bill 2000" as a legislative response to the "drastic" changes

in India's "security environment […] since 1972" (Law Commission 13-4-2000,

para. 1). As no other law was enacted to fill the legislative "vacuum" arising from the

lapse of the Terrorist and Disruptive Activities Act (or TADA) in 1995, the Law

Commission argued, that finding a "comprehensive anti-terrorism law" for India was

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12   Unless cited, events transpiring in Parliament were identified through paper-based and electronic-
      based archival work.

of "utmost urgency" (Law Commission, 13-4-2000, para. 1). The draft law, following harsh criticism from the National Human Rights Commission (NHRC), civil society groups, political parties and the human rights movement was not considered for discussion in Parliament in 2000 (Amnesty International 19-10-2001, para. 2).

After the the events of September 11, 2001 in the USA, with the unanimous adoption of Resolution 1373 in the United Nations Security Council (a wide-ranging resolution on anti-terrorism), the international community (led by the USA) had effectively begun to wage a "war against terrorism" (United Nations 28-9-2001). The Central Government of India approved the Prevention of Terrorism Ordinance (POTO) on 15 October 2001, giving Indian police extraordinary powers of detention and arrest much as TADA had done (Amnesty International 19-10-2001, p.2, para. 3). The President of India approved the Ordinance on 24th October 2001, from which it was in full effect. Opposition parties protested the promulgation by Ordinance as Parliament was due to commence its Winter Session of 2001 on 19th November. .

The Prevention of Terrorism Bill 2001 was then introduced in parliament on 11th December 2001[13]. Two days later, Parliament was attacked (see above section). The NDA Government then received Presidential assent for the Prevention of Terrorism (Second) Ordinance on 30 December 2001. The Prevention of Terrorism Bill 2001 was withdrawn by the Government, who then tabled the Prevention of Terrorism Bill 2002 in the Lok Sabha on 8th March 2002. A Statutory Resolution to disapprove the Prevention of Terrorism (Second) Ordinance was negatived on 18th March 2002, along with the approval and passage of the Prevention of Terrorism Bill 2002. The final votes were 261-173 in Lok Sabha, prompting the walkout of all Opposition

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[13] Unless cited, specific dates and parliamentary devices used to discuss POTA as cited are the product of searches through the Lok Sabha Website's Archive of Parliamentary Debates

parties as a sign of protest. The Rajya Sabha issued a message citing its refusal to consider the POTA 2002 on 22 March, prompting the announcement of a Joint Sitting of both Houses to consider the Bill (the third instance of such in post-colonial India). As the Government had already expected to lose the vote in the Upper House, it had already begun preparing for the Joint Session to push the Bill through. The Joint Sitting was held on 26 March 2002 in the Central Hall of Parliament, and resulted in the Bill's passing. POTA 2002 was assented to by the President on 23rd April 2002.

The first recorded misuse of POTA in parliamentary transcripts arises on 17 July 2002, 20 February 2003 and on 23 April 2003. The NDA Government then promulgated the Prevention of Terrorism (Amendment) Ordinance in late 2003, then tabled the Prevention of Terrorism (Amendment) Bill 2003 on 8 December. A Statutory Resolution disapproving the POTA Ordinance and Amendment Bill 2003 was negatived, resulting in the Bill's passing on 16th December 2003. The Rajya Sabha passed POTA 2003 on 18th December 2003 without Amendments.

Following the defeat of the NDA-coalition at the 2004 General Election to the Congress-led UPA-alliance, the UPA Government promulgated the Prevention of Terrorism (Repeal) Ordinance and the Unlawful Activities (Prevention) Amendment Ordinance. A Private Member's Bill to repeal the POTA was tabled on 9th July 2004 but was then withdrawn on 3rd December 2004. The UPA Government tabled motions to introduce the Prevention of Terrorism (Repeal) Bill 2004 and amend the Unlawful Activities (Prevention) Act 2004 on 2nd December 2004 (LSD 2-12-2004, 362-366). After moving each introduction (Respectively), the Government also laid explanatory statements on the Table regarding the Prevention of Terrorism (Repeal)

Ordinance and the Unlawful Activities (Prevention) Ordinance – which would take immediate effect (LSD 2-12-2004, 365-366). A Statutory Resolution (i.e. a discussion) disapproving of the Prevention of Terrorism (Repeal) Ordinance, the Unlawful Activities (Prevention) Amendment Ordinance and the passage of both Bills was held on 3 December and 6th December 2004. The resolution was negatived and both Bills were passed in the Lok Sabha on 6 December 2004 and on 9th December 2004 in the Rajya Sabha. On February 26, 2005 the repeal of POTA and the UAPA 2004 had received Presidential Assent as laid upon the Table of the Lower House by the Secretary General.

Newspapers such as the The Hindu and the Times of India viewed the amendment of the UAPA (with harsh provisions from POTA) as "POTA reinvented" (Venkatesan 5-11-2004, title). Whilst some of POTA more draconian provisions were removed, the UAPA retained admissibility of confessions extracted through police torture as evidence sufficient to indict the accused (Times News Network 17-12-2008, para. 4). Moreover, UAPA, unlike POTA, was a law on permanent statute and did not need to be reviewed every few years. The Times of India interpreted the UPA government's incorporation of many statutes of POTA into the UPA on account of the Mumbai attacks in 2008 (Times Nets Network 17-12-2008, para. 2; Kumar 2007, 76). Therefore, despite assertions to the contrary, POTA is not a 'dead issue' as it lives on in the UAPA, and also is alive through retroactive legislation applied to those who were booked under the law during the time of its tenure.

Having introduced the key features, political context and legislative history of POTA's introduction, consideration, passage and repeal, I now move onto the Women's Reservation Bill.

3.5.2. Women's Reservation Bill

The Women's Reservation Bill (WRB) seeks to reserve one-third of all seats in the Lok Sabha (Lower House) and State Assemblies for female MPs, rotating those seats reserved periodically according to a formula that has yet to be determined (Rajya Sabha 2009b; Sanyal 2008). Following the practice of granting reservations to Scheduled Castes (SC) and Scheduled Tribes (ST), one third of seats reserved are to be allocated to SC/ST women, with the proposed time span of women's reservation as fifteen years, pending review . WRB is often seen as a legislative successor to the Panchayati Raj Act of 1992/3 – a similar, far-reaching, initiative to reserve $1/3^{rd}$ seats for women (recently increased to 50%) in local branches of government that brought a million Indian women into the decision-making process almost overnight (Rajya Sabha 2009b, para. 10.3.29).

The Women's Reservation Bill has been introduced in the Lower House (Lok Sabha) seven times (since 1996-present) and once in the Upper House (Rajya Sabha), being successfully introduced in September 1996 (Lok Sabha) and March 2008 (Rajya Sabha). These introductions took place one on September 12, 1996, July 13 and 14, December 11 and 14, 1998, December 23, 1999, and May 2008 in the Rajya Sabha[14]. There were several other attempts during 2002 and 2003, however, these attempts were disrupted so severely that they were not able to be transcribed in official records, though were mentioned in news reports (Press Trust of India 2010c, Chronology). The Women's Reservation Bill was introduced as the 81st, 84th, 85th, and 108th Constitutional Amendments in 1996, 1998, 1999 and 2008 respectively.

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[14] Unless cited otherwise, legislative dates were obtained through electronic archival searches facilitated through Lok Sabha and Rajya Sabha Websites and following the legislative paper trail at Parliament Library

The Bill was passed in the Rajya Sabha on 10 March 2010 and, unless allowed to lapse, may be introduced in the current Lok Sabha (2009-present). With the exception of its first introduction and consideration (see Appendix for Legislation as Ritual for details) in 1996, all other introductions, considerations, and most interactions of any kind on the Bill has elicited intense, recurring and *unprecedented* (compared to other Bills) performances of histrionic melodrama, disruptive tactics and overall chaos by MPs (GPD 2005; Randall 2006, 63). Such "unprecedented" (in the history of the Indian Parliament tactics have included tearing microphones, papers, lying down in the well of the House, smashing glass on the floor so proceedings cannot continue, grabbing the clothes of the Vice President of India who is Chairperson of the Rajya Sabha, attempting to climb on the clerk's Table towards the Speaker's podium in the Lok Sabha, etc. MPs who use such physical strategies typically come from the following parties: Rashtriya Janata Dal, Samajwadi Party and Bahujan Samaj Party (Vasudevan 2010)[15].

MPs criticizing the Bill (implicitly or otherwise) do so on (at least) three grounds; (1) that it does not provide 'reservations within reservations' for women of Other Backward Castes and Muslims (2) that the system of rotational constituencies devalues the idea of accountability to the constituency as a male members especially can no longer/has no incentive to nurture his constituency continuously) and (3) the presence of entrenched patriarchal attitudes that see women as unable to legislate as well as men, or as simply inappropriate owing to fears that more women in

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[15] The bases of RJP and SP strength originate primarily in the highly-populous, agrarian states of Uttar Pradesh and Bihar. Though the leaders and key members of both parties are of the Yadav caste, they make claims of representation towards members of Other Backward Castes, Muslim communities, etc. The BSP is similarly based in Uttar Pradesh and makes appeals to a large swath of groups that have traditionally lacked access to political power (on the grounds of caste, etc.), but that it is less identified with any one overriding caste (Kumar 1999). The three parties share in common a tendency to shift alliances and have at different times, been termed as 'kingmakers', owing to their share of seats in (especially) Uttar Pradesh (Tharoor 2009; Roy 2009).

parliament will 'endanger democracy' (Keenan and Mir 2008; Randall 2006; Rajya Sabha 2009b). External commentators also point to male members' fear of losing their seats (not necessarily on patriarchal grounds), and (especially feminist critiques) on the reservation as being divisive for women, or at best, a tokenistic gesture that will see the election of elite women without contributing to better representation for women in less stable financial and social circumstances . The beti-biwi-bahu brigade refers to the pattern of electing the sisters, daughters and wives of male MPs so that they (the men) can exercise power through them, as though they were puppets (Kishwar 1996, para. 12; Krook 2005; Puri 2009). A more general concern is that these women are, even if acting in their own capacity, of a privileged background and therefore will not/should not represent less privileged sections. The argument is somewhat contentious as the same criticisms can be levied against male MPs and their kin who enter politics, coming from upper-middle-class backgrounds, etc.

 A variety of alternative proposals to see an increase in women's representation within Parliament have been considered (but dismissed) such as the creation of dual-member constituencies, a mandatory minimum percentage of seats to be allocated to women in parties with safeguards to prevent parties from allocating women weak or unviable constituencies, and the like (Rajya Sabha 2009b, para 8.2). Whilst criticisms to the Bill and its possible alternatives are salient, I limit my discussion on them to the above as the validity and viability of these claims/ideas are not the emphasis of my research.

Despite these criticisms, as shown in the table below, avowed supporters of the Bill have (with one exception) always had the numbers needed to pass the Bill[16].

[16] Parties identified definitively as allies include Indian National Congress (INC), Bharatiya Janata Party (BJP), Communist Party of India (Marxist), Dravida Munnetra Kazhagham (DMK), Telugu

Table 3: The strength of support and controversy surrounding WRB: A Seat-wise Analysis[17]

Strength of allies and opponents of (w. required numbers to pass) Women's Reservation Bill, LS 11-15

LS #	Total seats in LS	Numbers required for Constitutional Amendment	Total seats allies: INC, BJP CPIM, CPI, DMK, TDP, AITC seats	Total % of seats, allies	Total no. of of seats opponents: SP, RJD, BSP, JD (U), NCP	Total % of seats, opponents
11	551	368	381	0.69	45	0.08
12	546	364	385	0.71	42	0.08
13	567	378	398	0.7	61	0.11
14	591	394	384	0.65	111	0.19
15	545	364	387	0.71	76	0.14

It is hoped that a dramaturgical analysis will enable one to understand how a 'handful of MPs' have so successfully held the 'House to ransom' on so many different occasions. I now present a more narrative approach to chronicling the legislative passage of the Bill through parliament.

The Women's Reservation Bill was first introduced in the 11th Lok Sabha as the 81st Constitutional Amendment on September 12, 1996[18]. Though the bill was slated to be introduced, discussed and passed on the same day, its consideration was delayed, resulting in two days of discussion and a decision to refer the matter to a Joint Committee. The Joint Committee presented its findings in December 1996, however, the Business Advisory Committee did not allocate time for its discussion and re-introduction, resulting in the Bill's lapsing upon dissolution of the Government in December 1997[19]. In the 12th Lok Sabha, the Bharatiya Janata Party (BJP)

Desam Party (TDP) and All India Trinamool Congress (AITC). Parties identified as opponents to the Bill include Samajwadi Party (SP), Rashtriya Janata Dal (RJD), Bahujan Samaj Party (BSP), Janata Dal United (JD (U)) and NCP (Nationalist Congress Party).

[17] Adapted from Lok Sabha Website

[18] The 11th Lok Sabha was a minority government led by the National Front coalition, headed by Prime Minister H. D. Dewe Gowda (of the Janata Party in Karnataka).

[19] The Business Advisory Committee is a purely Indian innovation in managing and scheduling parliamentary activity. Typically, members of the Committee include representatives of the main parties and work closely with party whips. All House Business to be transacted must be slated for discussion by the Committee, who then decides whether and when to transact said business.

government attempted the Bill's introduction on at least four different occasions (July 13 and 14 1998, December 11 and14 1998) as the 84th Constitutional Amendment Bill in 1998. Following the government's dissolution in early 1999, the Bill, as before, lapsed. These attempts saw scenes of violence and 'pandemonium' (rushing into the well of the House, shouting slogans menacing the Speaker) and tearing up of the Bill, labelled as the 'black days' of Parliament. In December 1999, during the 13th Lok Sabha, the National Democratic Alliance (NDA) government spearheaded by the BJP, attempted its introduction yet again as the 85th Constitutional Amendment Bill. Tearing of papers, chanting of slogans, etc. characterized attempts yet again, though of less violence intensity as the 1998 disruptions.

The bill did not see any further attempts at introduction until May 2008, where it is introduced in the Rajya Sabha (Upper House) during the 14th Lok Sabha's United Progressive Alliance (UPA) government spearheaded by the Congress Party. On this occasion, a similar strategy of snatching the Bill to prevent its introduction was attempted, however, it was thwarted by a barricade of female MPs surrounding the Law Minister (H.R. Bhardwaj) who sought to introduce the Bill. Amidst protests, shouting in the Well of the House and a total lack of decorum, the Chairperson sought to rule the Bill as having been successfully introduced (Rao 2008)[20].

In June 2009, the Presidential Address (delivered by the first female President of India, Shrimati Pratibha Patil) stated that the Women's Reservation Bill will be introduced in Parliament within 100 days of the announcement (IndianExpress, June 05 2009). This was followed by the symbolic election of the first female Speaker, Shrimati Meira Kumar (Indian National Congress, Dalit background) and subsequent

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[20]   Also, a related legislative development was announced in October 2009 is the extension of 33% reservation to 50% reservation for women in panchayats (Indian Express 2011, 21-7-para. 1).

mentions of the Bill's inevitability during the Motion of Thanks debate . Numerous MP-s alluded to the fact that the President of India, the Chairperson of the ruling party (Shrimati Sonia Gandhi, Indian National Congress, Amethi Constituency, Uttar Pradesh), and the Speaker were all female, therefore the Bill should be passed within the current session (in June 2009). On the same day, Shri Sharad Pawar (National Congress Party and long-time opponent of the Bill) is quoted by the press saying that, like Socrates, he would rather imbibe poison than countenance the non-truths present in the Bill and its intent (Indian Express 5-6-2009, para. 2).

On December 17 2009, a Rajya Sabha (Upper House) Committee presented its report on the Bill, calling for its immediate passing with two notes of dissent registered from the Samajwadi Party (Indo-Asian News Service 17-12-2009, para. 7). The Bill was introduced in the Rajya Sabha on 8 March 2010 and passed the following day. The two days were characterized by unprecedented scenes of disruption, protest and high drama. Of note is the attempted seizing of papers and tearing of the microphone on Dr. Hamid Ansari, Vice-President of India and Chairman of the Rajya Sabha's desk, interpreted as an attack on his person (AVRS 8-3-2010). So too is the suspension of seven disrupting MPs and their forced removal from the chamber by Marshalls after they lay in the well of the House refusing to allow proceedings to continue. Related incidents were the expression of displeasure by Government allies (such as the All India Trinamool Congress) and threats of withdrawing external support (by the Rashtriya Janata Dal and the Samajwadi Party) (Times of India 9-3-2010). Though it seemed as though the Bill would be passed without discussion, it was debated upon before the final voting. Though the Government sits in a minority in the Rajya Sabha, the Bill's passing was made possible through co-operation between the two main parties (Indian National Congress – Government; Bharatiya

Janata Parties – Opposition) and their key allies.

Owing to disruption, throughout its thirteen-year history, the Business Advisory Committee has only scheduled four instances for the discussion of the Bill in the second rite of consideration – on September 12 and 13 1996 (LSD), 9 and 10 March 2010. A significant debate on WRB's status that culminated in a walk-out staged by members of the Opposition was held on December 20 1999. This debate arose as question of clarification asked by the Leader of the Opposition (Mrs. Sonia Gandhi, current President of Congress/Government) to the BJP-led Government of that time. However, this debate, though discussed in this chapter, did not arise as part of the stages of legislation required to transform a Bill into an Act of Parliament. It must also be noted that the status of Bill (as opposed to its merits, etc.) has been discussed (without being scheduled by BAC) on numerous occasions, prompted by MPs themselves (c.f LSD 16 & 20-12-1996, 12-5-1997, 12 & 13-8-1997, 8-3-1999, 10 & 21-12-1999, 10 & 25-8-2000, 15-5-2002 and many other instances)[21].

Taken together, both case studies are extreme in terms of their political rhetoric, dramaturgy, and or use/violation of procedural invocations. They were also selected to identify common and enduring strands of performance techniques across vastly different topics of debate, from anti-terrorism to women's representation, ranging across fifteen years of parliamentary performance (1996-2011).

3.6. Conclusion

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[21] MPs have also discussed the Bill in other contexts, such as during discussions on International Women's Day, interruptions on other Bills, Question Hour, Zero Hour and during ceremonial speeches such as the President's Address and Motions of Thanks, Felicitations delivered to a Speaker upon election, and Valedictory Remarks delivered by the Presiding Officer at the end of the session. Whilst these interventions keep the Bill 'alive', they are peripheral to the present analysis.

In this chapter, I discussed and justified the methodological choices made to conduct my research, details from field work and introduced my case studies. In so doing, I have fulfilled the academic requirement to make my research as transparent and as intelligible as possible, thereby facilitating replication (external reliability) and rigorous examination (internal validity) – as previously discussed. Moreover, in the second half of this thesis, I introduced the rationale of the extreme case sampling strategy to choose POTA and WRB as my analytical foci. The substantive, historical and legislative backgrounds of each case study were then introduced, facilitating later analysis. The following chapter provides the broader empirical context, i.e. the wider gamut of performances observed within the Indian Parliament, which provide frames of meaning through which my case studies can be meaningfully interpreted.

CHAPTER 4: CONTEXT

The current chapter aims to provide the 'context' to facilitate the 'ethnographic interpretation and analysis of parliamentary performances in the analytical chapters that follow. I begin the chapter with a very brief legal history of the frameworks that gradually brought the Indian legislature as we know it into existence. The aim of this section is to merely situate the legislature within a broader historical narrative, acknowledging that the emphasis of this thesis constitutes a very recent phase in its history. The second sub-section addresses the 'cast' of parliamentary performances, borrowing from the dramaturgical metaphor introduced in the previous chapter . By introducing key social, racial, ethnic, caste-based, religious, gendered and political groups, I also introduce large-scale processes embedded within the politics of identity and representation in India, namely, vernacularization, criminalization and democratization. I then examine the forms and significance of processes of legislation and disruption in separate sub-sections, exploring the different ways in which diverse actors have framed these behaviours differently. The fifth sub-section explores the dominant institutional script which the media, MPs and other observers have typically used to evaluate parliamentary performances, couched in the terms of institutional discipline, decorum and dignity. Finally, I introduce the notion of 'audience' to my narrative of the context within which the Indian Parliament and its MPs operate. Making the argument that the presence of multiple audiences, their requirements and relationships with MPs constitutes a significant process of parliamentary mediatization, I complete my pre-analytical description of context.

4.1. Historical Evolution of the Indian Parliament through Legal-Formal Frameworks

The evolution of parliament in India is intricately wound up with the narrative of the nationalist struggle for Independence against the background of centuries-long oppression by British Rule. The first forms of legislative councils appeared in 1601, to facilitate administrative and logistical requirements needed to make trading from India, through the East India Trading Company, a profitable venture. These councils gradually, through successive acts such as the 1853 Charter Act and the 1862 Charter Act, gradually took the forms and functions of many features still extant within contemporary legislatures (Kashyap 2008, 16).

The first Indians to participate in the Legislative Councils in place with the 1862 Charter Act, though they were in the minority and had no real power to affect the (British-run) Executive. 10-16 seats were allocated for Indians, mostly from the rich zamindar families who sided with the British during the First War of Indian Independence in 1857 (Kashyap 2008, 21). Between 1852 and 1892, 45 Indians were included in Council discussions. Legislative speeches were at this time, reading out of speeches lauding the the Executive's policy and were frequently unattended (Dutta 1980, 66).

As early as 1917, the atmosphere of the Legislative Councils had changed, They were regularly attended, debates were not pre-scripted, members resigned in protest and tried valiantly to affect the Executive's decisions (Kashyap 2008, 37). Members would resign from the Assembly in protest, for instance at the Rowlatt Bills of 1917 (Sarkar 1983, 187), indicating that some degree of significance had begun to be

attached to holding legislative office. In August 1917, Edwin Montagu (Secretary-of-State of India) delivered the famous 'August Declaration' in which clarified that the the goal of consecutive constitutional and other reforms was to grant responsible government to Indians through gradual phases (Sarkar 1983, 165) . The announcement proceeded the Montagu-Chelmsford Reforms (Government of India Act 1919) which saw the establishment of a non-official, i.e. Indian, majority in the publicly *elected* Central Legislative Assembly– though it was still powerless to override the will of the Executive (Jayapalan 1988, 73). Legislative seats were dominated by those with legal backgrounds, including stalwarts for the Indian freedom struggle such as G. V. Mavalankar (first Speaker of Independent India) and Mr. Jawarhalal Nehru (one of India's longest serving Prime-Ministers) (Kashyap 2008, 47). The electorate at this state was limited to those with education and/or financial means and excluded women. The general electorate was split into seven constituencies, Non Muhammadan, Muhammadan, Sikh, General, Landholders, Europeans and Indian Commerce – a precedent for the Partition of India in 1947 (Kashyap 2008, 47; Parsons 1946, 45). The Central Legislative Assembly and the Council of States made up the Viceroy's/Imperial Legislative Council, establishing the 'two Houses' principle. The Central Legislative Assembly had a total of 140 seats with 100 elected, 26 nominated officials (Government) and 14 nominated non-officials (mostly other Europeans); proportions could vary as long as 5/7^{ths} of the total number were elected and at least 1/3rd were officials (Kashyap 2008). A total of six Central Legislative Assemblies were constituted (each with a tenure of three years unless extended or dissolved by the Governor-General) in 1921 – 1923, 1924 – 1926, 1927 – 1930, 1931 – 1934, 1935 – 1945 and 1945 – 1947.

In 1947, following a protracted struggle for freedom using the techniques of saytagraha and mass, peaceful protest, India and Pakistan (partitioned from India) gained their independence from British rule. The Constituent Assembly (interim Parliament and Drafters of the Constitution) sat between 1947 and 1950, establishing democratic conventions, institutions, symbols and emblems required of an independent nation-state (Rajamani 2000, 9-10).

The Indian Constitution came into effect on 26 January 1950, providing for the establishment of a Parliament, its composition, its functions, powers and procedures in in Articles 79-123 (Constituent Assembly, 1949). The first Parliament was elected to office in 1952, with its and subsequent Lok Sabhas' sittings summarized below:

Table 4: Dates of sitting of 1ˢᵗ to 15ᵗʰ Lok Sabhas[22]

Dates of Sittings of Lok Sabhas 1-15

# Lok Sabha	Dates
1	13/5/1952 - 4/4/1957
2	10/5/1957-31/3/1962
3	16/4/1962-3/3/1967
4	16/3/1967-27/12/1970
5	19/3/1971-19/1/1977
6	25/3/1977-22/8/1979
7	21/1/1980-31/12/1984
8	15/1/1985-27/11/1989
9	18/12/1989-13/3/1991
10	9/7/1991-10/5/1996
11	22/5/1996-4/12/1997
12	23/3/1998-26/4/1999
13	20/10/1999-6/2/2004
14	2/6/2004-18/5/2009
15	1/6/2009-ongoing

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[22]   Adapted from Kashyap (2008)

The Indian Parliament has acquired, since then, 61 years of experience and has undergone considerable transformation since then, in ways which will be explored in the sections that follow. It is hoped that this section has explained some of the origins of the parliamentary institution and the legal frameworks that have facilitated its evolution. The following sections provide a more lively narrative of the contemporary Indian parliament and the key characteristics of performances observed within it. Whilst a historical overview of different strands of performance would be an interesting way to frame this chapter, the evolution of contemporary performances and the circumstances supporting them remain the focus of this thesis.

4.2. The Cast of the Parliamentary Drama

Described as *tamasha* (drama) by Lok Sabha Speaker Somnath Chatterjee (Press Trust of India 2008, para. 1), the spectacle of parliamentary debate and disruption in the Indian context has its own set of recurring cast members, fixed members, institutional and informal scripts and multiple viewing audiences. In this section, I introduce some of the broad trends that have shaped collective performances of groups of actors (or performing teams) within Parliament.

The key cast of the performance of parliament on the floor of the House is obviously the body of MPs themselves, the Speaker, the House Marshalls, the Clerks, the Secretary-General and – in the background – simultaneous translators and stenographers (as observed during field research). The presence of silent audience members in the Visitor's, Distinguished Visitor's and the Press Gallery complete the performance (Lok Sabha Secretariat 1992, 145). In this analysis, I will focus upon

characteristic trends of the key members of the performance, namely the MPs themselves.

Article 79 of the Indian Constitution specifies that there be two Houses of Parliament, The Lower House, or Lok Sabha (House of the People) and the Upper House, Rajya Sabha (Council of States) (Constituent Assembly, 1949). There is an upper limit of 280 seats in the Rajya Sabha (Art. 80) and 550 seats in the Lok Sabha (Article 81). The number of seats allocated to a state is determined by its number of constituencies, itself an indicator of population and geographical size. The state-wise breakdown of parliamentary seats in the 15th (current) Lok Sabha is summarized in the table below:

Table 5: State-wise breakdown of parliamentary seats in the 15th Lok Sabha

States

Uttar Pradesh	80
Maharashtra	48
Andhra Pradesh	42
West Bengal	42
Bihar	40
Tamil Nadu	39
Madhya Pradesh	29
Karnataka	28
Gujarat	26
Rajasthan	25
Orissa	21
Kerala	20
Assam	14
Jharkhand	14
Punjab	13
Chhattisgarh	11
Haryana	10
Jammu & Kashmir	6
Uttarakhand	5
Himachal Pradesh	4
Arunachal Pradesh	2
Goa	2
Manipur	2
Meghalaya	2
Tripura	2
Mizoram	1
Nagaland	1
Sikkim	1

Union Territories

Andaman & Nicobar Islands	1
Chandigarh	1
Dadra & Nagar Haveli	1
Daman & Dio	1
Delhi	1
Lakshadweep	1
Puducherry	1

Certain major political groupings can be understood in terms of caste-based, regional and/or linguistic groupings, as with what has been called the "Hindi belt". The Hindi Belt refers to Bihar, Uttar Pradesh, Madhya Pradesh, Haryana, Rajasthan, Himachal Pradesh, Uttarakhand, Chattisgarh and Jharkhand, accounting for 218 (out of 537, or 41% %) (Jaffrelot 2000). Residents within this geographic region speak Hindi (hence the name) as one of the state's official languages.

In political terms, one particular identity group has seen a dramatic increase in its parliamentary representation within the Hindi belt, namely the OBCs or Other Backward Castes. Within the traditional Indian social system of castes, OBCs are situation above the Untouchables but below the "forward castes", e.g. the Brahmins [priestly caste], Kshatriyas [warriors], Vaishyas [merchants], and the intermediate castes, i.e. peasant proprietors (Jaffrelot 2000, 86). OBCs form the bulk of the fourth category (varna) of the caste order, namely the Shudras. The pattern of land ownership in the Hindi Belt facilitated the historical and political dominance of the upper-castes for an extended period of time, up until the 1980s (98). The most prominent OBC castes to gain political representation are the Yadavs and the Kurmis, whose numbers equalled those of the Brahmins and the Rajput MPs (upper-castes) (100). Several prominent MPs – particularly in connection with the Women's Reservation Bill – are from the Yadav caste, namely Laloo Prasad Yadav, Mulayam Singh Yadav and Sharad Yadav (101).

For the purposes of this review, it is useful to note that three political parties – in particular – compete amongst themselves for the votes of OBCs and Dalits in the Hindi belt, namely, Rashtriya Janata Dal (Bihar), Samajwadi Party (Uttar Pradesh,

Bihar) and Bahujan Samaj Party (Uttar Pradesh, Bihar)[23]. Owing to a shared cultural and linguistic background, there are certain modes of performance common to (particularly the) the Yadav caste. This theme will be returned to in the discussion of 'vernacularization' (Michelutti 2007; see also Witsoe 2011).

Another confluence of political alignment, cultural, linguistic and racial origins is to be seen in the Southern group of Indian states, namely, Andhra Pradesh, Karnataka, Kerala, Tamil Nadu, Lakshadweep and Puducherry – accounting for 131 parliamentary seats (out of 537, or 24 %) (Joseph 2003, 3915). Though these states do not have a shared official language as Telugu is spoken in A.P., Kannada in Karnataka, Malayalam in Kerala and Tamil in Tamil Nadu, are all part of the Dravidian language family (Balasubramanian and Rao 1998, 112). In contrast, Hindi, Sanskrit, Urdu and other languages spoken particularly in the 'Hindi heartland' derive from the Indo-Aryan language family (108). Members of the Southern states have shared common allegiance to the notion of a Dravidian identity, bound by linguistic and cultural similarities that is often contrasted with a Northern-Aryan identity. Southern states have typically rejected 'saffronization' – or the inclusion of cultural, religious, linguistic and political groups associated with an Sanskritic origin (Pandian 1998, 445). The Bharatiya Janata Party, a right-wing Hindu political party, for instance, has never successfully gained a foothold in the state of Tamil Nadu owing to its 'Northern' origins. Of importance to this thesis, the demand for the recognition of Southern, Dravidian languages as being politically commensurate with Hindi and Sanskrit in Parliament was one of the driving factors to maintain multiple working languages within Parliament (Windmiller 1954, 292).

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[23] Lalu Prasad Yadav is leader of the Rashtriya Janata Dal whereas Mulayam Singh Yadav is leader of the Samajwadi Party

Other groups of identities of note are, upper-castes in Parliament, Dalits, Scheduled Castes and Tribes, women, religious minorities, crorepatis (ultra-rich MPs) and criminals – I will briefly address each category here with its relevance to understanding how Parliament performs.

Caste, as a concept, is difficult to define, it refers to a system of social stratification based on religious texts such as the Manu Smriti and is maintained by endogamous hereditary practices, i.e. marrying within the social grouping (Nadkarni 2003, 4786). In practice, the social and economic status of members of a caste in one state, may be completely different for members of the same caste in another state. It is difficult to equate social status with economic status, as seen in the example of the Brahmins of Tamil Nadu who possess social status owing to their access to literacy through initiation in the priesthood, but who lack material wealth (Kumar 1992, 297). Traditionally, members of one caste could only practice a particular profession, and none other. Being born into, for example, a Vaishya [merchant] caste meant that a person could not become a warrior [Kshatriya] or priest [Brahmin]. These exclusionary practices have translated into vastly differential access for some castes to economic, political, academic and other resources which greatly determine one's life chances and quality of life.

Such segregational and disciminatory practices, i.e. 'untouchability' had undoubted effect on preventing persons from lower castes from entering political office, offices of profit, academic institutions, etc. (Charsley 2004, 268). In an attempt to address the imbalance of opportunities afforded to lower castes, the Constitution's framers decided upon a policy of affirmative action reserving 27% of parliamentary seats to members of Scheduled Castes and Scheduled Tribes (Article 334).

In 1979, the Mandal Commission, convened by Prime Minister Morarji Desai under the Janata Party Government, sought to" identify the socially or educationally backward" (Rahman 2009, para. 1). The Commission recommended the inclusion of the Other Backward Castes (OBCs), and recommended that reservation be increased from 27% to 49.5%. Such reservation would extend to Parliamentary seats, access to government jobs and seats in educational institutions. The backlash of the report was immediate and violent, upper-caste youths across the nation began to immolate themselves in protest in the 1990s. Till this day, any mention of increasing caste-based reservation sparks a volatile, explosive response from opponents and proponents alike (Economic Times 1-3-2011, para. 1).

In fact, on September 5th 2012, two male Members from the Samajwadi Party and Bahujan Samaj Party engaged in a physical scuffle within the Rajya Sabha as a new Constitutional Amendment seeking to institute an SC/ST quota in awarding promotions within government jobs (Malik, 2002).

Parliament as an institution, has historically been dominated by upper-caste members as shown in the table below:[24]

Table 6: Percentage-wise Breakdown of MPs' Castes, 8th-11th Lok Sabha

Percentagewise Breakdown of MPs' Castes, 8th-11th Lok Sabha

Caste/Lok Sabha	8	9	10	11	Average
Brahmins	15.6	14.1	7.6	10.20	11.875
Upper Caste	34.9	29	33.3	31.80	32.25
OBC	14.3	22.4	23.7	22.70	20.775
SC & ST	23	22.8	23.7	23.50	23.25
	87.8	88.3	88.3	88.2	

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[24] Adapted from Deb and Manisha 2009, 79

The decline of the numerical representation of Brahmins in parliament has not meant the decline of upper-caste MPs, newer caste groups from that category have come forth, such as the Rajputs, and the Thakurs. One must note that, despite their decline in representation, in the 10th Lok Sabha, Brahmins only comprised 5.52% of the Indian population, indicating that they were over-represented in the Lok Sabha (Rai 2002, 2). The majority of Brahmins came from the professional, English-speaking classes, e.g. doctors, teachers, engineers, etc. (Deb and Manisha 2009, 75). Despite the democratic widening of the electoral bases, and strongholds power established in 'lower castes', the "circulation of elite" power has "changed merely from urban, educated, English-speaking upper-caste professions to semi-urban agriculturalists or agro-businessmen", also from the upper castes (Deb and Manisha 2009, xxiii). The rise of the OBC castes has already been commented upon above. Owing to the Constitutional quota for SC/ST reservation, it is unsurprising that their numbers have remained constant. Therefore, taken together, despite the rise of the OBCs, parliament is still dominated by upper-caste MPs.

In terms of religious background, the overwhelming majority of MPs are Hindu. The following table summarizes Muslim representation in the 1st – 15th Lok Sabhas:

Table 7: Election of Muslim MPs to Lok Sabhas 1-15[25]

Election of Muslim MPs to Lok Sabhas 1-15

LS	Total Members	Muslim MPs	As %
1	489	21	4.29%
2	494	24	4.86%
3	494	23	4.66%
4	520	29	5.58%
5	518	30	5.79%
6	542	34	6.27%
7	529	49	9.26%
8	542	46	8.49%
9	529	33	6.24%
10	534	28	5.24%
11	543	28	5.16%
12	543	29	5.34%
13	543	32	5.89%
14	543	39	7.18%
15	547	30	5.48%
Average:		32	5.98%

There are very few Christian, Buddhist and MPs from other religious backgrounds elected to Parliament. The only exception is that of the Sikh religion, represented in the state of Punjab in particular. Apart from providing some general information regarding Parliament's composition, religious factors do not appear to be the most determining factor of how an MP performs his/her variant of representation.

The final category of identity that I wish to address in this brief overview is that of women in the Lok Sabha, as summarized in the following table (adapted from Kashyap, 2008):

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[25] Adapted from Ahmed (2008, para. 7); Twocircles.net (2009, para. 1)

Table 8: Election of women MPs to Lok Sabhas 1-15[26]

Lok Sabha	Starting Date	Number of Women Members	Total Members	As %
1	1952	24	543	4.4
2	1957	24	534	4.5
3	1962	36	540	6.7
4	1967	32	553	5.8
5	1971	27	553	4.9
6	1977	21	557	3.8
7	1980	32	567	5.6
8	1984	45	567	7.9
9	1989	28	534	5.2
10	1990	42	555	7.6
11	1996	41	551	7.4
12	1998	44	546	8.1
13	1999	52	567	9.2
14	2004	52	586	8.9
15	2009	60	544	11

Average: **6.7**

Women have typically had less representation that Muslim MPs, despite constituting roughly half of the population as opposed to 15% for Muslims. There are several distinct aspects of women MPs' performances that differentiate them from men.

Women MPs have not worn Western attire (e.g. jeans and blazer tops)in Parliament and dress conservatively. The most noticeable aspect is dress, usually a sari, salwar kameez with/without a shawl to cover the head. Many Hindu women sport a tilak or pottu to signify their cultural affiliation and/or marital status.

Women MPs participate less than male MPs in parliamentary debates, with the exception of 'women's issues' relating to childcare, reproductive rights, etc. and discussions held to commemorate on International Women's Day. The Women's Reservation Bill Case Study as analyzed in this thesis would, if passed, increase the minimum representation of women in the House to 33%, a 22% increase from the

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[26] Adapted from statistics available on Lok Sabha Website through Members' Bioprofiles link, arranged per Lok Sabha

present Lok Sabha. In the present Lok Sabha, there are at least 17 SC/ST/Dalit women members in reserved constituencies (out of 60, or 28%), 2 Muslim women MPs (or 3%) and –at least – 15% of those women from the OBC category (based on 14th Lok Sabha election statistics) (Krishnan 2010, para. 7). Roughly half, i.e. a majority of women MPs in the Lok Sabha are therefore, from the upper-castes (c.f. Rai 2002, 2). Moreover, in the 10th Lok Sabha, 32 out of 39 women MPs had postgraduate qualifications; only one out of the seven lower caste women was not a graduate .

Though not strictly a category of identity, yet certainly an indicator of class, analysis of the composition of the Lok Sabhas has, in recent years, examined the number of 'crorepatis' (millionaires) in the House. This indicator is popularly referred in in the institutional discourse of parliament emanating from parliamentary watchdogs, civil society institutions and the media – it is not an academic classification. In the 14th Lok Sabha, there were 195 MPs with assets in excess of ten million rupees (roughly 123,000 British pounds), with 300 (crorepati) MPs in the 15th Lok Sabha. 137 MPs came from Congress, followed by 58 from the BJP, 14 from the Samajwadi Party and 13 from the Bahujan Samaj Party, followed by the DMK and the Shiv Sena (National Election Watch 2009, 9). State-wise, the most crorepatis came from Uttar Pradesh, Maharashtra, Andhra Pradesh, West Bengal, Bihar, Tamil Nadu, Madhya Pradesh, Gujarat and Karnataka (13). Only 18 MPs declared their assets to be less than 10 crores (15). The increase of 'crorepati' MPs being elected to the House has been primarily viewed in negative terms, considering that MPs continue to disrupt Parliament despite a high cost to the exchequer , increase their salaries and perks with no ramifications to their own salaries despite no-performance. Moreover, as a former MP writes, the declared assets of MPs grow at ridiculous rates (300%) when

in office (Nandy 2011, para. 3), despite their "squabbling and ranting" in the House. The prevalence of crorepatis elected as political representatives raises intriguing questions within Pitkin's framework of political representation. The disparity of income between the elected and their electorate dismisses the 'descriptive representation' explanation entirely, The World Bank (2011) estimates that 32.7% of India's total population, i.e. 406 million out of 1.25 billion people, live beneath the poverty line, making up a third of the world's poor. According to the National Commission for Enterprises in the Unorganized Sector, 77% of the Indian population lives on less than 20 rupees a day, a far cry from the fortunes of crorepati MPs (Ravindran 2011, para. 6). Considering high voter turnout in Indian elections and the much maligned political apathy of the middle class (Panda 2012, para. 11), it is clear that the majority of Indian voters are electing MPs far richer than themselves. As has been explored, other shared attributes such as caste and ethnicity appear to influence voting choices, mirrored in the fragmentation of political parties along communal lines since the 1990s.

In terms of substantive representation, the question remains as to whether crorepati MPs actually can, and if they do, represent poorer constituents in any effective, meaningful sense. Whilst one may interpret such legislation as pro-poor policies alleviating poverty, etc., others may view it in terms of neo-liberal economic packages that widen the gap between the rich and the poor, but which will ultimately transform India into an global power (Khilnani 2011, para. 30). Nevertheless, popular commentary depicts the 'declining character' of (increasing numbers of rich) MPs as "greedy [and...] corrupt", seeking to augment their own power through elected office (Biswas 2012a, para. 8). Therefore, rejecting the substantive representation argument, one MP I interviewed proposed that the electorate continues

to vote for corrupt, often (but not always) ultra-rich politicians (with life-styles and incomes vastly different from their constituents'), owing to a lack of awareness of what it means to be politically represented (Interview 2009c).This discussion complicates the substantive explanation in terms of motive (based on which model of development) and intentionality, adding weight to the descriptive explanation for why MPs get voted into office. The cruder realities of offering money, jewels and sarees (Subramanian 2011, para. 1) to poor voters for their ballots is overlooked in this typology, especially when understood within a wider "nexus between the criminal gangs, police, bureaucracy and politicians" (Verghese 2005, para. 11).

The linkages between extreme wealth, corrupt practices and elections to political office are found in an analysis of the criminal records of Indian MPs. 162 newly elected MPs have declared pending criminal cases, 76 of whom have serious cases against them. This statistic indirectly accesses what Kashyap (2005, para. 8) referred to as the declining 'character' and quality of MPs. Out of the total of 543 MPs, 522 of them have some pending criminal case against them, 275 of whom have allegedly committed serious crimes. (National Election Watch 2009, 3). Between the 14th and the 15th Lok Sabha, there has been a 34 MP (27%) increase in the number of MPs with pending criminal records, a 93 MP (22%) increase in MPs with pending criminal cases, a 18 MP (31%) increase of MPs with serious pending criminal cases and a drop of -21 MP (7%) of total serious pending cases against MPs. In 2004, there were 296 cases of serious crimes registered against MPs, dropping to 275 cases in 2009. Numerically, MPS with the most pending criminal cases came from the BJP, INC, SHS, SP, JD (U) and BSP (4). State-wise, the highest numbers of MPs with pending criminal cases came from Uttar Pradesh, Maharashtra, Bihar, Andhra Pradesh, Gujarat, Tamil Nadu and Karnataka.

It is no coincidence that most of the richest MPs, and the MPs with the most criminal cases pending against them come from the same states (with the exceptions of West Bengal and Madhya Pradesh). The links between ultra-rich MPs and criminal connections was clearly highlighted in the Vohra Report issued in 1993. The Report indicates the "nexus between the criminal gangs, police, bureaucracy and politicians" in using "money power" to develop a "network of muscle-power" which is also "used by the politicians". Taken together, as B. G. Verghese asserts, "[t]he criminalisation of politics is widespread and has inevitably resulted in the politicisation of crime. Crime is now politics" (Verghese 2005, para. 11). The author goes on to narrate how certain criminals, particularly in Bihar, have been elected from prison (10). Some have been holding 'court'/durbars in jail with all the comforts of home – a "narration [that] is no exaggeration" which in fact "leaves out much [of the] spice" (paras. 10-13).

The election of more criminal MPs who their 'muscle' and 'money' power to get into the House, as reflected in far more richer MPs entering the House, may also contribute to what Dr. Subhash C. Kashyap has called "falling standards in the conduct … [and] quality" legislators, shown by poor quality of debates, niggardly attendance in the legislatures, unruly behaviour of members, scenes of pandemonia and the like" (Kashyap 2005, para. 10). Kashyap goes on to describe 'the people' as being "aghast … [and] feel[ing] helpless" to address the conduct of the "new breed of politicians in all parties" they view as being "generally selfish, power-hungry, greedy, dishonest hypocrites and power merchants for him the nation .. and the welfare of the people" are at the bottom of their priorities…[t]heir only concern is to amass wealth and somehow get to and stay in power" (para. 12). Moreover, Kashyap

attributes the influx of illegal corruption, bribery, blackmail, embezzlement, grafting amongst MPs as correlated with the influx of "dacoits, smugglers … [and] gangsters" into Parliament (para. 11). Implicitly, Kashyap also links the physicality and intimidatory tactics used by MPs to force Parliament to stall to experiences they may have gained in criminal dealings.

I have spent some time addressing elements of corruption, criminalization and crorepati-status status as they dominate discourse surrounding transformations required in the Indian political scene today, in the press (c.f. Verghese 2005, Biswas 2012a, Panda 2012, Khilnani 2011), numerous anti-corruption movements and within the chambers of Parliament itself. The lapse of eight anti-corruption Bills introduced by successive Lok Sabhas between 1968 to 2001 (Biswas 2011, paras. 5-6), the failure of the current Hazare-led anti-corruption movement to secure a new Bill, and the now-routine daily stalling of Parliament to address corruption and embezzlement scandals over the past few years (e.g. calling for the resignation of the PM over a coal scandal, see Deccan Herald 2012; Biswas 2012b) illustrate the gravity of these phenomena within the Indian political system. An overriding theme that both links, subsumes and further complicates the dense relationship between these elements is the communal fragmentation of political parties (i.e. the rise of identity politics) manifested as the democratic vernacularization of political identities and styles of performance of MPs in the Houses of Parliament and in the wider electoral base.

The first Lok Sabha was dominated by upper-caste, elite, English-speaking men who were professionally trained (Kashyap 2008, 47; Jayal 2006 in Spary 2010, 348). In the 15th Lok Sabha, those variables remain fairly similar, except that the elites have shifted from the professional classes to Hindi and English speaking business groups,

with a greater proportion of OBC members (Social Watch India 2011, para. 4). This increased diversification of Parliament in some terms – but not on others, e.g. in terms of gender or religion, can be viewed as part of the processes of deepening democratic institutions and traditions in India. Certainly, elections in India are viewed as a 'dance of democracy', "marked by colour, intensity and a mass involvement of individuals in democracy unmatched elsewhere in the world" (Guha 2009, para. 38). The following statistics summarize the number of voters and electors in the past few elections[27]:

Table 9: Numbers of voters and electors in 1999, 2004 and 2009 Indian General Elections to the Lok Sabha

Voters and Electors in 1999, 2004 and 2009 General Elections to the Lok Sabha

		2009	2004	1999
Electors	Men	374758801	349490864	323813667
	Women	342226300	321997066	295723180
	Total	716985101	671487930	619536847
Voter	Men	191028997	n/a	n/a
	Women	225765026	n/a	n/a
	Total	416794023	389342364	371669104

25.7 million additional male electors registered in 2004 as compared to 1999, with a further 25.2 million registered for the 2009 election. 26.2 million additional females registered in 2004, with an additional 20.2 million in 2009. 45.1 additional persons voted in the 2004 election as compared to 1999, with an additional 27..5 million votes cased in 2009.

The scale and continued process of public engagement with democratic institutions

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[27]   Adapted from Election Commission of India (n.d.)

in India is staggering. One can easily correlate a wider representation of people with the more diversified representation amongst MPs in parliament, due to the process of vernacularization. vernacularization is a wide-ranging process by which any institution's ethos, practices, identity, traditions, working languages, etc. are subject to cultural, social and racial indigenization by members of those groups entering or working within the institution (Michelutti 2007, 2). In much the same way, Parliament is increasingly becoming vernacularized. Rather than minimize the differences in a democratic-set up, the dynamics of identity politics (integral to the process) have whetted the social, political and cultural cleavages amongst different social and political identities . Rather than becoming more representative of the general public, the ways in which the electoral system is set up in India sees the over-representation of certain cultural (caste-based, ethnic) groups through electoral victories. Parliamentary elections are generally won with 10-12% of the public vote, often coming from a single caste group in a particular constituency (Shourie 2007). Therefore, rather than assuming that greater participation in a democracy straightforwardly translates to greater representation, it is important to note that such representation is uneven .

A final aspect of identity and representation that I would like to discuss is that of educational background. In the 15th Lok Sabha, 151 MPs are graduates, 132 are post-graduates, 107 are professions, and 21 MPs have doctorates in the 15th Lok Sabha. Therefore, 411 MPs (out of 537 MPs) are very highly educated (National Election Watch 2009). Dispelling the preconception that education would somehow account for measured, 'rational' political behaviour, there appears to be no correlation between educational background (read-as-class) to performances observed on the floor of the House. The strongest indicator of why MPs behave the way they do

arises in an analysis of the political 'teams' they are predominantly identified by, i.e. party discipline and coalitions. This notion of 'teams' are introduced in the Dramaturgy chapter, as they are fairly interchangeable, despite (as analyzed later, polarized rhetoric positioning in debate.

Having introduced the key groups of actors who perform on the floor of the House, I now move onto the substance and form of their enactments, legislation and disruption.

4.3. Legislation in Parliament

Parliaments, as discussed in Chapter 2, perform a gamut of tangible and intangible political effects, only some of which are intentionally achieved. These effects (as opposed to functions) range from legislation, legitimation, representation, political socialization, training of political elites, etc. Here, I provide an overview of the different ways in which time is taken up during productive sittings of the House to provide a sense of what goes in within the institution.

The most recently available Resume of Work Done by the Lok Sabha (January 2011) prepared by the Lok Sabha Secretariat, barring the Nov-Dec 2010 session were 97% of productive time was lost due to disruption, is the Fifth Session of the Fifteenth Lok Sabha (26 July – 3 September 2010). MPs sat for 136 hours and 22 minutes across 26 days of sittings. 28% of time was spent on legislative business, 5% on budgetary discussions.

Table 10: Time Taken by the fourteenth Lok Sabha on various kinds of business[28]

Time taken by 14th Lok Sabha on various kinds of business

Type of Business	Time Taken	Percentage of total time
Other Matters	434 hours 21 minutes	25.00%
Legislative	375 hours 40 minutes	21.63%
Budgetary	352 hours 52 minutes	20.32%
Discussions	274 hours 05 minutes	15.78%
Questions	198 hours 22 minutes	11.42%
Resolutions	55 hours 16 minutes	3.18%
Motions	46 hours 19 minutes	2.67%

1736 hours 55 minutes

I will now consider each type of business conducted in the House, from a historical perspective, beginning with Legislation. As the table and chart below demonstrates, whilst the average percentage of time spent on legislation in the Lok Sabha has been fairly consistent, the absolute time spent has differed greatly between the 1st and the 14th Lok Sabhas.

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[28] Adapted from Lok Sabha Secretariat (n.d.f).

Table 11: Time spent on legislation in the House, 1ˢᵗ - 14ᵗʰ Lok Sabhas[29]

Time spent on Legislation in the House

# Lok Sabha		Legislative Business	As %
	1	1844 hours 2 minutes	48.80%
	2	1031 hours 58 minutes	28.20%
	3	867 hours 58 minutes	23%
	4	668 hours 2 minutes	22.08%
	5	1121 hours 52 minutes	27.55%
	6	412 hours 28 minutes	23.51%
	7	797 hours 48 minutes	23.99%
	8	806 hours 59 minutes	25%
	9	122 hours 37 minutes	16.25%
	10	560 hours 03 minutes	22.16%
	11	128 hours 15 minutes	15.66%
	12	95 hours 25 minutes	16.60%
	13	493 hours 79 minutes	25.30%
	14	375 hours 40 minutes	21.63%
Average:		666 hours 15 minutes	24.27%

The 14ᵗʰ Lok Sabha spent only 375 hours and 40 minutes on legislation, as compared to the 1ˢᵗ Lok Sabha which spent 1844 hours and 2 minutes on the same, a decrease of 1468 hours and 22 minutes (Lok Sabha Secretariat n.d.f, 3-4). The average time of legislation spent in the first to seventh Lok Sabha was 963 hours and 27 minutes (or 28.16% of total time), whereas it was 369 hours and 3 minutes in the eighth to fourteenth Lok Sabhas (or 20.47% of total time). The results are surprising in light of the fact that the legislature's primary function has theoretically been described as conducting legislation, and that legislation and policy-making processes have become far more complex, and in some cases, increasingly technical. The decrease in hours spent on legislation can be attributed to two factors, the increasing role of committees and the decrease of productive time (sittings) of the House.

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[29]   Adapted from Kashyap (2008); Lok Sabha Secretariat (n.d.f)

As stated on the Lok Sabha Website, "[a] good deal of [Parliament's] business" is "transacted in Committees of the House" because parliamentary work in "modern times" is "varied… complex in nature … [and] considerable in volume" in a context where Parliament has limited time at its disposal (Lok Sabha Secretariat n.d.d , paras. 1-2). Though procedural frameworks that facilitated the Committee System can be traced back to the Standing Orders of the Central Legislative Assembly as codified in Constitutional Reforms of 1919, the transference of more legislative business to committees began in the early 1990s (Lok Sabha Secretariat n.d.d, para. 1). Presently, the Indian Parliament has 24 Standing Committees (para. 6) with the power to constitute Ad Hoc Parliamentary Committees to address specific matters requiring urgent attention, e.g. the Joint Parliamentary Committee on the 81st Constitutional Amendment (Women's Reservation Bill) in 1996. The hours spent on committee discussions are not typically counting in the 'productive work' done in the House per session, though they are carefully tabulated in the Resumes of Work Done published by the Lok Sabha Secretariat.

For example, during the 14th Session of the 14th Lok Sabha (21-22 July 2008; 17 October-24 December 2008) that sat for 16 days and conducted 80 hours 26 minutes of work (15 hours 49 minutes of which were spent on a Motion of Confidence discussion in July); only 25 hours 36 minutes (or 26.60%) of time is said to have been spent on legislation (Lok Sabha Secretariat, January 2009, 1 and 81). During this session alone, the Lok Sabha introduced 22 Bills, passed 31 Bills, sent 22 Bills to Standing Committees, heard 15 reports on Bills scrutinized by Standing Committees from previous sessions and had 35 Bills pending further legislation at the end of the session (8). As summarized in the table below, 256 Committee sittings were held wherein 321 hours and 40 minutes of work were transacted with an

average of 52.4% attendance of members. Legislative business, conducted by

Financial and Standing Committees, met on 163 occasions and transacted 229 hours

and 40 minutes of legislative business with 52.69% attendance (on average).

Therefore, the total hours of legislation conducted in this session alone is – in real

terms – is 255 hours and 16 minutes.

A similar analysis conducted with respect to the much-maligned 6th session of the

15th Lok Sabha (9th November – 17th December 2010) where Parliament only

conducted 7 hrs. 35 minutes of productive business over 23 days with 1 hr. 15

minutes of legislation, having lost 124 hours due to disruption – reveals the

significance of committee work (Lok Sabha Secretariat, January 2011, 1, 48 – 50).

10 Bills were introduced, 6 were passed, 1 was withdrawn, 1 Bill was partly

discussed, 8 Bills were referred to Standing Committees, 8 Bills were reported on by

Standing Committees and 32 Bills were left pending at the end of the Session (7). As

shown in the table below, Committees met on 50 sittings, transacting 63 hours and 50

minutes of parliamentary business with an average of 51.07% attendance. Legislative

business, transacted by Financial and Standing Committees, met on 33 sittings,

transacted 49 hours and 20 minutes of legislative business with an attendance rate of

39.56%. Therefore, the session transacted 71 hours 25 minutes of parliamentary

business with 50 hours and 35 minutes spent on legislation. Considering this is but

one session in a series of typically 15 sessions (14 of which conduct business with 1

more ceremonial introduction of ministers, etc.), at minimum, inclusive of committee

work, parliament can roughly be estimated to spend a conservative estimate of 708

hours and 9 minutes in legislation, which is comparable to time spent in the 8th Lok

Sabhas – even though 97% of time on the floor of the House may well be disrupted.

 If the 14th session of the 14th Lok Sabha used as a barometer, then one can estimate

3215 hours and 22 minutes spent on legislative discussion when committee meetings are taken into account. Whilst a great deal of available time was taken up by disruption, the inclusion of committee time spent presents a much more robust image of parliament's continued functioning, despite disruption on the floor of the House.

The increased importance of committee work transacting parliamentary business can be also used to explain the lessening of time spent on debating Bills on the floor of the House. For example, in the Budget Session of 2007 (23 Feb-17 May), the Lok Sabha passed 15 (non-Budgetary) Bills, spending an average of 47 minutes to introduce, discuss and pass each Bill. In the same period, the Rajya Sabha introduced 13 non-Budgetary Bills and spent an average of 51 minutes on each. The Lok Sabha worked for 51% of its originally scheduled time, i.e. for 129 hours and 22 minutes, having lost the rest of the time to disruption. Similarly, the Rajya Sabha worked for 90 hours 30 minutes, i.e. 43% of its scheduled time (Roy 2007, 1). Throughout 2007, the Lok Sabha passed 41% of (non-Financial) Bills with little or no discussion (Roy 2008a, 1). That figure increased from 17% to 41% over the span of 2005-2007. In 2005, only 39% of Bills were subjected to substantial debate (2 hours or more), with that figure dropping to 24% in 2007. Similar trends were noted in the Rajya Sabha.

By 2008, parliament's annual working days had reached its all time low of 46 days – in stark contrast to the average number of sittings per year since 1952, i.e. 97 sittings. 16 out of 36 Bills (except Financial Bills) were passed by the Lok Sabha in less than 20 minutes (per bill), most of which were not debated at all on the floor of the House (Roy 2008b, 1). In 2009, Parliament passed 30 non-Financial Bills, 27% of which were passed with less than 5 minutes of discussion, 17% with 5 minutes – 1 hour of discussion, 29% with 1-2 hours of discussion and 10% with 2-3 hours of discussion

on the floor of the House (PRS Legislative Research 2009a, 3). In the Budget session of 2010, the Lok Sabha met for 138 hours (66% of scheduled productive time) and passed 23 Bills (Celestine 2010, 1-2). 40% of Bills were passed with less than 15 minutes (effectively no) discussion (2). In the Monsoon Session of 2010, The Government passed 17 Bills, 47% of which were passed with less than 2 hours of discussion each (Kumar 2010a, 2). Taken together, it is clear that legislation – which occurs on the floor of the House – is increasingly becoming relegated to a ritualistic performance of formal requirements of introduction and passage.

It is also important to note that, in the case of the Budget, there are numerous demands for grants made by different departments, most of which are not discussed on the floor of the House, i.e. they are guillotined. In the 2009-2010 Budget, only 79% of expenditure on demands were not discussed, 84% in the 2010-2011 Budget and 81% for the 2011-2012 Budget (Celestine 2010, 3; Kumar 2011a, 2). In the Winter Session of 2010, four Appropriation Bills were passed by the Lok Sabha and the Rajya Sabha without any discussion whatsoever (Kumar 2010b, 2). The bulk of Budgetary discussions takes place within the Financial Committees of Parliament, who meet during a one-month recess in the middle of the Budget session to review demands in depth.

Based on the data collected, it appears that the bulk of substantive legislative transaction now takes place in the committee rooms, and sees less substantive legislative discussions held on the floor of the House. This, depending on the analytical position taken, connotes a symbolic shift in the significance of the floor of the House and/or a breakdown in its ethos or modus operandi. Without its traditional function of legislating, one can argue that disruptions (explored later) are but way in

which MPs seek to re-appropriate the space of the parliamentary chamber by using it to achieve other political effects. Before addressing the content, form and shape of disruption in the Houses of the Indian Parliament, I spend some time discussing other uses of the floor during Parliament's productive hours of work.

As the study of how parliaments allocate their productive time can in itself be a cause of its own study, I provide a highly condensed discussion of a few valuable traits of note, As noted above, the the Lok Sabha spent 25% of its time on various matter such as (Debate on the President's Address, Matters of Urgent Public Importance, etc.) classed as 'Other Matters', and 15.78 % of its time engaged in various discussions (non legislative, non-budgetary) (Lok Sabha Secretariat n.d.f, 11). In the present Lok Sabha (with data available up till the 7th Session), a significant amount of time was similarly spent on Matters of Urgent Public Importance and various kinds of Discussion, as summarized in the following table[30]:

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[30] Compiled from numerous Resume of Work Reports: Lok Sabha Secretariat August 2009, 53; January 2010, 55; June 2010, 78; October 2010, 61; January 2011, 50; May 2011, 69

Table 12: Time spent on conducting parliamentary business in the fifteenth Lok Sabha 15, Sessions 2-7

Percentage of time spent discussing Matters of Urgent Public Importance compared with Legislative discussions in the 15th Lok Sabha, Sessions 2-7

Session/Type of Business	Matters of Urgent Public Importance	Discussions	Sum
2	8.8	10.89	19.7%
3	10.16	26.92	37.1%
4	7.59	14.12	21.7%
5	12.14	33.13	45.3%
6	23.74	0	23.7%
7	14.87	12.34	27.2%
Average	12.88	16.23	29.1%

Considering the critique levelled at parliament for not spending enough time on legislation on the floor of the House, the consistently high use of the time for the purposes can be used to indicate that the floor is – as argued above – being appropriated for other uses. Matters of Urgent Public Importance is an appropriately titled legislative device that, when used after Question Hour, is also known as 'Zero Hour'. Zero Hour is an unique Indian parliamentary innovation that allows MPs to 'vent their grievances', responding quickly and directly to current affairs. Zero Hour is also the site for much disruption, and its importance has also led to the continuous interruption to Question Hour, the more traditional parliamentary time afforded to MPs to scrutinize the Government. The non-presence of MPs who have tabled Questions to be answered, and even the absence of Ministers supposed to answer those answers indicate this particular procedure's decline in significance. Zero Hour, on the other hand, elicits 'high drama' and intense news coverage as MPs can agitate freely to express their dissent. Observation indicates that Parliament was virtually

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empty as soon as Zero Hour had concluded each day.

Discussions, categorized in terms of several procedural devices, e.g. Short-Duration Discussions (Rules of Procedure # 193), Half-an-Hour discussions (Rule #55_also facilitate MPs to raise discussions on current issues (Lok Sabha Secretariat 2010). The latter device requires MPs to notify the Speaker of their desire to speak on a particular matter three days in advance, whereas the former only requires notification on the desired day of discussion. Again, the increased importance of holding such discussions, as opposed to traditional modes of legislation in the House, bears merit as a future research topic.

Having discussed the ways in which the Houses of Parliament (primarily the Lok Sabha) utilizes its productive working Hours, I now address the causes, forms, styles and content of disruption which has rendered an increasing percentage of its time as 'lost'.

4.4. Disruption in the House

In preceding sections, I have repeatedly referred to time 'lost' in the House on account of disruptive activity. In this section, I hope to flesh out the forms, reasons and significance of such disruption and argue why it is so relevant to a re-conceptualization of parliament's work in India. The following tables summarize the time lost due to disruption in a series of Lok Sabhas[31]:

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[31] Adapted from 36 Resume of Work Reports; Lok Sabha Website 1999-2004; 2004-2009

Tables 13-16: Interruptions, adjournments and productive time of the 13th-15th Lok Sabhas

Interruptions, Adjournments and Productive Time of the 13th Lok Sabha (in Hours)

LS, Session	Interruptions	Adjournments	Productive Time	Disruption
13,1	0.97	0.00	44.47	2.13%
13,2	2.05	12.58	123.22	10.62%
13,3	3.78	59.08	209.57	23.08%
13,4	0.98	0.48	144.67	1.00%
13,5	1.37	59.75	112.92	35.12%
13,6	0.83	73.47	109.15	40.50%
13,7	1.72	27.80	174.50	14.47%
13,8	0.98	29.55	79.62	27.72%
13,9	3.18	63.40	274.60	19.52%
13,10	1.75	34.17	89.12	28.73%
13,11	2.80	0.45	160.00	1.99%
13,12	8.15	5.45	240.70	5.35%
13,13	2.82	36.33	113.00	25.73%
13,14	0.63	6.83	28.43	20.80%
	32.02	409.35	1903.95	18.34%

Interruptions, Adjournments and Productive Time of the 14th Lok Sabha (in Hours)

LS, Session	Interruptions	Adjournments	Productive Time	Disruption
14,1	0.28	10.25	13.68	43.50%
14,2	1.83	45.43	92.48	33.82%
14,3	1.68	5.00	103.35	6.07%
14,4	2.80	34.85	212.37	15.06%
14,5	1.85	8.50	158.82	6.12%
14,6	1.65	25.90	118.48	18.87%
14,7	2.95	32.75	51.02	41.17%
14,8	3.77	33.05	124.50	22.82%
14,9	1.52	24.05	117.22	17.91%
14,10	3.23	66.98	124.07	36.14%
14,11	0.43	41.68	64.40	39.54%
14,12	0.98	19.62	91.12	18.44%
14,13	1.07	27.43	162.15	14.95%
14,14	0.27	21.27	96.25	18.28%
14,15	0.60	1.32	59.78	3.11%
	24.92	398.08	1589.68	22.39%

Interruptions, Adjournments and Productive Time of the 15th Lok Sabha (in Hours)

LS, Session	Interruptions	Adjournments	Productive Time	Disruption
15,1	0.00	0.00	28.05	0.00%
15,2	0.72	23.03	162.18	12.77%
15,3	0.38	31.43	105.20	23.22%
15,4	1.15	68.70	137.85	33.63%
15,5	0.75	44.25	136.37	24.81%
15,6	0.67	124.00	7.58	94.27%
15,7	0.60	25.27	116.67	18.15%
	4.27	316.68	693.90	29.55%

Interruptions, Adjournments and Productive Time of the 13th -15th Lok Sabha (in Hours)

Lok Sabha	Interruptions	Adjournments	Productive Time	Disruption
13	32.02	409.35	1903.95	18.34%
14	24.92	398.08	1589.68	22.39%
15	4.27	316.68	693.90	29.55%
	61.21	1124.11	4187.53	23.43%

Taken over a period of 12 years, 1999-2011, there have been 61 hours and 13 minutes spent on interruptions to proceedings, 1124 hours and 7 minutes of adjournments (related to the causes of interruption) within 4187 hours and 32 minutes of parliamentary business transacted. As a percentage of this total time, 23.43% of time has been spent on interruptions and adjournments. The tables below indicates that, on average, the time being lost due to adjournments (and related interruptions) is steadily increasing with each successive Lok Sabha[32]:

Tables 17-20: Total potential, productive and lost working hours of the 13th-15th Lok Sabhas

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[32]   Adapted from 36 Resume of Work Reports; Lok Sabha Website 1999-2004; 2004-2009

Total Potential, Productive and Lost Hours of the 13th Lok Sabha

LS, S	Possible Sittings	Possible Hours	Productive Hours	Lost Hours	As %
13,1	8	48	44.47	-3.53	7.36%
13,2	31	186	123.22	-62.78	33.75%
13,3	38	228	209.57	-18.43	8.08%
13,4	25	150	144.67	-5.33	3.56%
13,5	25	150	112.92	-37.08	24.72%
13,6	31	186	109.15	-76.85	41.32%
13,7	30	180	174.50	-5.50	3.06%
13,8	23	138	79.62	-58.38	42.31%
13,9	40	240	274.60	34.60	-14.42%
13,10	21	126	89.12	-36.88	29.27%
13,11	25	150	160.00	10.00	-6.67%
13,12	37	222	240.70	18.70	-8.42%
13,13	25	150	113.00	-37.00	24.67%
13,14	22	132	28.43	-103.57	78.46%
	381	2286	1903.95	-382.05	

Total Potential, Productive and Lost Hours of the 14th Lok Sabha

LS, S	Possible Sittings	Possible Hours	Productive Hours	Lost Hours	As %
14,1	7	42	13.68	-28.32	67.42%
14,2	39	234	92.48	-141.52	60.48%
14,3	17	102	103.35	1.35	-1.32%
14,4	38	228	212.37	-15.63	6.86%
14,5	27	162	158.82	-3.18	1.97%
14,6	23	138	118.48	-19.52	14.14%
14,7	35	210	51.02	-158.98	75.71%
14,8	25	150	124.50	-25.50	17.00%
14,9	20	120	117.22	-2.78	2.32%
14,10	32	192	124.07	-67.93	35.38%
14,11	22	132	64.40	-67.60	51.21%
14,12	17	102	91.12	-10.88	10.67%
14,13	28	168	162.15	-5.85	3.48%
14,14	18	108	96.25	-11.75	10.88%
14,15	11	66	59.78	-6.22	9.42%
	359	2154	1589.68	-564.32	

Total Potential, Productive and Lost Hours of the 15th Lok Sabha

LS, S	Possible Sittings	Possible Hours	Productive Hours	Lost Hours	As %
15,1	7	42	28.05	-13.95	33.21%
15,2	27	162	162.18	0.18	-0.11%
15,3	22	132	105.20	-26.80	20.30%
15,4	37	222	137.85	-84.15	37.91%
15,5	27	162	136.37	-25.63	15.82%
15,6	25	150	7.58	-142.42	94.94%
15,7	25	150	116.67	-33.33	22.22%
	170	1020	693.90	-326.10	

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Total Potential, Productive and Lost Hours of the 13th - 15th Lok Sabhas

LS	Sittings	Hours	Productive Hours	Lost Hours	As %
13	381	2286	1903.95	-382.05	16.71%
14	359	2154	1589.68	-564.32	26.20%
15	170	1020	693.90	-326.10	31.97%
	910	5460	4187.53	-1272.47	24.96%

Though it is apparent to lay observers, the press and academics that an increasing amount of time is lost due to disruption, there are different narratives attributed to this phenomenon. In the ongoing Winter Session, 96 out of 99 hours of scheduled time have already been lost in the first 9 days of Parliament's sittings (Indo-Asian News Service 2011, paras. 13-14), costing the exchequer at least Rs. 22.5 crore (225 million Indian rupees or 2.76 million British pounds). The trend of disruption is clearly continuing, and does not represent an anomalous happening limited to the periods presented above.

Without exception, the Indian media and civil society bodies interpret parliamentary disruption as a negative thing. For example, Barun Mitra, director of the Liberty Institute (an independent think-tank) described the disruption in the current (ongoing) Winter Session of 2011 as "daily pandemonium" leading to a "complete washout" of Parliament (Mitra 2011, para. 1). With an uncanny degree of analysis (as compared to other media publications), Mitra attributes the disruption to a "structural", rather than a "political" problem of MPs being unable to agree "under which rule the debate ought to take place" (Mitra 2011, para. 2). The author generalizes describes the process as when "[p]arliamentary discourse degenerates into disruption over whether a debate should be followed by a vote, to send a Bill to committee, to constitute a special committee to address a matter, etc. (Mitra 2011, para. 3). Describing "debate [as] … the first casualty" of Parliament's "logjam", the

author denounces the "credibility of political leaders [as being] … at an all-time low" (Mitra 2011, para. 5). Rather than "showcasing their debating talents, making persuasive arguments, inviting thought-provoking responses", Mitra (2011, para. 6) argues that MPs have made it to the news only because of their disruptive behaviours. Mitra interprets the root cause of disruption, and the slackening in the quality of debate, and low rates of attendance due to the over-use of party whips to determine MPs' voting, and also the anti-defection law which prevents MPs from deviating from the party line. (2011, paras. 12-13).

The kinds of "damage" that disruptions incur unto parliament go beyond a loss of parliamentary time, they translate to significant financial losses and the erosion of Parliament's symbolic "credibility" goes on to claim that such disruptions "damage … Parliament's credibility" (Mitra 2011, para. 7). In financial terms, disruptions cost the exchequer Rs. 25 lakh (2.5 million Indian rupees or 30,684 GBP) per *hour* of disruption. The cost must be understood in terms of monies needed to collect information to answer Questions (which cannot be answered by Ministers if parliament does not function), to maintain the premises, provide food for MPs, etc. The following tables summarize the monetary cost of disruption based on estimates provided by the above figures:

Table 21: Financial losses incurred by lost working hours in 13th-15th Lok Sabhas

Financial Losses due to 'Lost Hours' in 13-15th Lok Sabhas

Lok Sabha	Lost Hours	Cost to Exchequer (Rs.)	Cost in GBP
13	-382.05	955,125,000.00	11,722,978.70
14	-564.32	1,410,800,000.00	17,315,826.04
15	-326.10	815,250,000.00	10,006,185.98
	-1272.47	3,181,175,000.00	39,044,990.71

Therefore, in the 13th, 14th, and 15th (till 7th Session) Lok Sabhas, disruptions have largely accounted for the loss of 955 million Indian Rupees (or 11 million English pounds), 1.41 billion Indian rupees (or 17.3 million English pounds) and 815 million Indian rupees (or 10 million English pounds) respectively. To put this in perspective, consider that the Indian GDP is 89.6 trillion Indian rupees (or 1.1 trillion British pounds) and that these losses (per annum) are not even 1% of that amount.

In symbolic terms, measuring the impact of disruption on Parliament's credibility, reputation, status, legitimacy as a political institution is much harder to measure. Kumar and Madhukar (2011, para. 2), researchers at PRS Legislative Research, argue that the real cost occurs in the "wider social and economic consequences of Bills which are not passed", e.g. the Land Acquisition Bill that would provide those living on lands the right to determine whether or not to lease their land to businesses that was tabled in 2007.

In journalistic discourse, such disruption is characterized as a "parliamentary circus", where "shouting, disrupting speeches, adjournments and walkouts have become *the norm*" in India's legislatures (Ramachandran 2011, title and para. 11). Indian MPs are described as "prefer[ing] disruption to debate" whereupon their "duelling in parliament is often physical" (Ramachandran 2011, para. 12). Moreover, having voted for themselves further perks (such as being allowed to speed through traffic first), the author argues that India's "political class" has 'held hostage' all parliamentary work, thereby sending it into "paralysis" (Ramachandran 2011, para. 20). These status upgrades are viewed as attempts by MPs as "forcing people to respect them" when "they have reduced parliament to a circus and play the role of clowns" (Ramachandran 2011, para. 19).

On NDTV, one of India's premier 24-hour rolling news channels, has begun to present "Trending this week, the top 5 MPs whose voices are heard loudest in the House", as part of the "pantheon of shouting greats in Parliament" (NDTV 2011, 3:48-3:23). The same show went on to present the top 5 jokes trending that week on Parliament's functioning. For instance, the show featured a post by @Fakingnews (Twitter user ID) who wrote, "Breaking, Lok Sabha to gradually phase out all lawmaking activities and focus on adjournment activities" (NDTV 2011, 6:00-6:10). Similarly. @DrYumYumSingh wrote, "Hain?!! [Huh!] Hold Parliament in Tihar jail [where MPs have been incarcerated for scams, etc.] so nobody can walkout?!!" (NDTV 2011, 6:15-6:20). Though this is but one article, it captures the ways in which the India media focus upon disruptive behaviour as negative, parliamentarians as irresponsible and democracy in paralysis. Such discourse does not permit alternative explorations for the causes or possible re-significations of meaning that disruptive forms may entail.

In an echo of the above terms of describing parliament's mode of operation (or lack thereof), public expression of discontent at Parliament, mainly through electronic forums such as blogs or Twitter, echo the same sentiment. Singh (4-3-2008), writing in his/her blog questions whether the Indian Parliament has turned into, either a "fish market", or a "boxing ring"? Mr. Gaurav, a commentator on his blog lamented that it was really "sad to see [India's] parliamentarians fighting like kids".

It is difficult to fault the media and the general public for framing disruption in the manner described above as the institution and its official representatives declaim the state of parliament in much of the same terms. Within the Lok Sabha, Speaker Somnath Chatterjee exclaimed, after being unable to appeal to MPs to stop their dis-

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ruption, that they were "all working overtime to finish democracy in this country" (ExpressIndia, para. 1). In a similar vein, the (current) Lok Sabha Speaker Meira Kumar commented that "great concern … [over] frequent disruptions… [that were] gradually rendering the [Parliamentary] institution irrelevant" (Press Trust of India 2010a, para. 1). Ms. Kumar argued that the survival of parliamentary democracy was only possible if Members allowed the House to conduct its functions. Recognition that disruption had begun to pose a fundamental problem to the conduct of parliament in the country was established as early Another significant moment of recognition occurred as early as 1992, with the creation of a new platform to discuss issues of disruption, i.e. the Conference of Presiding Officers', Leaders of Parties, Whips, Ministers of Parliamentary Affairs, Secretaries and Senior Officers of Parliament and State Legislatures (Rajya Sabha Secretariat 2003, 4). A second All-India Conference of Presiding Officers, attended by 59 Presiding Officers, 16 Chief Ministers, 28 Ministers of Parliamentary Affairs, 159 Party Leaders and Whips of various States (The Hindu 24-11-2001, para. 1) was held in 2001. Despite the clarity of views aired at the conference, the intervening nineteen years has seen only the intensification of disruption with no end in sight.

Institutional sources, like academic or research-based sources, also attempt to frame the disruption in terms of how it can be managed, and why an MP would resort to such methods. According to a report issued by the Rajya Sabha Secretariat (May 2009a, 6-7), "instances of disturbance and pandemonium have become a regular phenomenon" in the Indian Parliament, for which Rule 374 A has been incorporated into the Rules of Procedure. The Rule provides the Presiding Officer with the power to automatically suspend a member comes into the Well of the House, abuses House rules persistently and wilfully by, for example, shouting slogans and tearing papers

(8). However, the Report also acknowledges that the rule cannot be enforced if a "sizeable number of the Members of the House wilfully obstruct proceedings" as that may "compromise the principle of participatory democracy" and the "legitimacy of debate" if a large part of the House is suspended. Two different kinds of disorders are identified, Those arising out of a "sense of frustration felt by members … due to lack of opportunities" to make a point or "clear his chest of grievances of the people that move him", or out of the "heat of a moments". Alternatively, there is the more "difficult to tackle" variant where "planned parliamentary offences and deliberate disturbances" are staged "for publicity of political motives". Within this strand, there is the "[e]ven more serious" kind of disturbance where political parties decide to "disrupt the functioning of the House" to get the Government to concede to their demands or fan the fires of a political movement outside of the Legislature (Rajya Sabha Secretariat 2009a, 8). One institutional suggestion made to lower the incentives of disruption was to enforce a 'no work, no pay' rule of MPs, which has yet to see the light of day (Indo-Asian News Service 2011, title). As will be discussed in the 'Procedure' chapter, the Presiding Officers generally have a difficult time in stemming obstruction of the House.

Having addressed the extent of disruptions in the Indian Parliament, I now turn to brief description of the various dramaturgical forms by which they are achieved. In one of the few ethnographic research works on the Indian Parliament, McHenry (2007,8) identifies seven ways that MPs can disrupt the House by creating "direct impact", (1) making noise by shouting and yelling (as the most common form), rushing the well, rushing the podium, sit-ins, waving placards, wearing distinctive apparel. Disruptive forms that create "indirect impact" include, walkouts, boycotts and external demonstrations (McHenry 2007, 9-10). In effect, the use of these highly

effective forms and the inability (or reluctance) of Presiding Officers to use mechanisms of redress such as suspension of Members has led to disruption – as many sources cited above indicate – become a 'normalized' feature of parliamentary life.

I consider alternate interpretations to the phenomenon of disruption in the Ritual (8th) Chapter, drawing upon the works of scholars such as Spary (2010), Mouffe (2000) and Young (2001). For the present, this section of the thesis has achieved its goal of introducing the extent, significance and dominant frames of meaning used to interpret parliamentary disruption – as one of the most (if not the most) oft-performed behaviours in parliament. I now discuss the dominant script which parliament is continually judged by in the media and from within the institution itself, i.e. the procedural and normative frameworks guiding conduct in the House. This section will be somewhat briefer than the rest as much of it is addressed in Chapter 6 (Procedure).

4.5. Discipline, Decorum and Dignity: Parliamentary Norms of Conduct

As mentioned previously, a major conference arranged by Speaker G. M. C. Balayogi was held in 2001 to address the issue of rising disruption in Parliament. In the Preface of the documented version of those proceedings, it reads that "discipline, decorum and dignity" are the "foundational norms of any institution" which provide the bedrock of its "[s]uccess, effectiveness and prestige" (Rajya Sabha Secretariat 2003, 1). A useful definition of decorum is a set of standards and rules prescribing "what [Members] wear, where [Members] speak, and how [Members] speak to each

other" (Bach 2008, 12). Instead of defining what parliamentary discipline means, Mahatma Gandhi is quoted as having equated "indiscipline" as a form of "violence", leading the interpretation that restoring discipline to public life was the same as restoring its "purity" (Rajya Sabha Secretariat 2003, 8). Jawarhalal Nehru is quoted as having said that "self discipline" in a democracy means that the "even people who do not agree", i.e. "the minority", "accept solutions because it is better to accept them and then change them, if necessary, by peaceful methods" (Agrawal and Aggarwal 1982, 59). Nehru articulated this concept as a rule for all individuals to follow in a democratic political system, and logically extended it to legislators and their norms of conduct. Inverting the concept – that individuals must be democratic within a democracy – Nehru also said that "[i]n a proper democracy, discipline is self-imposed. There is no democracy if there is no discipline" (60). With respect to dignity, the Chairman of the Rajya Sabha stated (in 2005) that , "The Parliament is the pillar of dignity for the democracy.The dignity of democracy can remain safe and dignified only if the dignity of Parliament itself remains intact" (in Agnihotri 2011, 5). In a related vein, Jawarhalal Nehru is also credited to have said that ""The speaker represents the house. He represents the dignity of the house, the freedom of the house and because the house represents the nation, in a particular way, the speaker becomes a symbol of a nation's freedom and liberty" (Times News Network 2010, para. 6). Therefore, the notion of dignity is best understood as a symbolic construct – the Speaker somatically represents the dignity of the Parliamentary institution, whereas parliament represents the dignity of democracy itself. The conduct of Members and their use of Parliament can either uphold or infringe the institution's dignity, as can the respect or disrespect they afford to the Speaker of the House. Whilst it is difficult to define any one of these terms, their implicit meaning

can be understood in terms of the rules that actors ought to obey in order to be seen as disciplined, decorous and dignified legislators.

The Indian Parliament has produced codified manuals of instructions which specify the kinds of behavioural and procedural rules that MPs are expected to follow, such as the Rules of Procedure and Conduct of the Lok Sabha, the Speaker's Directions, Member's Handbook, etc. To provide a sense of what is expected of MPs, I will explore some of these rules here. The Lok Sabha calls for the "observance" of "certain rules in the nature of personal behaviour and etiquette [which]… have gradually evolved from conventions followed and rulings given by the Speaker" (Lok Sabha Secretariat n.d.e , para. 2). The first rule is that member must "bow to the Chair" when entering or leaving the house, or resuming or getting up from his/her seat (para. 3). Members must be present a few minutes before the start of the day's proceedings and stand rise as the Speaker enters the Chamber. If they must enter and exit the chamber during proceedings, Members must do in a way as to not disturb the proceedings of the House or violate decorum. , e.. entering the House with a coat hanging on one's arm (para. 3-4).

General rules of parliamentary etiquette include not standing or sitting with his/her back to the Chair, not reading a book or newspaper unless it is a quotation during a speech, not interrupting another member when speaking, making "disorderly expression, hissing. … running commentary .. or other interruptions and noises" (para. 5-i). A member must generally stay silent when not called to deliver a speech in the House.

In spatial terms, a member must not "cross the floor", i.e. cross the space between the

Chair and another member when the latter is delivering a speech, or when the Speaker is addressing the House (para. 5-ii). Whenever the Speaker calls for 'order', all members must resume their seats. Members are not permitted to "come to the pit of the House" in order to protest (para. 5-v).

In terms of personal apparel, members cannot carry hats, overcoats, walking-sticks (unless permitted by the Speaker due to disability) and cannot smoke or do their knitting in the House (5-iii). Members are disallowed from raising "slogans, wearing badges, displaying flags, emblems, exhibits, arms and ammunition" (para. 5-iv) when inside the House.

Considered as a matter of etiquette rather than a rule of procedure, it is "expected of" members who have a "direct interest" in matters being put to a vote to inform the House at the time of voting (para. 6).

With respect to the rules of debate, members should indicate their intention to speak by either notifying the Speaker in advance, send "chits" to the officers at the Table, or rise in his/her chair in an attempt to catch "the eye of the Speaker" (para. 7). Members should not wave their hands at the Speaker, approach the Speaker directly or remain standing whilst another member is speaking.

In terms of the content of debate, members "should not" refer to matters under judicial inquiry, use derogatory expressions about the conduct of any national or state Indian legislature or assembly, reflect badly on motions that have already been passed, utter the President's name to influence debate, use "treasonable, seditious or defamatory" language, use the "right of speech" to obstruct House business, reflect

badly on important political personages, read from a written script unless with the Speaker's permission, disclose personal communication between him/herself and the Speaker unless permitted by the latter, name a government official, use the right of personal explanation to make a political statement, question the *bona fides* of members of the House unless directly related to the debate; read another member's speech; discuss the Speaker's or the Secretariat's functioning, tear documents in protest, play audio-visual footage or recordings in the House; address members individually instead of addressing the Speaker, quote a speech made in the other House without permission; appeal to the Galleries or use insinuating or offensive words; question the Speaker's ruling inside or outside the House (paras, 9-15).

Certain rules are also prescribed as to the use of Parliament House and its environs, Members are not permitted to stage hunger strikes, demonstrations, dharnas (protests), fasts or religious ceremonies in the parliament's precincts (para. 16). Despite the codification of these rules, they are routinely flaunted by MPs on a daily basis.

Members are also not allowed to seek refuge in Parliament House if s/he knows s/he is wanted by the police in connection with some case against him/her (para. 18). Members are not allowed to use Parliament House as a space for distributing pamphlets, literatures, questionnaires, press notes, etc. without prior permission of the Speaker (para. 19). When in the lobby, Members should interact in "subdued tone[s]" to avoid disturbing the proceedings (para. 20).

These guidelines are covered by Rules 349, 350, 351, 352, 354, 357, 371, 373, 374 and 374 A of the Rules of Procedure and Conduct of Business in Lok Sabha (Lok

Sabha Secretariat n.d.e).

As set out in previous sub-sections, the conduct that is observed in Parliament – with the exception of smoking, carrying arms, knitting, etc. – violates every rule mentioned above, with little consequences to MPs who disrupt and obstruct the House *en masse*. Nevertheless, the above narrative of discipline, decorum, dignity and the rules that prescribe their observe constitute an official script by which MPs performances are judged.

Having introduced the key cast of parliament, its institutional script and its (often deviant) repeat performances, I now move onto the final section of this Contextual Chapter, namely, that of the audience and the role it plays in the parliamentary drama.

4.6. *Mediatization, Vernacularization and Performer-Audience Relations*

Performances are best differentiated from 'everyday behaviour' through the presence of a real or an imagined audience. There can be multiple audiences viewing a performance, spread across different times, spaces and cultural-contexts. Parliamentary performances can be viewed in several ways, as live physical enactments in front of the audience member, as live broadcasts to person watching a television, reading a newspaper, or listening to a radio report, or as snippets carefully selected and featured in media coverage post-event. Moreover, as explained previously, MPs enact performances in separate teams with no central overarching power to direct the whole scene, therefore, each team is also performing to one

another. Especially in cases where MPs deviate from the party line in public, members of a team can be performing to themselves. Therefore, parliamentary performances on the floor of the House are viewed by numerous types of audiences – be they cast members, constituents, the media, the general public, party whips monitoring the performance of their party members, etc.

As argued above, multiple audiences view the performances of parliament, ranging from MPs from the same or other parties, party whips and leaders, the media, constituents, the general public, civil society institutions, etc. As such it is difficult to specify the composition of the viewing audience of parliamentary performances, unless taken upon a case-by-case basis. What is useful to note are general patterns and channels relating MPs to these diverse audiences and performative techniques that have consequently emerged to facilitate maximal coverage of the performer.

In the context of the Indian Parliament, as described below, there is evidence to show that MPs take into account the proclivities of the reporting practices of the Indian media and also the need to appeal to their constituents in account in stylizing their performances. Moreover, the relationship between performer-audience is more complex in the parliamentary context because legislative performances have – amongst others – tangible political outcomes, be it passing or thwarting legislation, using up taxpayers' money through disruption that forces the stalling of the House, diminishing public support for a Prime Minister, etc. Where appropriate in my later analysis of performances, such relations will be considered in context.

The impact of media coverage of parliament on shaping political opinion and furthering political discourse has led to its emergence as one of the 'teams' which

make up parliamentary performances. The impact of this team is so profound on the workings of parliament, that it would be safe to say that the Indian Parliament is institutionally undergoing a process of mediatization. This process began with the introduction of dedicated satellite channels to broadcast live performances on the floor of the House, i.e. LSTV (for the Lok Sabha) and Doordarshan for the (Rajya Sabha) respectively. In so doing, the performances on the floor of the House reached a much wider audience and changed in many significant ways, the relationship between MPs, the media and the general public. This reflexive relationship works in several ways, MPs 'play to the cameras' and modify their behaviour to capture media attention ; the media focuses on MPs perform sensational acts to the oft-exclusion of less glamorous aspects of legislative life; MPs who do not play 'the game' do not get re-elected, and so on.

 I explore some of these themes in the paragraphs that follow:

 As MPs 'play to the cameras', they deliberately cater to forms and rhetoric expected of them, so that they will be featured on the daily news. The proliferation of 'sound-bytes' quipped by politicians when quizzed on policy matters, or of dramaturgically captivating acts of defiance typically earn a 'badly behaving MP' his/her share of media spotlight. One can argue for a number of possible reasons why MPs may seek media coverage, to seem more attractive as a candidate for future election by constituents, to be seen as 'doing something', to distract debate from another issue, to defame their political opponents or glorify their party, etc.

If one even casually views a news episode on any one of India's numerous 24-hour rolling news channels, parliamentary disruption, controversial political rhetoric,

financial and political scandals, etc. tend to dominate coverage. Whether this reflects the media's penchant for reporting sensational happenings deemed as exciting, or whether this reflect the media's interpretation of what the general public wants to view, is another question. It must be noted that there is no one cohesive 'team' of players that one can unambiguously label as 'the media', it is made up of hundreds of journalists, camera crews, political spin doctors, anchorpersons working for competing news outlets – each trying to garner more viewership than the next.

According to the National Social Watch Coalition (2010, para. 2), MPs who conducted solid legislative business (instead of stalling the House, or disrupting business) were far less likely to get re-elected than those who captured the evening news' spotlight. One must then question whether the Indian public is more likely to vote for an MP just because s/he is on the news regardless of their (often dubious) conduct, or whether the under-reportage of more dutiful MPs hampers their electoral prospects. The repeated re-election of MPs with a criminal background and pending cases in other Indian courts supports the former trend.

Therefore, taken together, this limited analysis on the role of the media on shaping and constituting the relationship between the performers (MPs) and their multiple audiences (constituents, peers, the public) appears to reinforce certain trends. If more and more MPs who 'behave badly' are re-elected – whereas those who do legislative work are not (Iyengar 2011, para. 4) – then there will be less instances of 'good parliamentary work' done that the media can report and highlight Working with the incentive of being featured on the evening news, MPs are less likely to engage in legislation, and are more likely to perform drama / *tamasha*.

Without exception, all of my elite interviewees when asked on their perception of the media's impact on parliamentary performances, responded in the negative. Far from being the 'watchdog' of parliamentary performance, the mediated access that it provides between MPs and their constituents has in itself become and incentive for behaviours viewed as 'unparliamentary'. This sentiment can be read in the institution's reluctance to begin broadcasting committee-room discussions where, according to my interviewees, substantial cross-party political discussions on legislation take place. Moreover, the House – as acknowledged by the Presiding Officer's comments – recognizes the role of cameras in influencing MPs' performances (McHenry 2007b, 15), often using the threat of 'turning off the cameras' as a means of controlling and stopping disruptive behaviour . Ethnographic observation indicates that it is common practice to see MPs crowding the Well of the House shouting with all their might, only to peacefully disperse once the House is adjourned and the cameras turned off.

I would also argue that the media's overwhelming ability to shape the terms of discourse and frames of interpretation through which parliament is commonly viewed also limits a more critical analysis of the meaning and significance of its performances.

Journalistic commentary refers to teams of MPs bringing banners into the Well of the House and transgressing constitutional and parliamentary norms in short-hand as 'deadlocks' and 'logjams' (Press Trust of India 2011, 6 Dec, para. 1). Analysis rarely moves past this statement of events, except to describe the demands of each party, and the ways in which each party justifies its position and methods. Whilst this may, or may not be the case, the fact that the media asserts it to be so is very likely to have

a profound impact on the relationship between the individual citizen and what s/he expects his/her MPs to perform, and how.

Rather than attribute the shifts towards less verbalization, more disruption and embodied dramaturgy on the floor of the House solely to the reporting practices of the media, one must also consider the political expectations of the even more vast audience of the general viewing public. . As described earlier, the vernacularization of parliament manifests itself as the use of indigenous languages, and forms of political expression that specifically appeal to certain identities, often excluding others. This process can either be viewed as a larger democratic impulse to include more members from different (especially) castes and regions and transform expectations of how parliament should function accordingly. As the procedural frameworks that inform parliamentary norms and standards were adopted by a Western-educated, elite intelligentsia that excluded many of the identities that have gained increasing representation today, the abandoning of such standards can also be read, by some, as democratic (Spary 2010, 351).

There are far broader conclusions that can be drawn from the interface between performers and the audience in the context of the Indian Parliament, interpreted as part of larger institutional processes of mediatization and vernacularization. For instance, one can question the historicity and cultural specificity of what institutions self-referentially view as the 'democratic' procedures of legislative practice. The question whether the violation of such procedures constitutes legitimate democratic protest, or an erosion of the broader set of democratic institutions then arises, framed within the broader tensions between 'substantive' and 'procedural' democracy. For the purposes of this thesis, the identification of points of future research possibilities is

sufficient for the task at hand and provides a fitting conclusion to this Contextual Chapter.

Having introduced the legal frameworks that support parliament in India, the cast of parliamentary performances and their proclivities, the key forms of performance and their significance, the institutional script through which performances are routinely judged by a variety of actors, and the role of the audience, I have effectively set the stage for the kind of analysis of parliamentary performance I wish to undertake. The next chapter is the first analysis of the POTA and WRB debates, focusing on different rhetorical strategies used in debate .

CHAPTER 5: RHETORIC

Having introduced my case studies – the Women's Reservation Bill (WRB, 1996-present) and the Prevention of Terrorism Act (POTA, 2001-2004) – in the previous chapter, I now begin my analysis by examining the rhetorical techniques and positions that MPs adopted during these debates. I will first begin by summarizing the stasis theory and modes of appeal frameworks used to conduct this rhetorical political analysis . The analysis of each study will first be presented individually, beginning with POTA and then with WRB. A comparative analysis, highlighting the similarities, differences and other points of synergy between both debates concludes this chapter. The analysis presented in this chapter will be revisited and integrated alongside procedural and dramaturgical analysis of my case studies in Chapter 9 (Ritual).

As introduced earlier, I use two analytical frameworks to conduct a 'rhetorical political analysis' of parliamentary debates on POTA and WRB, namely, 'stasis theory' and 'modes of persuasive appeal'. Stasis theory identifies four overlapping categories of questions which speakers directly or indirectly address in their speeches, namely, conjecture (did something happen), definition (what happened), quality (was it a fair or desirable outcome), translation (what is the right produce/context to address the issue) (Finlayson 2007, 554 and Leach 2000, 213; Liu 1991, 54). Within the stasis framework, I then identify different modes of persuasive appeal used by speakers in debate, namely , *ethos* (appeals to moral authority, personality and charisma); *pathos* (appeals to passion); *Logos* (appeals to reason, facts, objectivity on clear axiomatic grounds) and *quasi-logos* (similar process, but

with premises that are more uncertain, ambiguous, or hidden). (Finlayson 2007, 557; Triadafilopoulos 1999, 744-745; Leach 2000, 214; ; Aristotle n.d. Book 1, Chapter 2, 1356 a). What may be quasi-logical to one interpret may be logical to another, depending upon belief in the validity of the sources from which premises are derived. Having briefly re-stated the analytical frameworks used in this analysis, I now begin by presenting my rhetorical analysis of POTA debates.

5.1. Analysis of Prevention of Terrorism Act Debates

In this section of rhetorical analysis, I aim to interpret and describe the debates on POTA in the Lok Sabha (18 March 2002, 16 December 2003, 3 and 6 December 2004) and Joint Sitting of Parliament (26 March 2002) using the 'stasis theory' and 'modes of appeal' frameworks introduced above. As a complete description of 26 hours and 39 minutes of debate is impossible within a single chapter, let alone a thesis, I will only present the most relevant material to my analysis, acknowledging that this account is incomplete by necessity. Before moving onto my actual analysis, I would like to re-state some of historical and political context occurring around these debates, and provide some narrative as to how each debate is chronologically linked to the other.

Following the promulgation of the 1st Prevention of Terrorism Ordinance[33] in October 2001, prior to the recommencement of the Winter 2001 Parliamentary session, the National Democratic Alliance (NDA) Government did not introduce POTO in the

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[33]   As will be explored in Chapter 6 (Procedure), an Ordinance is law enacted by Government, without the consent of Parliament, that has the full force of law up till six months of its promulgation. Ordinances are promulgated with Presidential Assent and are conventionally use to legislate on urgent matters when Parliament is not in session. The use of the Ordinance to introduce POTA was highly controversial, viewed largely as a political manoeuvre by the NDA Government to act as an electoral plank for upcoming state-level elections.

House for debate, passage and formal ratification as an Act of Parliament owing to the 'lack of consensus' and a disrupted attempt at introduction on 11 December 2001 (Shourie 2001, para. 2). On 13 December, Parliament was attacked by armed gunmen and adjourned sine die on the 19th (LSD 19-12-2001). The Ordinance was re-promulgated a second time at the end of December 2001 so it would not lapse as Parliament did not have the opportunity to ratify it. In February 2002, the burning a bus-loads of kar sevaks (Hindu nationalist social workers) by Muslims in the state of Gujarat provoked communal rioting (Setalvad 2003. The incident provoked a wave of retaliation, resulting in the burning of homes, vehicles and numerous assaults on members of the Muslim community. Narendra Modi, the Chief Minister of Gujarat, authorized the use of POTA to book minorities involved in the initial incident. Despite the wave of counter-attacks, no one from the Hindu community was brought under the ambit of the Bill, allowing the Opposition the substantiate their fears that the Bill's enactment would be detrimental to minorities (The Hindu 27-4-2003, para. 9-10) . When Parliament reconvened, it was subject to days of disruption on this and other matters. The first substantial debate that took place in the reconvened session was on the enactment of POTA on 18 March 2002. By the time the debate actually took place in the House, it was clear that the Government would have used the mechanism of a Joint Sitting to force the Bill through with the strength of an overall numerical majority in both Houses of Parliament. Though the Bill passed in the Lok Sabha, it failed in the Rajya Sabha on the 23rd of March 2002, where the Government did not have a majority of seats.

The Joint Session debate held on 26 March 2002 re-hashed well-defined political lines between the Government and the Opposition, and their respective political allies. The outcome of the Joint Session, in terms of passage or non-passage was

already known in advance, owing to the Government's numerical majority. The use

of the Joint Session on this occasion marked the third time it had been invoked in the

history of the post-Independent Indian parliament. Between 2002 and 2003,

numerous cases of abuses surrounding POTA had begun to emerge in media reports

and fact-finding missions issued by civil society organizations. The NDA

Government issued an Ordinance amending POTA so that it would empower its

Review Committees to prevent the law's misuse, specifying the supremacy of

Review Committees constituted at the Central as opposed to the State Level. The Lok

Sabha debate that ensued focused upon verifying the extent of abuse and its origins.

The incarceration of high-profile politicians such as Vaiko (Tamil Nadu) and Raja

Bhaiya (Uttar Pradesh), schoolgirls and the elderly were used as evidence to show

that State Governments had clearly abused the law. During the discussion little

emphasis was placed on evaluating the effects of the proposed amendment, with the

Opposition only being willing to reject POTA in its entirety without considering

amendments.

The 2004 General elections voted the United Progressive Alliance into power,

casting the National Democratic Alliance into the role of the Opposition. Upon

coming into power, as a means of fulfilling one of its electoral promises, the UPA

Government promulgated the repeal of POTA via Ordinance. Simultaneously, it

promulgated an amendment to the Unlawful Activities Prevention Act (UAPA) by

the incorporation of many of POTA's clauses wholesale, excluding the most

controversial ones. In the Lok Sabha debates on the repeal/amendment that took

place during December 2004, there was limited time for discussion on what was

effectively two different Bills (roughly 3 hours). The allies were divided with the

Congress wanting the promulgation of UAPA and the repeal of POTA, with Leftist

parties supporting the repeal but not the new law. The NDA Opposition rejected both manoeuvres, wanting POTA to remain on the statute books as amended in 2003.

Having provided some of the background which links together each day of debate, I now move onto an integrated analysis of all five days of debate, in terms of 'stasis theory' and the 'modes of persuasive appeal' frameworks.

Issues of conjecture and definition were intertwined in the POTA debates, addressing the questions of – did something happen? – and if so, what happened? In the 18 and 26 March 2002 debates, MPs conjecturally focused on ascertaining whether India truly faced a threat from terrorism. Definitional issues focused on the different sources (such as domestic insurgency, cross-border terrorism, proxy wars, etc.) and extent of terrorist threats (is it region-specific or nation-wide). In this aspect of the discussion, an Islamic religious identity was often conflated with engaging in terrorist activity (e.g. being a mujahideen, sponsored by the Pakistani government to wage a proxy war against India). All parties demonstrated remarkable consensus – if not unanimity – on these point of stasis, forming the basis for the development of further arguments. The 'reality of terrorism' was therefore accepted by all parties and became the starting point from which all discussion proceeded.

Parties used diverse rhetorical techniques to establish the 'fact' presence and effect of terrorist activities in India. Certain parties, the BJP and Shiv Sena in particular (both of which espouse a politicization of Hindu and in the latter case, Maharashtrian Hindu identities), suggestively conflated issues of the definition of terrorism with political and religious identities, a clear use of an 'ethos' based approach. For example, in his first speech made on POTA, the Home Minister (L. K. Advani, BJP,

Gujarat)[34] asserts that "[their] neighbour" i.e. Pakistan has been waging "a proxy war ... against [India]" from the 1980s onwards (LSD 18-3-2002, 445). Arun Jaitley, the Law Minister (BJP, Gujarat, Rajya Sabha), attempted to attribute the Pakistani government's intent with committing Jihad against India by quoting former Pakistani President General Musharraf who (allegedly) said that "Jihad is not terrorism. Mujahideen organizations are not terrorist organizations and it is now Jihad in Kashmir" (LSD 26-3-2002, 76). To attribute further links, Jaitley also quoted Masood Azhar, the President of Jaish-e-Mohammed, and then Osama bin Laden (the now-deceased leader of the Al-Qaida who was discovered hiding in Pakistan).

The proximity of these quotations rhetorically seeks to reinforce this alleged linkage between Islam and terrorism, without specifying the loyalties or trustworthiness of Muslims (as a social group) who have Indian citizenship. In a singularly clear articulation of such allegations, Mohan Rawale (Shiv Sena (key BJP ally, Maharashtrian nationalist party), Maharashtra) states "the Government of Pakistan" is teaching and sponsoring Jihadist ideology "in more than 50,000 Madrasas [in] Pakistan" that have since become "training camps for terrorists" (LSD 26-3-2002, 33). In Islamic culture, a *madrasa* is a space where religious knowledge and law is imparted from Quranic scripture through a *mullah* (learned religious scholar) and has no necessary correlation with terrorist training.

To a lesser degree, MPs referred to other sources of terrorist activity to justify POTA's introduction, emphasizing their own (regional) sources and their first-hand knowledge or experience of them. For instance, Purno A. Sangma (Nationalist Congress Party, Assam, North-Eastern region) identified different "dimensions" of

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[34] Please note that MPs speaking will be introduced by (name, party name / religion (if in minority), state).

terrorism, cross-border, domestic insurgency, narco-terrorism, organized crime and terrorists' conjoined networks, and combinations thereof. Sangma stated that people in his region "experience ... what domestic insurgency means ... every day" (LSD 26-3-2002, 126) from (as identified in the speech of Mohan Rawale, Shiv Sena, Maharashtra) the "ULFA ... People's Liberation Army ... Socialist Council of Nagaland ... and All Tripura Tiger Force" (LSD 26-3-2002, 33). Similarly, K. Malaisamy (All-India Dravida Munnetra Kazhagham (AIADMK), Tamil Nadu) justified his party's support for POTO because of how "Tamil Nadu [faced …] the greatest menace of LTTE [especially …] when [they …] assassinated the great leader, Rajiv Gandhi" (LSD 16-12-2003, 479). The emphasis, however, is placed on cross-border terrorism and the proxy war with Pakistan and Islamic fundamentalism.

Apart from these rhetorical constructs that allege intent and activity on various identities and ethos-based appeals that draw their strength from claims of first-hand experience of such events, members also attempted to define whether circumstances warranted POTO's introduction through the presentation of 'objective facts', i.e. a logos or quasi-logos based appeal, Manohar Joshi (Shiv Sena, Maharashtra) cited "50,000 incidents and [the loss of ...] more than 12,000 [civilian] ... and 4000 lives of security personnel" through the proxy war with Pakistan (LSD 26-3-2002, 32). He also referred to the recovery of "40,000 hand-grenades ... 47,000 detonators 5,100 anti-personnel mines; more than 4,000 anti-tank mines and 5,000 kilograms of RDX" between 1990-2002 relating to the same . Using these statistics, he cited his support for POTA as it was "absolutely necessary" for the Indian national interest .

Alternatively, members referred to the international consensus (primarily, Western democracies') on the "a universal appreciation of the fact in almost all democracies

that terrorism is a new kind of challenge to the security of a nation, a challenge for which the present legal regimes, the legislative regimes are inadequate...reflected .. in the Security Council's Resolution" (LSD 18-3-2002, 445). The emphasis on the West derives from further arguments that purport to compare POTA (as a response to terrorism) with the Patriot Act in the USA and the PTA Act in the UK (LSD 18-3-2002, 520; Anandi Charan Sahu, BJP Orissa]; 26 March 2002, 72 [Arun Jaitley, BJP Law Minister]). This can be viewed as an 'ethos' and 'logos/quasi-logos' based approach that seeks to identify India as being on par with 'Western democracies' in terms of shared commitment to preserving democracy and to counter terrorism (which is ideologically seen as democracy's apotheosis).

There were no speeches from members opposing POTA that denied the existence of an extraordinary situation posed by terrorist activity to Indian security, i.e. there was consensus on the 'conjecture' on whether there was an issue (i.e. terrorism) at stake and in 'definition', i.e. from what sources (though other parties did not – bluntly stated – imply that all Muslims were terrorists!). For example, Chandra Sekhar (SJP (R), Uttar Pradesh) referred to the existence of "cross-border terrorism" and "indigenous" sources of insecurity, such as "Naxalite movements" in the North-East, "tribals ... up in arms ... from Tripura to Tamil Nadu", the "25 thousan[d] people ... massacred .. in Punjab" (LSD 26-3-2002, 69-70). In fact, this broad umbrella definition of what constitutes terrorism was raised by the NDA as being problematic and widening the scope of abuse of law when it was in the Opposition during the debate on POTA's predecessor, the Terrorist and Disruptive Activities Prevention Act. Congress MPs were quick to point out that they levied the same arguments against the fuzziness of the definition in the context of POTA, and that this was a sign of the BJP's 'double-speak'.

Moreover, the NDA Government polarized rhetorical positions further and foreclosed the possibilities of exploring alternative modes of conceptualizing terrorism and its scope by equating non-support for POTA as support for terrorist activity. Regardless of whether this was true, it would be politically damaging for any party to be seen to be anti-national, or as sympathetic to terrorists who wished to 'blow up every inch of Indian soil' and 'destroy the idea of India'. In so doing, ethos based invective forced MPs to agree with the fundamental conjecture (that terrorism was in fact a problem), however, allowing them to interpret the term creatively (definition). Pathos based appeals not only heightened the sense of urgency afforded to POTA, despite its inability to prevent the attack on Parliament despite being in full effect in December 2001, but they added weight to the ethos-based equation of terrorist-sympathizer = Opponent of POTA. The Opposition responded in kind by portraying the Government to be using POTA to further its Hindutva agenda and oppress minorities .Taken together, these modes of appeals attempted to make POTA appear as the only legislative response that a patriotic Government would take to counter the threat of terrorist activity.

Issues of conjecture and definition shifted somewhat in the 16 December 2003 debate on the proposed amendment to POTA. The bulk of discussions was on this aspect of stasis, verifying whether abuses did in fact happen, and the identities and motives of those who perpetuated them. Surprisingly, the purpose for which the Ordinance was introduced, i.e. the amendment of the Bill, did not feature heavily in discussions, indicating little discussion on the 'translation' aspect of stasis. Many of the arguments made in the 16 December 2003 discussion rested on those previously discussed in 2002.

MPs opposing POTA attempted to establish its misuse by proving statistical and anecdotal evidence, appealing to logos and quasi-logos modes of 'factual' appeal and inference. For example, Basudeb Acharia (CPIM, West Bengal) cited that out of a total of 301 cases involving 1600 persons had been booked nation-wide under POTA, 185 persons alone had been arrested in Jharkhand, including an 81-year old man and a 12-year old boy (LSD 16-12-2003, 450). As there were only 89 persons booked under POTA in Jammu & Kashmir (a hotbed of terrorist insurgency and violence), the Jharkhand authorities had abused the law as there were no similar conditions prevailing in a relatively small-sized state to warrant so many arrests. Two high-profile arrests of MPs Mr. Vaiko (Tamil Nadu) and Mr. Raja Bhaiya (Uttar Pradesh) by their political opponents Mrs. Jeyalalitha and Mrs. Mayawati were repeatedly referred to as further evidence of the fact.

As an attempt to define the causes of the abuse, many MPs framed Mrs. Jayalalithaa's (Tamil Nadu Chief Minister) POTA-facilitated incarceration of MP Vaiko (MDMK Party Leader) for seventeen months as enacting a 'political vendetta' (LSD 16-12-2003, 457-458). This interpretation was somewhat corroborated when Mrs Jeyalalitha also wrote a letter to the Prime Minister of India threatening to book Mr. Kannappan (a Union Minister) under POTA if he should set foot in Tamil Nadu, regardless of the fact that there were no links between terrorist organizations and Mr. Kannappan (Varkala Radhakrishnan – CPIM, Kerala; LSD 16-12-2003, 472).

Related questions of conjecture within this point, whether Vaiko was in fact a terrorist or not occupied considerable time in the House (raised by Tamilian MPs as interruptions to one another's' speeches). Other issues of similar (political)

magnitudes were the arrests of MP Raja Bhaiya and his father (opponents to the state government of Uttar Pradesh) under POTA, and the fact that all 239 persons arrested under POTA for the Gujarat riots were Muslim (with one Sikh exception) (Devendra Prasad Yadav – RJD, Bihar, LSD 16-12-2003, 503; Ramji Lal Suman – Samajwadi Party, Uttar Pradesh , 472).

Those MPs supporting POTA did not deny these arrests, and for the large part did not deny (or confirm) POTA's misuse, there was a tacit acceptance of this conjectural question. As the clearest and most significant example, L. K. Advani (the same Home Minister who introduced and supported the Bill, BJP, Gujarat) who refers to setting up of review committees to address the "many cases of abuse" of people "arrested under this act [POTA] (LSD 16-12-2003, 455). Advani also specified that it was not the Central Government that had abused the act, it was "certain State Governments" (456). The question of why had abuses been committed (a question of quality, or nature) were primarily attributed to intra-state 'political vendettas' (as in Tamil Nadu and Uttar Pradesh), a communistic Hindutva agenda (in Gujarat – discussed in next section) (Raghuvansh Prasad Singh – Samajwadi Party, Uttar Pradesh; LSD 16-12-2003, 499). Surprisingly, there was a lack of pathos based appeals used in this aspect of discussion, except by supporters of POTA who cautioned that its repeal would facilitate terrorists' entry into India (not unlike the 2002 debate). Ethos-based appeals were limited to the intentions of Mrs. Jeyalalitha in incarcerating Mr. Vaiko (largely discussed through interruptions) as any mention of the Gujarat issue in any depth prompted wide-scale disruption of proceedings for minutes at end. Nevertheless, there was tacit acceptance of the existence of the high rates of and dubious circumstances surrounding POTA's use in certain contexts. The issue of whether POTA's invocation was fair, is a qualitative issue and will be

returned to in paragraphs below.

In the December 2004 debates on repealing POTA and promulgating UAPA, the conjecture-definitional aspect of debate was perhaps the least discussed of all other stasis positions. Questions of translation dominated debate, i.e. whether POTA should be repealed and/or UAPA be enacted? As what was in effect – two Bills – was debated for under 4 hours, there was little time for the elaboration of argument. The discussion built on the conjectures and definitions set out in the 2003 and 2003 debates, that terrorism, from Pakistan (especially) and other domestic sources posed a real threat to Indian sovereignty, and that POTA was misused.

Issues of 'quality', i.e. is the topic/item/outcome/point of discussion, fair have been thus far, largely intertwined as part of 'definition'. In the 2002 debates, it was, through a combination of ethos, pathos, logos & quasi-logos, appeals and rhetorical strategies, established that terrorism threatened Indian sovereignty and that any nation-loving party should acknowledge and response to that threat. In the 2003 debates, qualitative concerns focused on whether POTA was misused, or whether it was abused. There is a semantic and emotive difference between the two terms as they allow one to make inferences about the user's intentions, competence and future access to such laws. The Opposition MPs largely framed the misuse of POTA as an abuse, imputing narrow-minded political motives to MPs, and also to corrupt police enforcers at the local level seeking to intimidate members of the public into compliance. Rather than a question of competence, the misuse of POTA was framed as part of endemic corruption, implying that POTA's misuse was a *deliberate* abuse of law. In the 2004 debates, these concerns formed the basis of parties' positions in either accepting or rejecting the POTA repeal and UAPA's concurrent amendment. In

all cases, there was acceptance of the primary qualitative issues – was there a terrorist threat? Was POTA misused – with divergence on definitional and qualitative interpretations.

The final aspect of stasis through which I am analyzing POTA debates is that of 'translation' – what is the best procedure, forum, context, manner of finding resolution to whatever issue is being discussed. Generally, the most irreconcilable positions manifested on this point of stasis, supported by whichever position a party took on variances in definition and qualitative argument. In the 2002 debate, positions differed as to whether implementing existing laws more effectively or the new legislation of POTA was the required response to the terrorist threat. Opposition MPs largely favoured the former, with the NDA Government and its allies citing the latter. In the 2003 debate, the question of translation addressed whether POTA should be repealed, amended or kept in its original form. Opposition MPs wanted the entire repeal of POTA and the NDA and most of its allies wanted to amend it. The AIADMK, Mrs. Jayalalithaa's party, did not support the amendment and wanted to keep POTA in its original form. Dramaturgically, the AIADMK went so far as to demand for a voting division, despite the fact that the Opposition had left the chamber to signal its protest without voting. Only 10 AIADMK members voted against, with the remaining Government and its allies' voting for. In 2004, there were numerous translative questions, namely, Should POTA be repealed or kept on statute? Should UAPA be amended? Should some other alternative be found?

In 2002, opposing MPs contended that POTO was not necessary to address the situation as the existing laws were sufficient to handle the situation, that they ought to be enforced better, that POTO was detrimental in itself, POTO was ineffective or

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that a different kind of governmental action was required. For instance, Hannan Mollah (CPIM, West Bengal) argued that as "there are so many laws in this country" under the Indian Penal Code such as "Unlawful Activities Prevention Act … National Security Act... Prevention of Narcotics Drugs and Psychotropic Substances Act" and others, that "all that [the Government] need[s] to do" to address the terrorist threat is to "strengthen those existing laws" (LSD 18-3-2002, 467).

Arguing that POTO was a destructive piece of legislation, Kapil Sibal (INC, Bihar, Rajya Sabha) cites statistics from the Law Commission's website stating that 479404 persons were already being booked under preventive detention laws for bailable offences in 45% of cases (LSD 26-3-2002, 95). He goes on to say that "if under the ordinary law, this is the state of enforcement agencies of this countries... what will happen to the ordinary citizens of this country … if drastic powers are given to Police officers under POTO?" (96). Many members of the Opposition, as well as supporters of the Bill echoed these sentiments citing their "apprehensions" over POTA's potential misuse (LSD 26-3-2002, 131). P. D. Elangovan (Pattali Makkal Katchi, Tamil Nadu) despite supporting the Bill, stated, that "though these are needless apprehensions in the minds of some others [the Opposition], we cannot deny that there is no basis" for them based on "what happened in the past [i.e. TADA's misuse]" . The power of these rhetorical strategies derive from a combination of pathos-based appeals and ethos-based appeals to imply a threat to the welfare of the general public, posed by police officers and a regime portrayed as untrustworthy and corrupt. The irony in this portrayal is that the same Opposition (led by Congress) had been subjected to the same critique over the misuse of similarly draconian acts in the past, such as the Maintenance of Internal Security Act and the Terrorist and Disruptive Activities Act.

Adopting a quasi-logos/logos based approach, opposing MPs also questioned the efficacy of POTA in terms of its ability to prevent terrorist activity and on its uncertain track record (between October 2001-March 2002 during which it was in full effect). Raghuvansh Prasad Singh (Samajwadi Party, Uttar Pradesh) pointed out that POTO was in effect "when there was an attack on Parliament [December 13 2001]" however it "could not stop activities of terrorists" (LSD 18-3-2002, 528). E. M. Sudarsana Natchiappan (INC, Tamil Nadu) argued that terrorist activity could not be prevented through the Bill as its provisions focused upon punishing terrorists post-event (LSD 18-3-2002, 504). Moreover, the Bill did not punish the "person who is actually managing and commanding" terrorist attacks, but instead focused on "the person who is working as a tool in the hands of the [terrorist] commander" (LSD 18-3-2002, 503). Moreover, as Somnath Chatterjee (CPIM, West Bengal) pointedly out, any possible efficacy of POTA was undermined by its selective against Hindus and Sikhs and its exemption to "people belonging to the majority community [i.e. Hindus]" involved in "mass killing[s] in Gujarat" targeted against the former (LSD 26-3-2002, 39)?

In an alternate vein of making logos/quasi-logos appeals, MPs also resorted to constitutional-legal frameworks to question the inherent constitutionality and nation-wide applicability of the law. G. M. Banatwalla (MLKSC, Kerala) opposed POTO on the grounds that "the proposed law [was] draconian, fascist and undemocratic in nature" as it resulted in the "dismantling the very framework of rights and freedom" through which terrorists achieve their goals of "destroy[ing] our democratic system of life" (LSD 18-3-2002, 540-541). Hannan Mollah (CPIM, West Bengal) specifically cited the POTA's provisions which constitute a "clear reversal of the

normal burden of proof" through harsher bail provisions that do not require determining whether a person is guilty or not before arresting them under POTO; that "trials can be held without the presence of the accused or this lawyer"; that the definition of terrorism is based on the Government's "interpretation" of the "intent behind [suspected] actions", rather than on a "proper, categorical and a clear definition"; that confessions made before police officers are made admissible in court which "will lead to custodial abuse and torture" - and many other points (LS Debate, 18 March 2002, 471).

Other MPs summarized POTA's effect as "jettiso[ning] the basic established principles of criminal jurisprudence" (Jaipal Reddy – INC, Andhra Pradesh, LSD 18-3-2002, 448) and that the Government of the day will "go down in the history as … trying to pull down every sacred cornerstone of the great edifice of our Constitution" (Basudeb Acharia – CPIM West Bengal, LSD 26 March 2002, 41). Therefore, by referring to normative, legal and constitutional frameworks and principles of criminal jurisprudence, Opposition MPs made a compelling case for why POTA ought not to enter the statute books.

The NDA Government and its key spokesperson on the matter, Mr. L. K. Advani (Home Minister, BJP, Gujarat) responded in terms of the same frameworks, arguing that whilst the Constitution-makers "conceived that … fundamental rights are sacrosanct", they also made provisions that suspended those rights "in a situation of war" (LSD 26-3-2002, 14). Mr. Advani had already argued that the threat of terrorist activity, especially through cross-border infiltration from Pakistan was tantamount to the "extraordinary situation" of 'proxy war' (LSD 18-3-2002, 446). Underpinning this argument is the idea that the security of the nation is tantamount, taking precedence

over the individual rights and liberties of its citizens (explored in the next section). This line of reasoning was used most frequently to justify POTA's introductions despite the arguments raised by the Opposition (as addressed above).

In the 2003 debates, questions of translation were relatively limited as the emphasis of debate lay on the qualitative question, of who was to blame for POTA's misuse? Nevertheless, some MPs, primarily supporters of POTO, justified the proposed amendment, made suggestions for further improvements and argued that proposals to repeal POTA as it was a flawed Bill would lead to repealing many other laws in the Indian legal statute. For instance, Bhartruhari Mahtab addressed "certain flaws in the Act" such as there being "no time limit" for the addressing of complaints raised by Review Committees (that had originally been constituted to monitor implementation of the Act) , the dominance of Government-appointees to these Committees and the need for compensating those wrongly imprisoned (LSD 16-12-2003, 497). The question of logistics, or the ground-level implementation of the bill by agents of the executive such as the police was largely left undiscussed (with the exception of Prakash Yaswant Ambedkar (Bharipa Bahujan Mahasangh, Maharashtra, 510).

Another supporter of POTA, Prakash Mani Tripathi (BJP, Uttar Pradesh) argued that no one enacted that POTA to make "terrorism come to an end", and that laws ought to not be enacted with such goals in mind (LSD 16-12-2003, 464). Tripathi also argued that as the Government would not call for the repeal of section 302 in the Indian Penal Code that punishes murders, despite the fact that murders are still taking place , the same logic did not support the repeal of POTA. In doing so, Tripathi attempted to deflect the Opposition's concern with POTA's ineffectiveness. Tripathi

justified the amendments to the Bill as the response of a "sensitive government" to "the shortcomings noticed" (467).

The Opposition's position on the question of translation was exceedingly clear in terms of rhetoric used. For example, Abdul Rashid Shaheen (Muslim MP, Jammu & Kashmir National Conference, Jammu & Kashmir) requested the Government to "repeal this law which is a blot on our democracy" as it "did not help in eliminating militancy" but created fear in the minds of harassed "young students" who have to "pay something as gratification to the police" (LSD 16-12-2003, 506). Moreover, the Opposition appeared to have silenced the Government on the question of whether the Bill had actually prevented what would justifiably and uncontroversially be labelled terrorist activity (Basudeb Acharia, Communist Party of India (Marxist), West Bengal, LSD 16-12-2003, 448).

The alternate position taken by supporters of the NDA who did not support the amendment was only adopted by the AIADMK (All-India Anna Dravida Munnetra Kazagham) party. Mr. K. Malaisamy argued that they not want the proposed amendment to "undermine the effect of the rule of law" (K. Malaisamy, LSD 16-12-2003, 478). Moreover, Mrs. V. Saroja insisted upon holding a division of vote to demonstrate the AIADMK's position, despite the fact the Opposition wanting to repeal the Bill entirely had already walked out, leaving only the Bill's supporters in the chamber.

In this discussion of translation, it appears that multiple modes of persuasive appeal were used to justify one course of action over another.

In the 2004 debates, the issue of translation was the most difficult to navigate as the UPA Government sought to effectively debate two controversial Bills within the span of 4 hours and 37 minutes on 3 & 6 December – whereas 20 hours and 49 minutes had been spent on discussions in 2002 and 2003 on POTA alone. In consequence, apart from a rhetorical re-stating of position in much of the same terms used in previous debates, there was little time for each speaker to discuss the merits of repealing POTA and promulgating UAPA's amendment. As before, supporters of POTA equated its repeal as a most unpatriotic act, seeking to cast dispute on the Government's commitment to the nation's sovereignty. The Government, seeking to repeal POTA, congratulated itself on fulfilling an electoral promise to do so, and justified the amendment of UAPA as its response to the threat of terrorism. Within the ruling alliance, Leftist parties rhetorically and dramaturgically registered their dissent as they did not wish to accept the UAPA amendment; instead they wanted the issue to be discussed in a Select Committee[35]. As there were two bills to be debated within such a short time, there were (often) two different sets of stasis questions relating to each bill that speakers had to consolidate within a single (fairly short) speech. In many cases, especially with the CPI (Communist Party of India) and CPIM (Left Front parties), members such as Basudeb Acharia (CPIM Party Leader) and Gurudas Dasgupta (CPI Party Leader) would oppose UAPA's amendment, yet welcome the repeal of POTA. MPs who supported POTA (and argued against its repeal) did not support the UAPA. MPs who supported the UAPA did not support (i.e. argued for the repeal of) POTA. No MP supported or suggested the existence of POTA and UAPA simultaneously on the statute books or the repealing of both. Therefore, there was tacit consensus on the necessity of anti-terror legislation,

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[35] Mr. L. K. Advani, former Home Minister who introduced POTA, used a similar line of argument and led the NDA out of the chamber in protest prior to voting, mirroring the dramaturgical tactics taken by the UPA when it was in Opposition.

premised on the understanding that India faced and ongoing threat from terrorist attack. No MP denied the abuses committed in POTA – this too was commonly agreed upon.

Taken together, throughout the history of parliamentary debates on POTA, MPs have used – to differing degrees of success – ethos, pathos, logos and quasi-logos modes of appeal. The dominant mode that appears to cross-cut into logos and quasi-logos modes are that of ethos, and to a lesser degree pathos. Much of political rhetoric appears to 'attack the face' of one's political opponents by discrediting their competence, intentions as much as possible. The use of ethos-based divisions to divide parties across the political spectrum into what appears to be ideologically polarized camps, i.e. patriots vs. terrorist-sympathizers adds a degree of acrimony to debate that does not hold up to a stasis based analysis.

In terms of stasis theory, there was a unanimity on the first element (conjecture) and broad consensus on the second (definition) across the political spectrum, summarized as follows, Indian sovereignty faced the real threat of terrorist, from (primarily) Islamic forces based in Pakistan, and to a lesser degree from domestic sources, and that this was an inherently unacceptable situation. The acceptance of this 'reality' formed the basis of discussions in 2003 and 2004, which show similar degrees of consonance in conjecture, definition and quality stasis of the issue. The only dissent appears to emerge from the question of translation, i.e. whether a particular legislation should be adopted, amended, repealed or not. Therefore, the positions of key political parties stem from broadly defined areas of consensus, with ethos stereotyping forming the only real basis for alleged polarization of views. Moreover, considering that the content of UAPA was essentially POTA revisited, and that the

UPA used POTA even when it protested against it, much of the divisiveness in rhetoric appears to have been politically motivated.

Having introduced a brief narrative of events, and then reviewed the rhetorical strategies employed by MPs within the POTA debates, I now conduct a similar introduction and analysis in the case of WRB.

5.2. Analysis of Women's Reservation Bill Debates

I aim to analyse the rhetoric used in WRB debates, primarily during rituals of introduction, consideration and passing, namely on, 12th & 13th September 1996 (Lok Sabha) and 9th March 2010 (Rajya Sabha). Where highly relevant, other instances of debate will be referred to, e.g. when WRB is raised as an issue during Zero Hour and during speeches made in commemoration of International Women's' Day (see p. 141).

I acknowledge that this selection of days of debate on WRB is incomplete as (1) the emphasis of this thesis is on the performance of certain parliamentary rituals (of legislation) and (2) the repetitiveness nature of debate over 14 years (arguing that the most important issues were represented on the three days focused upon), (3) the fact that dramaturgy of embodied action has greatly shaped the legislative passage of this Bill to a greater degree than rhetorical diversity (3) space constraints. The findings from this rhetorical analysis will be compared with those from the POTA debates and presented at the end of this chapter.

Before proceeding, it is – as with the POTA case above – useful to provide a brief re-

statement, or narrative, of events connecting these debates. When the Bill was first introduced in September 1996, after the initial euphoria surrounding the enactment of a "historic Bill", the Bill was ultimately sent to a Joint Committee, owing to questions raised about the sub-quotas for Other Backward Caste and Muslim women (explored below). Despite the Joint Committee's December 1996 report recommending to pass the Bill without amendment and consider the sub-quota issue at a later date, the Government chose not to do so citing a lack of consensus. It is important to note that the Government of the day was the Janata Government, a minority coalition government led by Mr. H. D. Dewe Gowda. In May 1997, following a shift in leadership as Mr. I. K. Gujral became Prime Minister, he attempted to pass the Bill, only to be publicly heckled by the Leader of his Party in Parliament, Mr. Sharad Yadav and others. Mr Yadav, along with Mr. Mulayam Singh Yadav (leader of the Samajwadi Party) and Mr. Laloo Prasad Yadav (leader of the Rashtriya Janata Dal Party) had collectively become to be known as the 'Yadav troika' set against the Bill citing the issue of the sub-quota (Aji 2010, para. 2). In July 1997, with the induction of the NDA Government, the Bill could not be introduced due to the use of disruptive dramaturgical forms such as mass protests in the Well of the House, tearing papers from the Law Minister's hands (who is responsible for introducing the Bill).

Similar forms of disruptive dramaturgy accompanied each attempted introduction in subsequent years. In May 2010, women MPs' formed a cordon around the Law Minister (Mr. H. D. Bhardwaj within the UPA Government) to prevent papers from being torn in the Rajya Sabha (Press Trust of India 9-3-2010, paras. 10-12). Amidst an atmosphere of dissent, the Bill was regarded as introduced successfully. It was debated on 8 March 2011 in the Rajya Sabha, only to witness an escalation of

disruption by 7 MPs who went to far as to 'man-handle' the Vice-President of India, who is the Chairperson / Presiding Officer of the Rajya Sabha). Following the extraordinary forcible eviction of disrupting MPs by House Marshalls, the Bill was debated and was, with one exception, overwhelmingly voted through. The Bill's status remains in limbo as the parties who seek to disrupt its passage (i.e. JD (U), SP, RJD, etc.) have far greater numbers in the Lok Sabha. Throughout the history of the Bill, the Government of the day has always had sufficient numbers to pass the Bill (even though it is a Constitutional Amendment requiring 66% of votes).

Questions of conjecture (the first category of 'stasis') address whether there is a 'fact' , 'issue', 'situation' or a 'problem' to discuss in the first place, before addressing the nature of the issue and its extent (definition). Across party-lines, Indian MPs implicitly agreed on the observation that there were low numbers of women in Parliament, constituting (at best) 10% of a 500+ body of Parliamentarians (in the Lower House). This agreement was (and continues to be) represented in political party manifestos of across a broad ideological spectrum. For instance, the BJP (Bharatiya Janata Party – right-wing Hindu nationalist party), the Congress (biggest party of current ruling coalition – centrist, secular orientation), and the CPI (Communist Party of India – Leftist politics) express strong support for this Bill – where they may differ on many other topics. Moreover the need to increase women's representation in Parliament continues to be expressed annually in Presidential Addresses (to Parliament) and Prime Ministerial addresses to the nation on national holidays such as Independence Day (as per observation).

Within the debates, the existence of the issue was expressed in fairly consistent ways by men and women of different parties. The Law Minister who first introduced the

Bill (Mr. Ramakhant D. Khalap, Janata Party) described how men (*we*) "kept women in some sort of a bondage [and] did not allow *them* to come to the public life [having …] closed for *them* [women] the doors of all our legislatures [and …] institutions" (LSD 12-9-1996, 515) [italics mine].

Similarly, Ms. Sushma Swaraj described the issue as the "progressive decrease in the political representation of women" since the time of Independence (LSD 12-9-1996, 517). There was no recorded instance of MP in parliamentary debate denying the (fact that there were) low numbers of women in politics, or that it was a matter of concern.

Unsurprisingly, MPs who sought to frame the issue differently were those whose parties resisted the Bill. For instance, Mr. Ghulam Mehmood Banatwalla (Muslim League Kerala State Committee, Kerala) argued that Muslims deserved reservation first because they numbered less than women in the House (LSD 12-9-1996, 280). Moreover, using a 'pathos-based appeal', Mr. Banatwalla cited that there were no Muslims in the Madhya Pradesh Assembly, whereas there were few women. Therefore, he argued that the Muslim cause was "pitiable, more pitiable than the position of women" and that he "expected from [his] sisters... [to] come forward and [say] that OBCs, Muslims and minorities deserved more sympathy" and should get reservation first (LSD 13-Sept-1996, 279). Here, Banatwalla attempts to elicit pity from women, and also to appeal to their morality to 'give way' to others who were more abject than themselves. This argument is not likely to work with male MPs, and so is highly gender-specific.

Other attempts to re-frame the issue, or to divert it entirely came from more

vociferous opponents of the Bill. For instance, Mr. Mohan Rawale attempted to disrupt the discussion on the International Women's Day Resolution (LSD 8-Mar-1996, 197) twice, raising different topics each time, i.e. the participation of the Pakistan cricket team in a match in Bangalore, and "thousands" of people being killed in bomb explosions. Other examples of interruption by diverting issues are presented in techniques of 'shifting centre-stage' as part of the later dramaturgical analysis (next sub-section).

With the broad consensus on the issue, i.e. that there are too few women in public institutions, the next aspect of 'stasis' addressed is 'definition': What is the nature of the issue and its extent? What are its causes and effects? Several different (and this list is incomplete) versions were explored in the debate (attracting controversy on the floor of the House): historical injustices; male-domination and women's lack of leadership ability.

Rhetorically, one of the framing strategies to discuss the low representation of women in political institutions was to refer to historical ideas, practices and (alleged) facts. Typically, MPs would to venerate women as goddesses and 'super'-women (whilst ridiculing or humiliating them through social practices) or to emphasize women's' contribution to the freedom struggle. Ms. Uma Bharti (BJP, Madhya Pradesh) summarized the contradiction between the cultural veneration of women and their ridicule (be it in parliament, or in a rural Indian village), lamenting the "anomalies in *our* history … social practices [and …] ideologies" that provide women "extreme regard in our religion and culture" but on the other hand "enjoy insulting them by parading the women naked" in villages as a mode of cultural sanction (LSD 12-9-1996, 533).

The idea of equating women with the goddesses venerated in Hindu culture became (in itself) an object of ridicule and praise by different MPs during the debate (explored on p. 288). It should be noted that this aspect of discourse is overwhelmingly a Hindu one, and alternative formulations (e.g. with Mother Mary in Christianity) in other religious practices did not arise. Taken together, this aspect of debate was overwhelmingly couched in terms of ethos-based rhetoric practices differentially interpreting Indian customs, traditions and culture.

The Law Minister who first introduced the Bill in 1996, Mr. Ramakhant D. Khalap (Maharashtrawadi Gomantak Party, Goa) similarly argued that women had a "special place in … *our* culture" because that culture is based on the worship of "*Mahila Shakti* [woman power]" during the ritual of consideration (LSD 12-9-1996, 529). Ironically the notion of 'worshipping women' was then turned into an item of ridicule by an unnamed male MP, prompting an overwhelmingly male laughter in the House with the Law Minister bent over double (AVLS 12-9-1996).

 Ms. Uma Bharti then remarked that "one the one hand we talk of the word [woman] and on the other hand we are making fun of it", only then to be told by the Speaker (Mr. P. A. Sangma) that "a little bit of interjection is okay and should not be objected to" (AVLS 12-9-1996). These exchanges, by design or accident, were not transcribed in the official debates and could only be seen on recorded footage.

In a similar vein, both male and female MPs have also tended to ascribe 'superhuman qualities' to women, without relying on personifications of divine figures. Such superhuman qualities include the ability to 'sanitize politics' by virtue of their sheer

presence in the House because "women are above corruption" (Ms. Mamata Banerjee, Trinamool Congress, West Bengal in LSD 12-9-1996, 2) and their presence will "reverse the situation" where "a large number of people have become somewhat disgusted with politics" (Ms. Geeta Mukherjee, CPI, West Bengal in LSD 12-9-1996, 528). Ms. Uma Bharti and Ms. Girija Vyas (Indian National Congress, Rajasthan) both argued that greater numbers of women in Parliament would recover India's cultural image and instil a sense of "pride" in Indians resident in India and abroad when the "foreign media" must then re-evaluate it's interpretation of India as a "backward, conservative and orthodox country" (LSD 12-9-1996, 532). Ms. Vyas also criticized the "foreign media" in its attempts to "shatter India's image" by "projecting such incidents as *sati* [the immolation of widows on their husband's funeral pyre] and child marriage in an exaggerated manner" (LSD 12-9-1996, 522). Therefore, the treatment of women (for better or worse) is argued to be one of the greatest sources of India's international reputation, grounded in its cultural identity and social practices.

The idea of measuring the legitimacy of one's cultural identity, or even the strength or level of development of one's nation by the status of its women is deeply-rooted in Indian history. Numerous historians have argued that "gender formed one of the pillars on which [British] imperialism was built" (Liddle & Rai 1998, 498) and imposed unto India by justifying it as a "civilizing mission" based on its identifications of "degenerate and barbaric" traditions that perpetrated "atrocities" on the "unfree and oppressed womanhood of India" (Chatterjee 1989, 622). Nationalist figures such as Baba Saheb Ambedkar [popularly identified as the chief architect of the Indian Constitution and the foremost defender of the rights of the Dalits/so-called 'untouchable' castes] echoed this view throughout the nationalist struggle and

beyond. For example, Mr. D. Raja quoted Ambedkar as having said he "measure[d] the progress of [a] community by the degree of progress which [its] women have achieved" (RSD 9-3-2010, 49) and also (as quoted by Ms. Brinda Karat, CPIM, West Bengal) that "no country can go forward that leaves women behind" (RSD 9-3-2010, 32). Therefore, the status of women in India is seen not only as an indicator of 'backwardness' or 'advancement' but feeds greatly into the perceived degree of development of a nation. The same argument is not made with respect to men and their advancement (as a gender), implying that this ability to signify national progress (or international disrepute) is yet another one of women's ascribed 'superhuman qualities'.

Ms. Vyas extended this argument further by claiming that India can lead the way for "Western countries" to demand the same right for their women, if it were to pass the Bill (LSD 12-9-1996, 532). This is a curious inversion of the colonial (and post-independence) practice of ascribing national weakness to the oppression of women, reclaiming that idea to empower the nation (or its image) by granting further rights to its women. The idea is also expressed by Ms. Geeta Mukherjee who argued that the the "strength [of Indian society] will remain weakened" to the extent of women's disempowerment and inequality (LSD 12-9-1996, 528).

In an attempt to address the 'real' (i.e. average, human) Indian woman (in the 2010 debate) Mr. V. Maitreyan (AIADMK, Tamil Nadu) termed the "Indian housewife" as the "uncelebrated, unrecognised and un-debated … class of Indian women" whose "innate discipline of the Indian housewife [in] managing the Indian househol[d]" that the Indian economy was "less dependent on FDI [Foreign Direct Investment]" that other countries in the West who suffered the worst effects of the economic crisis

(RSD 9-3-2010, 42). The Indian housewife (as opposed to a widow, single or unmarried woman, working woman, woman not attached to a family and earning for herself, etc.) is once again attributed superhuman qualities (of saving the national economy). This particular appeal is combines logos/quasi-logos appeals with a strong ethos narrative, drawn again from cultural stereotypes.

Female MPs display a degree of consciousness and reflexivity surrounding these 'superhuman' expectations, For instance, in the Rajya Sabha debate, Ms. Brinda Karat exhorted her colleagues not to judge women by "superwomen" standards to "fight against the discrimination" in politics (RSD 9-3-2010, 36). Nevertheless, for the most part, the discursive strategy of discussing women in terms of deities in Hindu mythology (excluding all other religious and cultural traditions) or placing super-human expectations on them (that would not be applied to men) continue to occupy centre-stage in debates on political equity across the political divide.

A second historical narrative, used less frequently, refers to the actions of women and their contribution in the nationalist struggle for Independence, and how their rights (which they fought for) were denied to them. This appeal concerns 'real' rather than idealized, deified and/or mythical constructions of womanhood. Ms. Jayanthi Natarajan (Indian National Congress, Tamil Nadu) expressed how "Indian women went to jail … kept the home fires burning... [and] fought shoulder to shoulder with men in response to the call from Mahatma Gandhi for freedom" (RSD 9-3-2010, 30). Ms. Girija Vyas interpreted (using the same argument 14 years earlier) similarly that though women took "active part in freedom struggle" on Gandhi's call alongside men, they "did not get [their] share" of equal rights (LSD 12-9-1996, 521-2). These appeals can be more rightly cast in the logical/quasi-logical-combined with-ethos

vein as they derive from statements made by real persons, arguably figures of authority whose name by association lends more weight to the argument, as opposed to idealized views of cultural constructs.

Instead of addressing historical causes or practices, some MPs attributed alternative causes of the low political representation of women to women's intrinsic incapacity/unsuitability and male-discrimination. The former was often made in indirect terms by male MPs, and the latter in more direct terms by female MPs.

In response to women MPs' calls to pass the Bill without discussion, Mr. E. Ahamed (Indian Union Muslim League, Kerala) argued that such a "landmark law" could not be passed in the casual way that a woman would make "*dosa*" [savoury crepe] (LSD 12-9-1996, 406). Without deliberation, the House could then be termed as "retrograde", which by implication would extend to the act of preparing food (LSD 12-9-1996, 407). The statement implies that the woman's place is in the home, and that household work does not take effort, or is less valuable.

Whenever a male MP raised the question of whether there would be candidates for political office if the Bill were passed, this was met with objections from female MPs. For instance when Mr. Imchalemba (Indian National Congress, Assam) argued that the Assamese State Assembly could not find suitable female candidates to fill 20 seats of its 60, which would create "a leadership vacuum", Ms. Rita Verma (female BJP MP) asked the Speaker to expunge Mr. Imcha's comments on "women [being] not capable of providing leadership" (LSD 12-9-1996, 333).

Casting aspersions on women's competence in leadership roles is seen as a politically

incorrect statement that most MPs would want to distance themselves from, even if they share that view personally.

Alternatively, female MPs tended to focus on defining the causes of the problem of women's low representation in terms of active gender-discrimination. For example, Ms. Sushma Swaraj (BJP, Delhi) argued "without any hesitation", that "perverted thinking" (LSD 12-9-1996, 519) i.e. "male dominated mentality is responsible for this discrimination" (LSD 12-9-1996, 517).

Some male MPs also acknowledged the the impact of gendered discrimination in politics, albeit in a less pointed manner. For example, Mr. Biju Patnaik (Janata Dal, Orissa) stated that "only a few ladies are getting elected here on their own strength" because "[b]y and large, ladies are not being encouraged by men" due to "male chauvinism" (LSD 12-9-1996, 532). Similarly, Mr. Madhukar Sarpotdar (Shiv Sena, Maharashtra) argued that "ladies … had been kept aside … [from] contesting" due to the perception that they "might not elected", which as a "wrong move [and] a failure on the part of the men" (LSD 13-Sept-1996, 273). Interestingly, there were no recorded instances of MPs (in this case study) denying wholesale the existence of gendered discrimination against women in a male-dominated political arena.

Having reviewed how the issue is defined in terms of different causes and historical narratives, both aspects of debate are clearly divided across gendered lines and feed into stereotypes (ethos based appeals) of women. I now address the third aspect of stasis – quality, i.e. questions of whether an issue is fair or just.

The question of fairness was debated through use of terms such as 'rights',

'responsibilities', 'demands' and 'needs'. Subtle, yet powerful discursive strategies (building on the ethos-based stereotypes explored above) rhetorically framed whether the issue was of granting, recognizing 'rights' or 'responsibilities' to women, giving into women's' 'demands' or fulfilling their 'needs', etc.

Some female MPs rejected the notion of men 'giving' women reservation vociferously. For example, Ms. Sushma Swaraj chastised the Government for stalling the Bill's passage (after it had been recommended for swift passage five months prior), making it appear as if women were "standing and begging for reservation" (LSD 12-May-1997, 320). Similarly, Ms. Girija Vyas asserted that women, who make up half the population, "do not need alms … do no want 33% reservation of seat *as alms*... [but] 50% participation" (LSD 8-Mar-1997, 201).

Male MPs (possibly unconsciously) discursively delegitimized the idea that women were, once again, 'fighting' for what was theirs, expressed either as "justice", or a set of "demands" and "needs" that women were entitled to. Ms. Mamata Banerjee quoted Subhas Chandra Bose [an Indian freedom fighter] in saying that no one will give someone their fundamental rights, and that one would have to "snatch it" (LSD 12-9-1996, 536). In response to Ms. Banerjee, Mr. Harin Pathak (BJP, Gujarat) then interjected saying that "men" are giving women the rights they seek, and they did not therefore have to fight for it (LSD 12-9-1996, 536). When viewed in terms of Ms. Mukherjee's assertion, the fact that men frame themselves as 'giving' women reservation undermines their efforts and appropriates their initiative.

In a telling example, Mr. Tiruchi Siva (Dravida Munnetra Kazhagham, Tamil Nadu) argued that "rights and freedom should not be given and taken, but it should be

fought and got", however that in spite of its "male dominated" nature, the "House ...

is prepared to " recognize the rights of women through this Bill (LSD 12-9-1996,

529). He then attempts to credit the attempt at giving reservation to women in

Parliament and State Legislatures as a male initiative with men who have "come

forward" to do so (LSD 12-9-1996, 529).

I now address the final aspect of 'stasis' to structure the rhetorical analysis of the

WRB debate, translation. Translation addresses the proper context, jurisdiction,

procedure etc. required to address the issue at hand. Many of these aspects will be

taken up in the next dramaturgical sub-section as the emphasis. Only the most

relevant rhetorical constructions on this aspect of stasis are taken up here.

Within debate, four aspects of the legislative draft were critiqued, the enactment of

the process itself (that it was too hurried, noisy, long-standing, chaotic, politically-

motivated, etc. – explored in next sub-section), comprehensiveness (scope of

applicability), superficial flaws in the draft itself (mis-naming of the Bill), the

rotational system of allocating women's constituencies each election, and the non-

provision of additional reservation for OBCs (Other Backward Castes) and

minorities. The latter two critiques are by far the most important.

A few minutes into the discussion on the Bill (in 1996), Mr. S. Bangarappa

(Karnataka Congress Party, Karnataka) argued that the Bill did not extend reservation

to other constitutional bodies such as the Rajya Sabha, Legislative Councils, Union

Public Service Commission and State Public Service Commission though he was all

for its contents (LSD 12-9-1996, 404). The Law Minister (speaking later)

acknowledged the "lacunae" in the Bill, though he, like Ms. Sushma Swaraj (who

spoke after him) argued that the "Constitution was framed" after years of discussion, and that no one Bill was "perfect" in a single effort (LSD 12-9-1996, 520).

Mr. George Fernandes (Samata Party, Bihar) pointed out a superficial defect in the 81st Constitutional Amendment Bill (1996). He imputed "complacency" within the Government because the Law Minister had moved an amendment seeking to substitute "81st" for "79th" Constitutional Amendment, as it had been wrongly labelled (LSD 13-Sept-1996, 267). Though Mr. Fernandes argued that the Bill was mislabelled and therefore *ultra-vires* (void), discussion continued.

The third aspect of translation deemed problematic in WRB was the rotational system of allocating seats. Mr. Sharad Anantrao Joshi (Swatantra Bharat Paksh, Maharashtra), aired his views on this matter in debate – he was the only person to vote against the Bill in the Rajya Sabha. Mr. Joshi termed the "lottery-cum-rotation system" as not being a "minor defect", but a "fatal defect" to India's democratic system (RSD 9-3-2010, 74). A woman who is forced to contest in a constituency long nursed by a dedicated male MP has as little incentive as that male MP to contest as the latter would be denied election regardless of his performance. Taken together, the rhetoric on translative issues as discussed so far is grounded firmly within logos/quasi-logical modes of persuasive appeal.

The final aspect of translation (or questions of procedure, etc.) discussed here is the proposed 'reservation within reservation', or sub-quota for Other Backward Castes (OBCs) and minority women within the proposed 33% reservation. This issue became the centre-piece of opposition against the Bill's passage by certain parties in Parliament (explored further in the dramaturgical section) – I focus here on rhetoric

on the sub-quota

In 1996, Ms. Uma Bharti raised the sub-quota question first (LSD 12-9-1996, 406). She justified her demand by quoting the role of 'backward caste' figures such as "ascetics, *Adivasis* [tribal people], bears and monkeys" in helping Ram [the eponymous God-incarnate protagonist of the *Ramayana*] in his quest to rescue his wife Sita from the Lankan King Ravana (LSD 12-9-1996, 534). Her argument is therefore, that the heroes of the nation (upper-caste men and women) cannot benefit without the help of its lesser (in this case, socially mandated unequals) parts. Moreover, the women must be 'rescued' from foreign men or cultures or else the sanctity of the nation is at stake. Ms. Bharti therefore, does not question the basis for or the morality of perpetuating caste-based discrimination, she seeks a sub-quota to alleviate Dalit women's suffering without addressing the root cause (i.e. social practices codified in religious texts such as the *Manu Smriti*) . Mrs. Bharti's argument derives from a controversial, ethos-based appeal based on a subjective interpretation of religious narrative.

Male MPs in particular, adopted aggressive rhetoric against granting reservation for women as a general category, rather than arguing for the sub-quota. Three reasons formed the bulk of their criticisms, That elite, upper-caste women or women with political connections (through male family members) would get elected instead of lower-caste or 'backward' women. Secondly, the influx of women into parliament will be dangerous for democracy. Thirdly, that the Bill (in its present form) was a conspiracy to retard the upward social and political mobility of lower castes and minorities. Both arguments are speculative, and adopt a quasi-logical form. The first argument is based on more pragmatic observations of electoral trends amongst

female MPs (though the same can be said about male MPs), whereas the latter two are grounded in a pathos based fear that equates more women in parliament with chaos.

The argument that only women who are upper-caste, or who have strong political networks through their male kin is summarized by the fear that Parliament will be filled by the 'biwi-beti-bahu [wife-daughter-daughter-in-law] brigade' (Kishwar 1996; Krook 2005, 16). Considering that "nepotism" (French 2011, para. 24), or acquiring seats through hereditary links with incumbent politicians, affects both male and female MPs across the political spectrum in India, the argument is less convincing when solely applied to women MPs.

Male MPs (in particular) used an ethos-based argument to defame the character of non-OBC, allegedly elite women who will fill parliament if WRB is passed. When the Bill was attempted to be passed on 17th May, 1997, Sharad Yadav (Janata Dal United, Bihar) heckled the Prime Minister (Mr. I. K. Gujral), asking ``Do you think these women with short hair can speak for women, for our women?" (Kishwar 2010, para. 1). Though women MPs who were supporting the sub-quota (such as Uma Bharti and Mayawati) sported a short hairstyle, this reference to a physical attribute of women became a "code wor[d] to target women from educated, urban, and elite families" (Kishwar 2010, para. 3). Though the argument could well be formed on more statistical interpretations of how MPs in general are elected to power and the strength of kinship ties, the ethos-based stereotyping implied in the narrative above indicates that this appeal is more accurately construed as ethos-based.

Building on this imagery, Mr. Mulayam Singh Yadav (Samajwadi Party, Uttar

Pradesh), a staunch supporter of the OBC sub-quota, expressed his apprehension that without the sub-quota, parliament would be filled with women of industrialist and bureaucratic backgrounds, which were the kind of women that "youths would whistle at" (Indo-Asian News Service 24-3-2010, headline) . The obvious implication is that 'their' (OBC or lower-caste) women would not sport themselves provocatively (e.g. with short hair), and that such provocateurs had no place in Parliament. These male MPs did not explain the relationship between physical appearance and an individual's effectiveness at legislation.

Moreover, as Mr. Naresh Gujral observed, "certain party leaders ... [were] pretending to be the champions of democracy" through they "chose not to... giv[e] tickets to more women from their parties" (Shiromani Akali Dal, Punjab in RSD 9-3-2010, 71). The *bona fides* of those making ethos-based critiques of upper-caste women were therefore, questioned in Parliament.

Alternatively, male MPs opposed to the Bill citing the sub-quota have simply alleged a 'conspiracy' that was 'dangerous' to democracy using the arguments of lack of leadership and a representative deficit. Mr. Lalu Prasad Yadav (Rashtriya Janata Dal, Bihar) stated (at the same rally where Mr. Mulayam expressed his apprehensions at women being whistled at) stated that the Bill in its present form was an "international conspiracy" to weaken Indian democracy as it would lead to an "alarming" influx of inexperienced leadership in the form of an "all-women parliament" (Indo-Asian News Service 15-3-2010; Jaiswal 2010, headline).

Mr. Ilyas Azmi (one of the members who assaulted the Vice-President in the Rajya Sabha) expressed that the Bill was a "ploy to destabilize our democratic system" and

if passed, the "whole political system will be paralysed" (LSD 12-May-1997, 322-323). Expanding on the alleged dangers of the Bill, Mr. Chandra Sekhar (a former Prime Minister) argued that the Bill would "divide this House not only in numbers but in psychology and in mental make-up" and "change the character of the Lok Sabha" which would adversely affect the "future of the nation" – an issue that was "more vital" than granting women further seats (LSD 20-Dec-1999, 450). These appeals rely upon the 'pathos' mode of appeal and the specific mechanics of their alleged consequences unspecified.

The third danger posed by general reservation for women (according to sub-quota proponents) is the lack of representativeness the resulting composition of (upper-caste, politically-connected) women would entail. Mr. Mulayam Singh Yadav termed the Bill as "an assault on democracy" (LSD 20-Dec-1999, 439) as the Congress and BJP have "hatched a conspiracy to mute to voices of backwards, [the] poo[r], [D]alits and [M]uslims who account for 90% of the population" (LSD 20-Dec-1999, 444). In response to this claim of lack of representation, Ms. Kanimozhi, on the other hand, argued that "[m]any Budgets [had] been passed without hearing the voice... listening to the opinion of half of the population of the country" who had they opportunity to speak, would have sought for "quite a different situation" in the country (RSD 9-3-2010, 67).

The majority of female MPs respond to the sub-quota issue by affirming a 'woman's' perspective that cuts across caste-based lines and which will enrich and add to existing political perspectives by bringing in a distinctly 'feminine' view on development, budgets, and politics in general. For instance, Ms. Sumitra Mahajan (BJP, Madhya Pradesh)"[m]otherhood is the only caste of women" and when a

woman MP speaks in the House, "she would speak for the whole womanhood and not in terms of the fragments like Muslim, Dalit or backwards" (LSD 8-Mar-1999, 643). Similarly, Ms. Brinda Karat emphasized the need for developing the strength of women's leadership abilities on a horizontal level, based on "merit" (RSD 9-3-2010, 35) and argued that more women in politics would lead to a "more sensitive politics" where issues that affect women will have equal importance as so called "hard issues" (RSD 9-3-2010, 36). Ms. Jayanthi Natarajan, welcomed the Bill for "Indian women" in general, who, when elected to local government have collectively shown "tremendous interest in basic issues like sanitation, education, child health" and other "basic issue[s]" of development (RSD 9-3-2010,30). Generally speaking, though female MPs were more likely to use quasi-logical arguments to support the Bill, their speeches were tinged with ethos-based attempts at reclaiming cultural stereotypes and recasting them in a politically progressive fashion.

My analysis shows that MPs primarily resorted to ethos-based stereotypes about women (being goddesses, or objects of male attention, etc.), pathos-based raising of fears of conspiracies and dangers to democracies. Some arguments were made using the quasi-logos mode, building on ideologies of egalitarianism within a constitutional framework, with very little technical (logos) discussion on the structural viability of the Bill within a democratic set-up. It is important to note that the Bill had been sent to two different Committees which would (presumably) have discussed these technical matters, and also that the Bill was thwarted from any meaningful discussion on numerous occasions.

In terms of stasis theory, there was a great deal of consensus on issues of conjecture, definition and quality, with some MPs taking opposing stances. Mainstream parties

from the left and right (Congress and the BJP) supported the idea that women are severely under-represented in Parliament (conjecture), that this under-representation is due to the practices of a largely patriarchal social order, and that some form of redress must be found. Persons who opposed this highly summarized view of debate came from the RJD, BSP, JD (U), SP and/or religiously defined parties (MLKSC).

Alternative views saw the key issue as the under-representation of 'backwards' and minorities (first), or that women have not made it to office based on their own unsuitability for political office, or that the lack of women in the public domain is not unconstitutional, it is socially accepted for her to remain in the home. Mr. Laloo Prasad Yadav memorably summarized his views on the matter by asking female MPs to go home and make *roti* (bread) instead of asking for further representation (Panicker 2005, para. 1).

Whilst, in the final instance of voting in the Rajya Sabha, only one MP voted against the Bill on the grounds of the sub-quota and lottery system, political positions have shifted remarkably on the 'translation' issue over the past fifteen years. The same parties which reject the premises of debate as articulated above have come out most strongly against the Bill, citing the issues of the sub-quota in particular. Considering that these MPs' own parties have poor records for the allocation of party tickets to women and women's performance in elections, it seems that other political motives have largely pushed their dissent to the Bill. As described in the dramaturgical chapter, MPs may have found it convenient to tack the agenda of improving representation for other caste/identity groups onto the WRB agenda (Kishwar 2013, para. 56).

Having performed a rhetorical analysis of both POTA and WRB in terms of stasis theory and the modes of persuasive appeal frameworks, I now perform a comparative analysis of the two as a conclusion to this chapter.

5.3. Comparison & Conclusion

The POTA debates were characterized by the use of logos/quasi-logos appeals based on legal-constitutional frameworks, combing with a strongly polarized strategy of ethos stereotyping of (unpatriotic MP = POTA opposer). Pathos was also present in the debate as the ever-present threat of terrorism to 'destroy the idea of India' was continually embedded within the text and performance of debate. The WRB debates in contrast, were cast strongly in terms of ethos based cultural constructs and stereotypes to discuss women as a category, referring to them as superhuman, goddesses, housewives, rescuers of the national economy, etc. The performance of debate used quasi-logical appeals throughout, using these cultural sources of reference, and to a lesser degree, historical facts and constitutional frameworks. There were strong differences in the ethos-based interpretations uttered by male and female MPs, even if both professed to support the Bill. Opponents of the Bill drew upon ethos based imagery to vilify women of upper-caste backgrounds as being unsuitable candidates for election and to glorify the cause of OBC women. A repeated use of pathos-based appeals to warn of the dangers of (any caste of) women in a democracy was used as an attempt to polarize debate, similar to the strategies used in POTA.

The difference between modes of appeal used in POTA and WRB was the formers

emphasis on legal, technical reference to constitutional norms, frameworks and criminal jurisprudence. For this reason, the 2002 POTA debates was considered to be an exemplary case of parliamentary debate amongst seasoned lawyers (namely Mr. Jaitley from the BJP and Mr. Jaipal Reddy from Congress). Similarly, the Rajya Sabha WRB debate which featured more constitutional references was also considered to be a good debate (especially speeches by Mrs. Brinda Karat from CPI-M, Mr. Jaitley from the BJP and others). Other debates were often seen in disreputable terms owing to the forms of disruptive dramaturgy used to thwart them.

In terms of stasis theory, in both cases, most parties across the political spectrum shared similar senses of conjecture, definition and quality of the issues. In the WRB case, the splinter group of parties (who are in a numerical minority) disrupting proceedings have consistently addressed those dimensions of debate in different (and disruptive) ways. Though the issue of translation was the most divisive on both counts, voting patterns were starkly different in both cases. Political parties were virtually split into two camps during the POTA debate, with only 1 MP in the Rajya Sabha voting against in the WRB debate.

These findings are interesting in that they provide rhetorical material against which political practice can be compared. In the POTA case, despite acerbic rhetoric and divisive voting, the tacit consensus (and use of a controversial law by all side, and its adoption by the UPA who had formally opposed it when in Opposition) that emerged in the stasis analysis is obvious in political practice. Rhetorical modes of appeal and dramaturgical devices (considered later) appear to be largely manufactured 'for show. A similar analysis can be applied to leaders of parties disrupting WRB in their lack of attempts at increasing the representation of OBC women within their own parties,

and to front their female relatives' in elections (i.e. engaging in nepotistic practice they are rhetorically against). The utility of the stasis theory framework as a means to interpret political debate has therefore been validated by these findings. The modes of persuasive appeal framework will continue to inform dramaturgical analysis in a later section, and has been instrumental in showing how slight degrees of difference are overplayed for political effects.

In summary, in this chapter I provided a brief narrative of events linking key debates in both case studies and performed a rhetorical analysis on the text of debate. Using stasis theory and the modes of persuasive appeal framework, I demonstrated how rhetoric constructs do not reflect political practice and use modes of persuasive appeal that do not further discourse, but for political advantage. In the following chapters, I will consider the use of procedural devices and frameworks in shaping debates and their outcomes, and interpret the dramaturgical significance of the ways debates are performed in micro-sociological terms of face-to-face interaction and in performative terms of impression management to wider audiences. Taken together, the rhetorical analysis of this chapter provides the justification for favouring these alternate perspectives on studying legislation as opposed to a traditional content-based analysis of policy. This particular chapter highlights how rhetoric forms part of the larger political performance wherein the goal of debating on the floor of the chamber is not longer the technical passage of the Bill, but is the very enactment of political contest and struggles for power staged for multiple voting audiences.

CHAPTER 6: PROCEDURE

The previous chapter focused upon a rhetorical analysis of parliamentary debates on POTA and WRB, forming the first analysis of one sub-component of performances of ritual. This chapter explores the second leg of analysis, focusing upon the role of procedural frameworks and devices and the ways they invoked to facilitate, thwart, frame and/or undermine the performance of legislation. Procedural frameworks informing the context of debate arise through a variety of sources, codified manuals (such as the Rules of Procedure, Member's Handbook, Directions by the Speaker, etc.), parliamentary conventions (e.g. informal, uncodified practices), parliamentary norms (i.e. standards of evaluation) and legal frameworks (e.g. the Indian Constitution) (Waylen 2010, 358-359). Parliamentary conventions and rules have evolved considerably in the Indian Parliament since its inception, as shown in multiple re-workings of the rules, and the growing number of conventions set by rulings of the Chair.

When the evolution of working practices, such as conventions, through rulings made by the Speaker, and the Speaker's commentary and practice in managing debate, the concept of procedure broadens considerably. Rather than viewing the Speakership as a static institution that exists within debate, the role of the Speaker can then be viewed in more dynamic terms. As the role of the Speaker in presiding over debate can itself be the object a PhD thesis, I focus instead on the uses of codified procedural frameworks, with some reference to the latter.

To begin, I consider constitutionally-mandated and/or institutionally mandated

procedural devices such as Ordinances, the Joint Sitting, Constitutional Amendment and sending a Bill to Committee, as used in the case studies (Women's Reservation Bill and Prevention of Terrorism Act). Secondly, I consider features of the observed performance of debate as they related to procedures of introduction, consideration and passing. Thirdly, I consider the performance of the Presiding Officer in overseeing these debates. A comparison of findings from both case studies concludes this chapter.

6.1. Constitutional and Parliamentary Devices

6.1.1. Prevention of Terrorism Act

The NDA Government framed the entire debate on POTA (2001-2004) and the Joint Sitting (26 March 2002) using two Constitutionally-mandated provisions, Ordinances and the Joint Sitting. As will be shown below, despite the legal right of the Government to use such provisions, their enactment was widely viewed as a political manoeuvre violating constitutional and parliamentary norms. These devices framed subsequent debates on POTA and intersected with ethos-based rhetoric, primarily used by the Opposition to cast aspersions on the *bona fides* of the Government. In the paragraphs that follow, I will firstly introduce the technical-legal requirements of each provision, followed by the responses it provoked amongst political parties and wider civil society (where relevant).

As set in Article 123 of the Indian Constitution, the President of India can legislate by promulgating an Ordinance. An Ordinance can only be issued if "circumstances exist" where "immediate action" is needed when both Houses of Parliament are in

recess. An Ordinance promulgated under Article 123 will have the "same force an effect as an Act of Parliament"; however, it does not have permanent effect. An Ordinance will automatically lapse six weeks after Parliament is called into session, if both Houses disapprove of it before then, or if the President withdraws it. If any provisions within an Ordinance exceed the legislative competence and scope of Parliament as set forth in the Constitution, it shall be "void". Article 213 and 239 B empowers the Governors of States and Administrators of Union Territories with similar powers over their respective territories. As per the Constitution, an Ordinance is therefore, not seen as an alternative to the processes of deliberation and legislation in the 'normal' sense, but is merely a temporary measure to legislate when Parliament is not in session. As the Indian parliament sits from, July-September (Monsoon), November-December (Winter), Feb-May (Budget), in effect, its longest period of recess is between 1-2 months (Lok Sabha Secretariat 2009a, Question 39).

In response to the Ordinance, MPs table a 'Statutory Resolution', which can only be invoked "in pursuance of a provision in the Constitution or an Act of Parliament" (Lok Sabha Secretariat 2009a, Question 74). The House has no other recourse to formally address an Ordinance but to discuss it as a Statutory Resolution & (simultaneously) Government Bill. As it is Statutory, if such a (disapproving) Resolution is negatived, the Ordinance becomes an Act of Parliament. In practice (as observed in POTA), the norms surrounding appropriate circumstances and the manner through which an Ordinance is promulgated can itself become a topic of debate.

Four Ordinances were promulgated on POTO, two to introduce the Bill (in 2002), one to amend the Bill (2003) and one to repeal the Bill (2004). There was little

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debate of significance that occurred in the 2003 and 2004 issuances. I focus here on the controversies surrounding the promulgation of the First Prevention of Terrorism Ordinance on 17 October 2001 (as cleared by the NDA cabinet), which then received Presidential Assent on 24th October 2001, in between the ending of the Monsoon Session on 31st August and the beginning of the Winter Session on 19th November.

The possibility of legislation-via-Ordinance on the matter was known to the media a month prior (Kumar 23-9-2001, para. 1). The media interpreted the Ordinance (which is typically used to respond to an urgent situation in need of legislation when Parliament is in recess) as a response to the "new urgency" to counter terrorism that "asserted itself" through the events of 9-11 in the USA . Following the terrorist attack on the Twin Towers on September 11th, the UN Security Council issued Resolution #1373 on September 29th. Amongst other measures, the Resolution called for Member States (such as India) to "ensure that terrorist acts are established as serious criminal offences in domestic laws and regulations and that the seriousness of such acts is duly reflected in sentences served", without stipulating when such laws should be enacted (UNSC 29-9-2001, para. 5). Before the text of the Ordinance was known, these reports suggest that it was, theoretically, viewed as a legitimate, unproblematic interpretation of the Constitutional article that provides for Ordinances.

During this period, the NDA and its Allies for the sake of "political correctness" sought to get the Bill "endorsed" at the Chief Ministers' Conference for Internal Security scheduled for November (Anand 7-10-2001, para. 8.). Moreover, the time remaining till Parliament's recommencement was seen as the Government's opportunity to test the "efficacy" of the Bill, resulting in the evolution of "political consensus" amongst all parties (para. 7). On October 16, 2001, the Union Cabinet

approved of the Draft with Pramod Mahajan (Minister of Parliamentary Affairs) assuring reporters that the Bill contained comprehensive "safeguards" against misuse (Asia News Agency 2001, 1). These reports reveal that the NDA Government, in some capacity, were aware of the need of appearing legitimate in their decision to promulgate via Ordinance. The United Nation's call to its Member States, and the efforts taken by NDA Ministers to gain approval on the Draft Ordinance were repeatedly cited throughout the 2002 debate as evidence of the Government's good intentions (AVLS JS 26-2-2002).

The first criticisms that the Bill "endangered" "civil liberties" emerged the very next day after the Bill had cleared Cabinet approval (Sachar 2001, headline). According to the article, the Government was "keen to possess extraordinary powers" and so wanted to "quietly slip... in via ordinance" a Bill that had similar features to TADA (paras. 1-3). Quoting words of caution from the New York Times in the "second largest democracy" [the USA], the article asked why the "largest democracy" [India] could not do the same, that, "the temptation will be great" in coming days "to write draconian new laws" that give the executive and the military "a right to undermine ... civil liberties" that shape a nation's "character" (para. 12). Implicitly, the Opposition was seeking to argue that, had the law been for the betterment of the general populace, the Government would have had no need to quietly slip it in via the back-door. The manner of its promulgation, therefore, was used to construe ill-motive on the part of the Government.

At this time, media coverage also featured less pointed and inferential analysis of the objects of the Bill, taking the Government's line that POTA 'results' from "a perceived vacuum" in security legislation following the "much-abused and widely-

discredited TADA" (The Hindu 18-10-2001, para. 1).

It is unclear why the Opposition did not make stronger protests against the Bill as it had a month to do so, before the promulgation. Congress' first political response to the proposed Ordinance was one of "apprehension" in the "manner" through which the Government pushed through the Ordinance at this "sensitive juncture" (The Hindu 18-10-2001, para. 3). Referring to the 9-11, party spokesperson Mr. Anand Sharma acknowledged that there were "extraordinary conditions" (which is part of the formal requirement of Ordinance-making), but that the Government "should have held wider consultations before pushing it through" . Therefore, at this early stage of the debate (before the first Ordinance was even passed), the idea that that the Government was 'pushing' (or 'bulldozing' as expressed in the Joint Session) through a controversial Bill with scope for abuse was already evident. For instance, S. Jaipal Reddy's (Congress spokesperson) statement, "POTO is deal on arrival, trying to push it through is an exercise in futility" invites if not expresses the kinds of 'bulldozing' politics that was later read in use of the Joint Session (Raina 2001, para. 8).

The harsh rhetoric that characterized debates on POTO was to emerge the day after, The Congress and the CPI-M declared that they would "oppose [it] tooth and nail" and that the law was "draconian" with a large scope of "misuse" (HT Correspondent, 19-10-2001, paras. 1and 8). On 25th October, the President K. R. Narayan gave his assent to introduce the POTO [First] Ordinance. A few hours after receiving Presidential Assent, the NDA issued written summons to Parliament notifying members of the dates of the next sitting.

The voices of legal organizations and civil society organizations began to heard soon after. The National Human Rights Commission [that had rejected the draft Ordinance sent by the NDA, who then made minor amendments] "re-affirmed" its opposition stating that there was "no need" for such an Ordinance (Hindustan Times 26-10-2001b, para. 1). The NHRC had not yet received a copy of the latest version of the Ordinance for review. At this juncture, the Congress, Leftist parties and other members of the Opposition 'lambasted' the "backdoor entry" of the Ordinance, i.e. procedural objective , alongside their "substantive" objections of the Bill (para. 3). By promulgating the Ordinance shortly before notifying the dates of Parliament's sitting, the Opposition parties argued that the NDA had played a "fraud on the Constitution" of India (para. 5). Jaipal Reddy argued that this failure to consult Congress only showed which [political] audience the NDA was "catering to", namely its own [rather, desired] "constituency" (i.e. Uttar Pradesh in upcoming state elections) (para. 8.). (These views are directly echoed in the parliamentary debate)

A day after promulgating the Ordinance (26 October 2001), the NDA Government banned 23 organizations accused of engaging in acts of terrorism, such as, Kashmiri-based groups Jaish-e-Mohammed, Lashkar-e-Toiba, North-Eastern groups National Democratic Front of Bodoland, National Liberation Front of Tripura, the Sikh-based Khalistan Zindabad Force and the Sri-Lankan based Liberation Tamil Tigers of Eelam (Hindustan Times 26-10-2010b, paras. 1, 5 and 6). The first Muslim-based opposition to the Bill featured in a leading Indian newspaper came the day after (the banning of extremist Muslim groups), The President of All-India-Muslim-e-Majlis-Mushawarat Syed Shahabuddin said that "weaker sections of the society and minorities continue to nurse deep concern" at POTA's possible misuse (The Hindu 27-10-2001, para. 6). Several human rights groups also voiced their concerns that

certain clauses in POTO were even harsher than in TADA (Venkatesan 28-10-2001, para. 1). Opinions from members of the public through editorials and comments echoed similar sentiments, For instance, Mr. Sanjay Kumar (New Delhi) called for "right [i.e. correct]-thinking people" to "resist POTA" (The Hindu 27-10-2001, para. 1). Mr. Sushil Mehra (Bangalore) wanted to encourage "[h]uman rights activists and legal professionals" to participate further in the public debate (para. 3).

At this state, public opinion appeared to side against the Ordinance, Mr. K. R. Mahalingam, writing into The Hindu (Chennai Edition) questioned the need for an Ordinance in the following terms, as an Ordinance "is required" when there "is no time" for Parliament to pass it, why was POTO required as "nobody has been arrested or detained" for 2 weeks since its promulgation? (Mahalingam 19-11-2001, para. 1). As the act has not yet been implemented, and the "Centre and States can wait" for the Act to be approved by Parliament, then "issue [POTO] in the first place?" (para. 2) . Taken together, this narrative shows widespread criticism of the perceived efficacy and urgency of POTA's promulgation.

More politicized critiques emerged, linking the promulgation with assembly elections in Uttar Pradesh. BJP spokesperson V K Malhotra "announced" that POTO would be an election issue and that party-workers should "'fan out across the country" and "raise the temperature on the terrorism issue" to mobilize public support for L. K. Advani's statement that "[t]hose who are opposing POTO are appeasing terrorists" (Times News Network 4-11-2001, para. 2). This announcement was made in light of the party's strategy to garner majority seats in the "run-up" to assembly elections in Uttar Pradesh, Uttaranchal, Punjab, Manipur and Jammu & Kashmir, all of which were scheduled for early 2002 (para. 1). Arun Shourie, BJP intellectual and Union

Disinvestment Minister, heightened the rhetoric, arguing that the "worst factor that impedes the fight against terrorism" is a "weak and flabby state" that considers "nationalism a dirty word" (Hindustan Times 1-11-2001, para. 8)

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 The BJP's rhetorical equation of opposition as being anti-nationalist did not garner it success in many of those elections. It is somewhat ironic that an NDA spokesperson asserted that "Congress... won't be able to explain its Opposition to POTO to the people, especially in Uttar Pradesh", implying that their electoral bid to equate POTO with nationalist causes would win over the electorate (para. 10).

The Government's 'intent' was already beginning to be questioned (re assembly polls in Uttar Pradesh), and it began to appear as though POTO would be defeated in Parliament, and along with it, the Government's 'credibility. One article argued that the Government had the Government been "sincere" about passing POTO, it would have consulted the Opposition whose support it requires in the Rajya Sabha. The author of the piece implied that the Government may wish to use the provisions of POTO in Uttar Pradesh (India's most populous state) ahead of the polls before was rejected by Parliament (The Hindu 24-11-2001, para. 4). My analysis is not attempting to ascertain whether this was case or not, I am analyzing the kinds of rhetorical accusations which made up the terms (rather, than assessing the validity of content) of debate – My own political position is neutral in this aspect.

L. K. Advani (the then-Home Minister), in a lengthy interview, refuted the claim that POTA was related to the upcoming polls in Uttar Pradesh. When asked if it would be a political plank, Advani replied that "planks are spontaneous", and if POTA was an issue, it was because of Congress' Opposition to it (Vohra 2001, para. 35). When

asked why he did not consult Opposition Parties on the Ordinance, Advani replied that the Government did not need to do so for an Ordinance (para. 3), and moreover, he did not expect the Congress to oppose the move considering the laws implemented by state-run governments (para 5). The Home Minister L. K. Advani defended POTO as "a well-thought out response" to the "all-too-evident menace of terrorism" that was threatening the country's unity and integrity (The Hindu 2-11-2001, para. 1).

Having introduced the formal requirements of Ordinances and the historical and political context of its usage in POTA, I now form my conclusions on its role in understanding legislative performances. The use of Ordinances, as opposed to 'regular' legislation, for the most part, appears to be driven by highly political considerations, e.g. to respond to a call from the international community, the need to appear to be strong on terror (possibly for the sake of India's international reputation), to appease allies, to highlight the onus of responsibility on State, as opposed to Central Governments, etc. Regardless of which party is in power, Ordinances appear to signify a greater, more urgent intent in performing a political statement, engaged with by multiple (voting) publics – regardless of the validity of the circumstances. The Ordinance thus constitutes a framing device which shapes the way in which the performance of legislation becomes intelligible. Moreover, many of the rhetorical constructions that dominated parliamentary debates were sparked in response to the Government's use of Ordinances and the narrative of events (i.e. declaring that it would be a political plank for elections, banning certain religious organizations suspected of facilitating terrorist activity, the day after receiving Presidential Assent), etc. thereafter. (Again, these are arguments put forth by the political Opposition – they do not reflect my own views, nor to I assume them or any

other view described as here as absolute 'truth') As the above account narrates, the use of the Ordinance to promulgate POTO was viewed as highly political manoeuvre that violated constitutional norms; however these arguments made the Ordinance no less effective in real terms. The use of the Joint Session was similarly conceived well before its performance in the House, as explored in the paragraphs below.

A Joint Sitting is a legislative procedure that the President of India may call for provided by Article 108 of the Indian Constitution. There are three instances which warrant a Joint Sitting, (a) the Bill is rejected by one House; (b) the Houses disagree on final amendments to the Bill; (c) more than six months elapse from the Bill's reception in one House without being passed (after another has already passed it). This provision does not apply if the Bill lapses with the dissolution of the Lok Sabha (at the end of five terms or for earlier elections). The bill can only be passed in the Joint Session by a majority of the total number of members of Both Houses present and voting. In practice, rather than exercising his/her own individual capacity, the President (ceremonial head of state) acts upon the advice of the Prime Minister (executive head of state). Since its beginnings in 1952, the Indian Parliament till-date has only convened a Joint Sitting of both Houses on three occasions, Dowry Prohibition Bill, 1959 (on 6 May 1961 and again on 9 May); Banking Service Commission (Repeal) Bill, 1977 (held on 16 May 1978) and Prevention of Terrorism Bill, 2002 (held on 26 March 2002). All three Bills were passed through this device.

The Lok Sabha voted through the Prevention of Terrorism Ordinance (POTO) on 18 March 2002 with 264 (46.56%) votes for and 148 against (26.10%) with 155 (27.3%) members either abstaining or not being present[36]. The BJP declared its intent to use

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[36] Three parties announced abstentions, Nationalist Congress Party (7 MPs), Bahujan Samaj Party (15) and All-India Trinamool Congress (9 MPs). The remaining 155-9-7-15=124 MPs were

the Joint Session as a procedural device if the Bill were to fail in any of the parliamentary chambers on 20 November 2001 (Vyas 20-11-2001, para. 1), long before any debate on the Bill in the Lok Sabha had taken place. The Government sought to use the device of the Joint Session to "overwhelm" the Rajya Sabha through sheer numbers if it did not pass the Bill (Dhavan 22-3-2002, para. 3)[37]. The Government "suffered a major embarrassment" as the Bill was defeated in the Rajya Sabha on 21 March with 113 votes against POTO and 98 for (The Hindu 22-3-2002, para. 1). In so doing, the Opposition "scored a political point" where the rejection of such controversial legislation is taken to be a "moral victory" (Bartwal 25-3-2002, para. 3). The Joint Session, planned for even before the Rajya Sabha had the chance to debate the Bill, was scheduled for 26 March 2002.

Whilst the calling of the JS was not unconstitutionally or procedurally incorrect, critics within the media and the wider public viewed it as an illegitimate use of parliamentary procedure. Former Prime Minister I. K. Gujral (Janata Dal Party) criticized Prime Minister Atal Bihari Vajpayee (BJP Party) argued that the Government was attempting to "bypass... the nation's sentiment" via "legislative procedure". The rejection of the Bill in the Rajya Sabha, along with statements from Chief Ministers of "most states had made it clear that they would not implement POTO" were understood as indicators of 'national sentiment' (The Hindu 24-3-2002, para. 1).

Writing into The Hindu's Opinion column, members of the public expressed anxiety at the passage of the Bill, and also commentary on the way it was passed. Mr. R.

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unaccounted for. Unless declared otherwise, statistics were obtained through relevant transcripts of parliamentary debates.

[37] The author of this Opinion piece in The Hindu is Rajeev Dhawan, an outspoken, long-standing political commentator and senior advocate in India.

Devanath (from Andhra Pradesh) commented that the whilst joint session is meant for "national emergencies and safeguarding the national interests in times of crisis and not for pushing individual party ideologies", what occurred in practice was a "silent massacre of democracy" as the ruling party did not take the Opposition into confidence, and instead "allure[d] them with political gains", showing a "lack [of] respect for democracy" (The Hindu 28-3-2002, para. 1).

Rajeev Dhavan (senior commentator and advocate) argued that the joint session on POTA was "a constitutional fraud to manipulate [the parliamentary] process" (The Hindu 22-3-2002, para. 1). Though legally incontestable, it violated the "conventions [that were] invented to make Constitutions work [without which] the Constitution becomes a mere … plaything in the hands of politicians". Dhavan argued that by convention, Joint Sessions were designed to ensure "complete and total discussion", which was not possible with POTA as the Rajya Sabha was already "overwhelm[ed] into submission by threats" from the Government. Moreover, the scope of amendments are limited in Joint Session discussions, focusing on delayed starting dates of laws and specific adjustments to clauses, as opposed to a fundamental rejection of the substance of the Bill in its entirety by one House (para. 5). These conventions were set in place by the two previous occasions of holding the Joint Session, in 1961 and 1977 – however, in both cases, amendments proposed by the Rajya Sabha were accepted by the Lok Sabha after focused discussions.

Institutional sources took a more neutral stance. The Presiding Officer, Deputy-Speaker P. M. Sayeed (Indian National Congress, Lakshadweep) articulated in his 'Welcome Address' the purpose for which the Joint Session was convened, "The device of the Joint Sitting... is designed for articulating the will of the sovereign

people of India through the totality of their representatives in … Parliament as part of our democratic process... (JSD 26-3-2002, 5).

From the highest ranks of the BJP, L. K Advani (Home Minister) justified the use of the Joint Session in the "situation where two Houses disagree... either in totality … or in respect of some amendments" as set out by the "Constitution-makers" of India (JSD 26-3-2002, 12). He compared the formal features of this instance of the Joint Session with the two prior instances, i.e. that both Houses disagreed, eschewing the fact that the outcome of the Joint Session in those two cases sided with the Opposition, rather than the Government and never involved a wholesale rejection of the Bill. He also alleged that the Constitution-makers understood that the Lok Sabha's will would prevail in any case, owing to its larger numbers (again, which went against historically observed outcomes of the Joint Session) (13).

From the highest ranks of the Opposition, Sonia Gandhi (UPA Chairperson) "fear[ed]" that the "dignity associated with the [Joint Session]" was damaged by the Government's "insidious purpose" in calling for it. Her argument is, like many above, primarily political. She accused the Government of wanting to "exploit a sparing Constitutional provision to achieve its narrow and controversial end ... [and] is choosing to do so [when] our polity is divided". In so doing, she argued the Government is "manipulating the processes of Parliament for promoting a divisive ideological agenda... [to] subvert the very spirit of the Constitution". By using the Joint Session as an open threat to both Houses because they have a chance to debate the, she argued that the Government attempted to intimidate the Houses with arithmetic superiority and to reduce them both to rubber stamps. (JSD 26-3-2002, 27).

Many other members of opposition parties (Congress, the Left, etc.) protested against the holding of the Joint Session and the manner in which it was imposed using similar terms. For instance, when raising a Point of Order to question the validity of holding a Joint Session, Mr. G. M. Banatwalla indirectly asserted that the Government used the "mechanism of a Joint Sitting" to 'bulldoze' the view of the Rajya Sabha (JSD 26-3-2002, 28). Similarly, Mr. Somnath Chatterjee (CPIM, West Bengal) argued that the Joint Session was not being held to uphold "parliamentary tradition" but because the Government was 'intransigent' in wanting to impose a "draconian piece of legislation ... [on] the democratic people of [India]" (JSD 26-3-2002, 40).

Public opinion on the joint session tended towards the negative: For example, S. Venugopalan (Tamil man, Chennai) described his "experience of watching the discussion in the joint session of Parliament" as "sordid". Despite his repeated "pleadings", the Speaker who had full procedural powers to control the House was unable to owing to the "unruly behaviour of the members".

Mr. Venugopalan also commented on the Opposition's 129 votes against with 60 abstentions, indicating that it was divided on the issue (The Hindu 28-3-2002b, para. 1-2). Similarly, Mr. F. Abdul Lateef (Muslim-Tamil man, Chennai) expressed his fears that the "selective use of POTO against Muslims [in Gujarat was ...] a prelude to the lavish use of POTA" against Muslims (The Hindu 28-3-2002b, para. 5). Mr. Lateef also questioned the J&K National Conference's voting for the Bill in the Joint Session though they abstained in the Rajya Sabha debate. Mr. R. Devanath (from Andhra Pradesh) commented that the joint session was meant for "national

emergencies and safeguarding the national interests in times of crisis and not for pushing individual party ideologies" (The Hindu 28-3-2002a, para. 1). He saw the passage of the Bill as a "silent massacre of democracy" as the ruling party did not take the Opposition into confidence, and instead "allure[d] them with political gains", showing a "lack [of] respect for democracy". He interpreted Chief Ministers' Chandrababu Naidu's (TDP, Andhra Pradesh) and Farooq Abdullah's (J&K NC, Jammu & Kashmir) assent to the Bill in terms of getting "assurance on ... rice allocation" and having a "law against the Opposition" respectively (The Hindu 28-3-2002a, para. 1).

Taken together, with the exception of the Government and its allies, the political Opposition and large swathes of civil society viewed the use of the Joint Session as illegitimate, as per constitutional and parliamentary norms. The NDA was seen to have reduced the democratic process to the brute force of sheer numerical majority, despite being legally empowered to do so. As with the Ordinance, the use of the Joint Session reinforced the ideological divides on the manner of interpretation (if not the substance of the legislation, as explored in the Rhetoric Chapter) and provided for stronger rhetorical strategies to impute motives unto the Government. In both cases, it must be noted that each procedural device, despite being introduced in normatively dubious circumstances, carried the full force of law (i.e. they were efficacious). It is politically advantageous for the Opposition to portray the Government as using such procedural devices for 'narrow' political gains, whilst painting themselves as speaking for the greater good as enshrined in the ethos of the Indian Constitution. These sets of objections, in themselves, emanating from an Opposition who went on to use the same Bill and promulgate (via Ordinance!) a similar version of it when it came into power, are inherently politicized. Similarly, it is as advantageous for a

Government passing a controversial law to justify its actions in terms of international imperatives, and security concerns. Considering that the roles were effectively reversed during the Terrorist and Disruptive Activities Act (with the BJP led Opposition using similar rhetoric against the Congress led Government) – these rhetorical positionings have a far longer history in setting the terms of debate on issues such as anti-terror laws. Procedural frameworks, therefore, are valuable political resources in framing one's own political identities in contrast to others and appearing to be more morally, ethically, constitutionally (etc.) different from one's opponents – even if one adopts the same policies in practice. I now consider the use of similar devices in the WRB context, namely the requirement of a Constitutional Amendment and the (twice) referral of the Bill to Parliamentary Committees.

6.1.2. Women's Reservation Bill Debate

The WRB case stands in stark contrast to POTA as the use of the Constitutional Amendment to introduce WRB (as opposed to 'normal' legislation) was never discussed. Considering the significance of Constitutional Amendments in that they alter the document of the Indian Constitution, an artefact of great symbolic value to the polity, this lack of discussion is most curious. The specific demand to create 33% quota for women in Parliament was a long-standing feature of the electoral campaign trail in India, as most major parties had included in its manifesto. It is possible that it was taken-for-granted by all parties that such a Bill must be Constitutional Amendment, as is the system of reservation for Scheduled Castes and Tribes. Regardless of the reasons for not debating this issue, by framing a Bill as a Constitutional Amendment, the Bill must pass additional requirements in order to be translated into law.

A Constitutional Amendment, as specified in Article 368 of the Indian Constitution, can only be initiated by the introduction of a Bill for the purpose in either House of Parliament (Clause 2). The Bill must be passed by a super-majority of each House, i.e. of a majority of the total membership of the House and no less than 2/3rd majority of those members present and voting. The President will then (typically) confer her assent to the Bill, unless it affects the state-level, in which case it must be ratified by at least half of the state assemblies of India. In this case, at the reservation was only stipulated at the national level, state-level ratification was not required.

In view of these requirements, the timing and lack of discussion held by the Government in introducing the Bill appears to support the interpretation that its introduction was designed to illicit other political advantages. Mrs. Sushma Swaraj (current Leader of the Opposition in the Lok Sabha) argued that the Janata coalition Government who first introduced the Bill was "deaf and dumb," that its "intentions" were "bad" having introduced the Bill as a "political gimmick" in view of the Uttar Pradesh elections and that it "should fall down with the curse of women" (LSD 20-12-1996, 254). Ms. Swaraj partially based her assertions on the fact that the Bill was first introduced on September 12, 1996 – on the 2nd last day of the parliamentary session – meaning that there was little scope to discuss the Bill for longer periods of time if required. This pattern of attributing motives to the Government, emerges after the failed attempt at passing the Bill, as opposed to the POTA case study, where suspicion of the Government's *bona fides* began before the actual parliamentary debate was held.

Moreover, owing to the 'super-majority' requirement, the Government can (as it did)

indefinitely prolong the next introduction of the Bill, citing the lack of consensus. This same lack of consensus was no obstacle in passing the POTA Bill, as the NDA Government and its allies had the numerical strength to pass legislation through. The interpretation of the importance of political consensus, therefore, in both these contexts, is contingent upon political factors. A brief ethnographic snippet illustrates the confused attempts at asserting the existence of consensus (where there was none) in the 1996 introduction of WRB:

As soon as the House's proceedings began for the day, various Members began to stand up and raise the issue of women's reservation, thus interrupting Question Hour. Despite the alleged 'consensus' and the "sentiments" present in the House in favour of the immediately introducing the Bill, the Speaker's (Mr. P.A. Sangma, Indian National Congress, Meghalaya) ruling was to wait for the outcome of an all-party-meeting, convened by the Prime Minister Mr. H.D. Dewe Gowda (Janata Dal, Karnataka in LSD 12-9-1996)[38]. Upon the Prime Minister's arrival, Ms. Mamata Banerjee interrupted proceedings arguing the Bill must then be passed to "show a gesture to the country" (LSD 12-9-1996, 8). Following the Prime Minister's speech as a historic precedent, the Speaker waived Question Hour.

Whilst some members (such as Dr. Mr. Murli Manohar Joshi, Bharatiya Janata Party, Uttar Pradesh) urged the Speaker to waive the rules and take up the bill for consideration, other MPs registered various protests. For instance, Mr. S. Bangarappa (Indian National Congress, Karnataka) referred to the lack of provision of reservation in the Rajya Sabha and in other public bodies; whereas, Ms. Uma Bharti (BJP,

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[38] It is important to note that the Bill's introduction comes one day after the Prime Minister and his Cabinet is formally introduced to the Lok Sabha. As the government is built on a coalition of many parties, it is curious to note the alleged consensus that is said to have evolved after a single day of Parliament's sitting.

Madhya Pradesh) discussed a similar disregard for women candidates from the Scheduled Caste and Scheduled Tribes. Mr. Madhukar Sarpotdar (Shiv Sena, Maharashtra) questioned the need for such a bill at all considering there are no legal barriers to women desiring to contest election. At this stage (as per transcribed record), Mrs. Sushma Swaraj (BJP, Delhi) appealed to the Speaker, saying "Sir, this is a new way to register protest" (LSD 12-9-1996, 405). Several other MPs spoke on what they perceived as the Bill's shortcomings, notably: Mr. E. Ahamed (Muslim League Kerala State Committee, Kerala) who stated that "we [the House] are not against giving reservation to women […] but such a law cannot be made like they are making *dosa* [savoury crepe] and like that... we are to discuss the matter" (LSD 12-9-1996, 406). Following a few other comments, the Speaker then recognized the Prime Minister to speak.

The Prime Minister then recited the following, That leave be granted to introduce a Bill further to amend the Constitution of India." The motion was then adopted by simple majority. He then referred to the need for an "all-party leaders meeting" to reflect on – what the Speaker terms as – "some little points [that] have come here and there" - before the bill was considered (LSD 12-9-1996, 408).

Following various queries and interruptions to House Business (by Ms. Mamata Banerjee in particular), discussion on the Bill took place at 1740, once several other Bills were been passed. The gaze of the camera zoomed across the Chamber, giving the impression that two-thirds of the members were not present (AVLS 12-9-1996). In one frame, Members occupied 24 out of 78 seats in the Oppositions' Bloc, three of whom are women. Though attendance rates in the House were typically low after the lunch break, it was surprising in this instance because the Bill at hand was a

Constitutional Amendment requiring at least 2/3rd of votes from the full strength of the House to pass. Without the requisite number of MPs, voting cannot take place, and the fate of the Bill would remain uncertain.

Mr. George Fernandes (Samata Party, Bihar) argued the following day, the Bill contained certain flaws which reflected the mindset of its drafters (the Government). He drew the House's attention to the first page, under the header of "81st Amendment Bill", where it stated to substitute "Seventy-Nine" for "Eighty-First"; therefore, Mr. Fernandes argued, the House's conception of the Bill's introduction as a "historic occasion" was being "taken lightly" [by the Government] and turned into a 'mockery' (LSD 13-9-1996, 267-268). Also, the Bill's provisions were not going to be put into effect until after the incumbent Lok Sabha was dissolved therefore "heavens [were] not going to fall" if the Bill was not passed that day itself . According to him, the government's intention was to garner support from the voters of Uttar Pradesh (most populous state in India) in light of their upcoming Assembly elections. The camera shows the individuals sitting behind him shouting at the Government as he cast aspersions on their intentions (AVLS 13-9-1996).

The same interpretation was echoed by the media, Prime Minister Gowda was seen to have introduced the Bill in order to "consolidate power" and "snare [the] votes [of…] 470 million women", and did his best to then "scuttle it" (McGirk 1997, paras. 2-3). Despite the Prime Minister's personal backing given to the Bill, MP Ms. Renuka Chowdhury is reported to have critiqued the "failure to anticipate all the objections male MPs would raise" as they "were unprepared and should have been brought around gradually" so they would not respond to the Bill in terms of a "threat perception" (McGirk 1997, para. 7). The reasons for the "months of prevarication and

delay" on pushing the constitutional amendment through were attributed to the threats the Bill posed onto the strength of the coalition government (McGirk 1997, para. 8). As Gowda had apparently not consulted his own party members, he stood to "lose face" regardless of whatever he did, his members may have defected to other parties/leaders, or his government may have dissolved under the "explosive … divisive" pressure that the question of a caste sub-quota within WRB raised (McGirk 1997, paras. 9-10). The V. P. Singh government was dissolved following the immolation of middle-class youths in response to a scheme to reserve educational and government posts for members of underprivileged castes. The caste issue was raised in vociferous terms by the Samata Party, the Samajwadi Party and the Yadav faction of the Janata Dal (ruling party); threatening the existence of the 13-party Janata-led coalition government (Reghunathan 1996, para. 7). Owing to the opposition of these parties, despite the commitment of several major parties to the passage of the Bill and the recommendations of a Joint Parliamentary Committee report on the Bill for immediate passage, the Janata Government chose to stall the Bill (Reghunathan 1996, para. 6). The more insidious issue at stake was that the WRB had, overnight, become the point of "leverage" through which minority community and caste-based political parties could claim their stake in the political pie (Reghunathan 1996, para. 13).

As the divide on the caste-subquota deepened, the Government emphasized to the idea that consensus was required in order to pass a Constitutional Amendment Bill. The Law Minister (Mr. Srikant Jena, Indian National Congress, Orissa) argued that the Bill was a constitutional amendment, the government chose not to introduce the bill as they did not want to "give a signal to the world that we are having divided opinion in our House on the issue of women reservation" (LSD 12-5-1997, 324).

Taking the argument a step further, Shri Rajesh Ranjan alias Pappu Yadav (Sama-jwadi Party, Bihar) argued that parties should be unanimously in support of the Bill before it could even be discussed in the House (LSD 12-8-1997). It is valuable to note that the person making this statement comes from the party that was most likely to disrupt proceedings and thwart discussion on the Bill. The claims that consensus and/or unanimity is required in order to even discuss the Bill in parliament character-ize much of the Government's and major disrupting parties' reasons as to why the Bill had not been put forward. It is significant to note that claims of generating con-sensus in an even more overtly polarized ideological divide during the POTA debate did not prevent the Government from passing the Bill using the procedural devices described above.

Owing to the super-majority requirements of a Constitutional Amendment, the argu-ment that consensus is not available can (for legitimate, constitutional reasons) be used to stall the Bill's passage. The only possibility of breaking this deadlock is through the election of a stable government with sufficient seats to pass the Bill and the political will to do so. In retrospect, the use of the Constitutional Amendment (as a procedural form) to introduce the Bill was not intrinsically seen as a political device, though concerns were raised as to its timing and lack of thoroughness during its first introduction. It remains to be seen whether the UPA government will intro-duce the Bill in the Lok Sabha, having used alternate procedural devices to ensure the Bill's passage in the Rajya Sabha admist fierce disruption. Curiously, there has been little discussion on whether the Bill could have been introduced in any other way, e.g. as a normal Bill, as an Ordinance, etc.

The second procedural device I would like to address in the context of WRB is its two references to Parliamentary Committees. The second procedural device instrumental in framing the WRB debate were the deliberations of the Joint Parliamentary Committee in 1996 and the Rajya Sabha Committee in 2009. Whilst sending a bill to Committee is not exactly a procedural framing device (in the same way whether a Bill is an Ordinance or Constitutional Amendment partially determines the way it is spoken about) , it is a option conferred upon the House to facilitate greater scrutiny of legislation. The role of the committee as the site of substantial, cross-party discussion – as opposed to the floor of the House – and the increased workload that House Committees are taking on, indicate that Committee discussions are not trivial happenings. The right of sending a Bill to Committee is provided for by Rule 74 in the Lok Sabha's Rules of Procedure (Lok Sabha Secretariat 2010). The rule allows for a Bill to be sent to either a Joint Committee, a Select Committee of the House, be circulated to generate public opinion or to be taken into consideration.

The Women's Reservation Bill was first introduced in the Lok Sabha (Lower House) as the 81st Constitutional Amendment on September 12, 1996 during the minority (11th Lok Sabha) of Prime Minister H.D. Dewe Gowda (a member of the Janata Dal Party). Though the bill was slated to be introduced, discussed and passed on the same day, its consideration was delayed, resulting in two days of discussion and a decision to refer the matter to a Joint Committee. The Joint Committee presented its findings at the next session of parliament (in December 1996), however, the Bill was not added onto the list of Business for deliberation. 5 notes of dissent were issued summarizing the key contentions surrounding the Bill (Political Bureau 1996, paras. 6-7), Mr Nitish Kumar (current member of Janata Dal and chief minister of Bihar), Mr. Ram Kripal Yadav (Rashtriya Janata Dal member from Bihar) with Mr. Mukthar

Anis (Samajwadi Party member from Uttar Pradesh) and Mr. P N Siva argued (Dravida Munnetra Kazhagham, Tamil Nadu) for the creation of a sub-quota for women of 'backward castes'. Mr. Jayant Malhotra (Rajya Sabha, Uttar Pradesh) totally opposed any reservation on the basis of gender, whereas Mr. Hannan Mollah (CPIM, West Bengal) with Mr. Chandrakala Pandey (CPIM, West Bengal, Rajya Sabha) did not oppose the sub-quota, but insisted that it ought not to be defined in terms of caste. It is important to note that no female members on the Joint Parliamentary Committee issued notes of dissent, but rather, they supported the immediate passage of the Bill with the recommendation that the issue of sub-quota be taken up afterwards.

A "noisy protest" staged by seven women's organizations "surprised Parliament" on December 16, 1996 when parliament failed to vote for the Bill (Reghunathan 1996, para. 14). Ms. Phoolan Devi (female MP, Samajwadi Party, Uttar Pradesh) dismissed the protesters as "upper class women" who "bob their hair, smear lipstick" and so did not deserve reservation, unlike "backward women in the villages" (Reghunathan 1996, para. 15).

Despite its recommendations, for reasons described above, the Bill was not taken up in 1996, 1997 and ultimately, the Janata Government lapsed. The only other time when the Bill was considered to have been successfully introduced was in May 2009. A barricade of all-female MPs in a bid to 'protect' the law Minister from disrupting male MPs seeking to tear the paper of the Bill, or disrupt its introduction in some form, facilitated the Bill's introduction in the Rajya Sabha. Despite scenes of rancorous disruption and 'man-handling' of one of the female MPs by a male disruptor, the Presiding Officer declared the Bill to have been successfully introduced. Shortly

thereafter, the Bill was sent to the Rajya Sabha Select Committee on Personnel, Pensions and Grievances, to form a Committee on the matter, headed by Dr. Sudarsana Natchiappan (Indian National Congress, Tamil Nadu). Followed by the induction of new members into the newly –constituted 15th Lok Sabha, Dr. Jayanthi Natarajan (Indian National Congress, Tamil Nadu) was then elected as the Chairperson of the Committee (Economic Times 2009, para.1).

The committee issued its findings in December 2010, strongly recommending immediate passage of the Bill without the sub-quota – as did the 1996 committee headed by Ms. Geeta Mukherjee (Press Trust of India 2009, para. 1). The Samajwadi Party was the only party to record its dissent in writing, arguing for a caste sub-quota that would not exceed 20% of seats. The Patali Makkal Katchi (Tamil Nadu) and the Rashtriya Janata Dal expressed their concerns, but did not submit notes to that effect (Press Trust of India 2009, paras. 6-7). Moreover, the committee rejected the "Gill formula" proposed by the Election Commission which would specify a minimum reservation of party tickets allocated to women that each party would have to comply to (Press Trust of India 2009, para. 8), citing the argument that political parties would give 'unwinnable' constituencies to women candidates (para. 9). The Cabinet approved the Bill's introduction in February 2010 (Mint 2010, para. 1) and moved for the Bill's consideration (on 8 March 2010) and passage (on 9 March 2010) in the Rajya Sabha.

It is significant to note that the report of the 2nd committee contains far fewer notes of dissent and does not significantly differ in terms of support for the Bill, both committees recommended immediate adoption of the Bill. One should also note that the Committee process appeared to have worked in the latter context owing to the

changed political configuration between 1996 (with a more fragile 13-party coalition government) and a more stable UPA coalition government in the second term of its re-election to power.

Therefore, despite the process of committee formation and issuance of findings, it appears that political will of the executive and coalition/party strength is the strongest predictor of whether such procedural devices impact the formation and processing of legislative proposals. Still, such a rule is not generalizable from the two case studies presented, though it is certainly suggestive. Moreover, one can also interpret the decision to send a proposal to Committee as a stalling device for time – as may have been the case in 1996. Alternatively, it may be viewed as a source of additional legitimation as Bills that have been 'scrutinized' by Committees are arguably studied in depth by a cross-party panel of Members. It is valuable to note that when POTA was introduced in 2001, it was not sent to committee – possibly due to the six week time limit on whereupon it would lapse without parliamentary ratification.

In their totality, procedural devices used in POTA, namely Ordinances and the Joint Session, and those used in WRB, namely the Constitutional Amendment and the twice-decision to send the Bill to committee, demonstrate the importance of political considerations in determining whether procedures are considered legitimate, and/or efficacious. I now consider the performances of procedures of introduction, consideration and passage of both Bills.

6.2. Performing Introduction, Consideration and Passage

For this analysis, it would be useful to remind the reader of the procedurally specified norms, etiquette and codes of conduct expected of MPs when in the chamber and the procedural methods of managing debate available to Presiding Officers .

6.2.1. POTA Debates

The Prevention of Terrorism Bill (as opposed to POTA – which reflects its status as an Act of Parliament) was introduced twice in the Lok Sabha, on December 11, 2001 and again in 9 March 2002 as Parliament had to be adjourned sine die following an attack by armed gunmen on 13 December 2001. In December 2001, an "enraged ... [and] united... Opposition" combined its efforts to create a "surcharged atmosphere in the House" over the 'Kargil coffin issue', so much so that the introduction of the POTO Bill entered a "procedural wrangle" prior to the attack (Kumar 12-12-2001, para. 1). Amidst an already raucous atmosphere with MPs shouting in protest, L. K. Advani (Home Minister) sought to introduce a "diluted" version of POTO at the behest of allies (para. 3). Several opposing MPs entered the Well of the House as Mr. Akhilesh Singh (Samajwadi Party) tore up pieces of paper and flung them in protest (para. 4). Despite the recently-enacted "automatic-suspension rule" for "intruding" into the Well, some Opposition members staged a sit-in. Almost simultaneously, the Speaker (Mr. GMC Balayogi, Telugu Desam Party, Andhra Pradesh) adjourned the House for lunch.

During the hour-long lunch break, in an all-party meeting convened in the Speaker's chamber (side-stage), the Speaker chose not to suspend Opposition members for their behavior as they had begun their sit-in immediately after the House was adjourned,

i.e. it was not in session (Kumar 12-12-2001, para. 5). Members of the Samajwadi Party, Rashtriya Janata Dal and Left Parties argued that they entered the Well because they thought the Bill had been introduced (para. 6). They said that the Speaker informed them that the "motion of introduction" was only part-way through and the Bill could not be deemed to be introduced in "such a manner". BJP spokesman Vijay Kumar Malhotra (male MP, Delhi) labelled the Opposition's efforts as being "blatantly undemocratic" as they should not "block" the law's passage through the House (para. 8). In another account, the Speaker explained that the (many) opposing MPs who entered the Well were not suspended (contrary to a resolution adopted on "decorum" on November 25) as "it would be difficult to suspend them all" (Jha 21-12-2001, para. 5). The journalist argued that as a general rule, MPs with "an unruly bent of mind" have found the answer to circumvent punishment: "Break rules in large numbers" (para. 1).

However, one Samajwadi Party senior member admitted to storming the Well because he knew the Speaker could not punish the Opposition: "If the entire Opposition is suspended for the week, what business can they transact anyway?" he asked (para. 7). A senior Congress member "admitted ... the moment had been hijacked by the more unruly parties" and his party was "forced ... to support them" in their behaviour (para. 8). BJP Spokesperson Vijay Kumar Malhotra denied that the treasury benches would press for further actions against those members opposing as it was "unrealistic to expect the Speaker to suspend so many members" (para. 9).

The Bill was therefore not considered to have been 'properly' introduced. Similarly, on 9 March 2002, during its second introduction, the entire Opposition, led by Congress and the Left Parties, staged a walkout (HTC 9-3-2002, paras. 1 and 2). Mr.

Basudeb Acharia (CPM senior member, West Bengal) tore copies of the Bill before he walked out (para. 2).

As P. M. Sayeed was about to announce the result of the division, Somnath Chatterjee (CPIM Leader), said that it would be a "'dark day' in the annals of Parliament" as the country "was going to face another onslaught on the rights of people" (The Hindu 19-3-2002, para. 8). After the Bill was passed by division vote on 18 March 2002, Opposition parties walked out in protest. (para. 1).

After the voting, one journalist said that "though the vote to prevent POTO from becoming legislation may have been lost, [but] the battle" to prevent its application in an "insensitive, cynical and selective manner must continue" (The Hindu 28-3-2002, para. 3).

One journalist referred to these "disturbances and walkouts" as "rowdy... ugly... [and] offends good taste", not reflecting conflict but a "lack of consensus" amongst parties (Nayar 13-122001, para. 1-2). He argued that the ruling NDA did not "give space to the Opposition" and appears to believe that by being accommodating, it will "lose face" (para. 2). Another attributed the "ugly situations" and "heat" in Indian political controversies (referring to POTO also) to the "lack of tradition" in India to provide for "regular consultations between the Government and the Opposition" (Katyal, 20-11-2001, para. 2). This "lack of transparency" is allegedly motivated by "political motives" that provokes a "sharp reaction from the opposition parties" which is "not always free from [their own] partisan considerations" (para. 3). The author contrasted POTO's discussion in India to the unanimity seen in the British parliament when Prime Minister Tony Blair was discussing 9-11.

Though these procedural rituals appear to have been successful, in that they transformed an Ordinance into an Act, amended the Act, and repealed the Act (as per the wishes of the Government of the day), they do not appear to have been considered morally legitimate, despite being institutionally and procedurally sound. Whilst an increasing number of Bills are passed with less than an hour of debate, questions of their moral legitimacy do not tend to arise, excepting deeply controversial issues such as Foreign Direct Investment in Retail and the hiking of prices of essential commodities. These performances of disruption, boycotting votes through absence, walking out, etc. seek to contest the moral legitimacy of the Bill. I now perform a similar analysis of performances of introduction, consideration and passage in the WRB context.

6.2.2. WRB Debates

As presented in the Methods & Cases (3rd) Chapter, there were seven recorded attempts at introducing the Women's Reservation Bill in the Indian Parliament. I will consider a few of those attempt here which shed the most light on the forms of performance relevant to this analysis.

Following the re-shuffling of the Janata coalition government, a new Prime Minister, Mr. I. K. Gujral, attempted to take the WRB up for consideration in May 1997. Mr. Gujral was publicly heckled by members of his own parliamentary party, and by other opponents to the Bill's passage. For instance, Mr. Ilyas Azmi asked Mr. Gujral if he thought the Prime Minister had the power of God? Mr. Sharad Yadav, leader of the Janata Dal parliamentary party vowed he would not allow 'short-haired' women

into parliament. The incident constituted a key moment of embarrassment for the Prime Minister, as he could not save his face from public humiliation. As expressed by a former Prime Minister and veteran parliamentarian, Mr. Atal Bihari Vajpayee (Bharatiya Janata Party), such treatment of a Prime Minister was unheard of in Indian parliamentary history, to the extent that he 'felt sorry' for Mr. Gujral. At a Janata Dal party meeting, Mr. Gujral was similarly heckled on WRB and other issues, whereupon he stayed away on the 2nd day of a 2-day meet.

The practice of thwarting the Bill's introduction dramaturgically began in July 1998, On July 13 1998, the Law Minister (M. Thambi Durai, Pattali Makkal Katchi, Tamil Nadu) attempted to introduce the bill as the 84th Constitutional Amendment. By this point, the BJP-led National Democratic Alliance had been voted into power. Several Members "menacingly" rushed and crowded around the Speaker's Chair raising slogans (LSD 14-7-1998 [electronic version] Observations of the Speaker, para. 2). The Speaker named Dr. Surendra Prasad Yadav (Rashtriya Janata Dal, Bihar) and Dr. Ajit Kumar Mehta (Rashtriya Janata Dal, Bihar) as assisting one another in "snatching paper[s]" from the Speaker's desk and the desk of the Law Minister, preventing the latter from effectively introducing the Bill thereby creating "pandemonium" in the House (LSD 14-7-1998 [electronic version] Observations of the Speaker, para. 2).

When the Law Minister sought to attempt to introduce the Bill again on the next day, though he had uttered the correct words, following further interruptions, the minister retracted the introduction. His argument was that "we cannot allow [the disruptions in the House] to continue, if we are to maintain the best parliamentary traditions", therefore the Bill will be postponed until "consensus" is reached (LSD 14-7-1998,

pp. 263-264).

Similar scenes, of escalating intensity took place on December 11 and December 14, 1998 in further attempts to introduce the Bill. After the ritual was performed, Shri Buta Singh (Independent, Rajasthan), arguing "[the Law Minister] did not announce [the Bill] in the proper manner [...] and we take it that the Bill has not been introduced" – though fails to specify what procedural rule was overlooked (LSD 14-7-1998, 472), echoed by members of the Samajwadi Party and Rashtriya Janata Dal. No female Members' spoke on record in this discussion. The total number of male members speaking is not particularly relevant as many comments do not make official transcription, especially if they are taking place simultaneously.

The fifth attempted day of introduction in the Lok Sabha (barring the first introduction) was December 23rd 1999, as the 85th Constitutional Amendment Bill. The disruption in the house interrupted the morning ritual of announcing the Speaker's presence as members flood the well of the House (AVLS 23-12-1999). The Speaker adjourned the house, as the shouting made House proceedings impossible, whereupon some of the dissenting MPs clapped their hands in applause. Upon returning, the Law Minister (Mr. Ram Jethmalani, INC, Maharashtra) sought to introduce the Bill whilst opposing though male and female MPs filled the well, shouting slogans in opposition, flinging their wrists upwards as if to say no.

A female member of the Samajwadi Party, Ms. Shrimati Sushila Saroj (Uttar Pradesh) held the Bill and tore it up into pieces. As the Law Minister recites the words of the ritual nonetheless, the members seated behind him rose and thumped desks amidst cheers, as members opposing the bill wring their hands up in protest. The pro-

testers did not disperse from the well and do not allow any speakers either for or against the Bill to speak, disrupting the proceedings of the House entirely. The attempted introduction is not acted upon in later sessions.

The most recent attempt at introducing the WRB took place on May 2009 in the Rajya Sabha. The Bill was slated for introduction less than 24 hours of the proposed time of introduction, which was unusual practice to say the least. Members of disrupting parties (Samajwadi, Rashtriya Janata Dal in particular) shouted slogans in the Well of the House ahead of its introduction. A cordon of female MPs representing a cross-section of political parties surrounded the person of the Law Minister, Mr. Veerappa Moily (Indian National Congress, Tamil Nadu), who read out the text of introduction amidst fervent shouts to stop the process (AVRS 6 May 2009). Dissenting MPs, unable to reach the Law Minister, tore up random pieces of paper from the desk of the Clerks and whatever they could reach. One MP was had a motion of privilege issued against him for 'manhandling' a female MP in the fracas that ensued. The Presiding Officer declared that the Bill had been successfully introduced. As the introduction was scheduled one day prior to the Lok Sabha's adjournment, disruptors could effectively not take the House and its proceedings 'to ransom'.

Newspaper coverage of scenes of dramaturgical disruption to thwart the passage of the Bill tend to describe it as 'high drama', 'uproar', 'fracas' and in other highly theatrical terms. Similarly, the Centre for Legislative Research and Advocacy terms these events as "twelve years of lying in limbo … amidst intermittent and embarrassingly hot-headed scenes inside the House" (Keenan and Mir 2008, 1). The most 'shameful' of events occurred on March 8th 2010, as the Bill was slated for consideration in the Rajya Sabha.

All legislative business scheduled for the day, including the reading out of a Resolution to commemorate International Women's Day could not take place owing to seven disrupting MPs who refused to allow any business to take place. Chanting slogans such as 'Bill *vapas lo!*' (Withdraw the Bill), these MPs shouted continually for the better part of an Hour and refused to subside even when the first MP (Mr. Arun Jaitley, Leader of the Opposition in the Rajya Sabha) was called to speak (AVRS 8-3-2010). Following continued attempts at disrupting proceedings, the disruptors began to tear papers and microphone on the desk of the Clerks and from the Presiding Officer's Dais. AV footage shows that MPs attempted to grab at the person of the Presiding Officer, in this case, the Chairperson of the Rajya Sabha who is also the Vice-President of India. Shortly after the incident, the House was adjourned, during which time the dissenting MPs organized a sit-in on the floor of the Well of the House. Upon instructions of the Presiding Officer, Marshalls of the House were called into to bodily evict the disrupting MPs. In an attempt to stall proceedings, as they resisted eviction, one MP smashed a glass on the floor of the House. The MPs were then suspended from proceedings by the Vice-Chairman and the debate on the consideration of the Bill took place. The final vote was 186 Ayes with 1 No, and no abstentions.

Despite the procedural provisions that allowed the Vice-Chairman to evict and suspend the disrupting MPs and suspending them, the manoeuvre was still interpreted as being undemocratic and reflective of the Government's, as opposed to the Chairman's intentions.

It is important to note that there were only three days on which the Bill has successfully been considered by parliament, September 12 & 13 1996; 9 March 2010. It remains to be seen whether the UPA coalition will risk the introduction, consideration and passage of the Bill in the Lok Sabha.

Having described some of the performances observed during procedures of introduction, passage and consideration of a Bill, I now offer a short commentary on the role of the Speaker in managing such scenes of discord and deviation from parliamentary procedure.

6.3. *The Presiding Officer & Procedural Performances*

In both contexts of debate, the Presiding Officer has claimed 'helplessness' in an inability to prevent MPs from disrupting proceedings. As many of these instances have been described above, I use a handful of examples to illustrate certain limits and powers as exercised by the Presiding Officer in these contexts. Very often, the Presiding Officer appeals MPs to 'sit down', 'sit down in silence', and to the notion that 's/he is on his/her legs' whereupon all MPs are procedurally required to sit down. Based on ethnographic observations of the contemporary Indian parliament, these forms of appeals are largely ineffective in quelling disorders of a more protracted kind.

In the context of POTA, a particularly long period of continuous disruption occurs as leaders of key parliamentary parties and chief whips huddle together in a group in front of the Speaker's dais, vociferously protesting the Bill (AVJS 26-3-2002). The

Presiding Officer appeals to them to keep calm, pleas which largely go unheeded, or to keep their members in order. The Joint Session was punctuated by numerous interruptions, to which many Presiding Officers (who rotated in the dais) responded to with a wave of the hand, or with appeals to sit down and assurances for MPs to get a chance to speak later. Despite the text quoted in the Context Chapter, which argues that sometimes managing disruption or interruptions comes down to a matter of allowing members to express themselves, the multiple, explosive demands of speaking in the House lead to chaotic atmospheres which the Presiding Officer cannot punitively address, if MPs are doing it *en masse*. Moreover, the Presiding Officer is constrained by the institutional script that prevents him/her from more creatively responding to disorders.

For example, when making the Opening Remarks to begin the Joint Session, the Deputy-Speaker states that "[t]he occasion calls for deliberations marked by seriousness, mutual respect and harmony amongst members" (JSD 26-3-2002, 5). It is ironic that, even as he said these words, MPs (particularly Dr. Raghuvansh Prasad Singh, Rashtriya Janata Dal, Bihar – as per the number of his interjections in parliamentary transcripts) were protesting out of their seats noisily interrupting the proceedings, and disallowing the Deputy-Speaker from even commencing. Moreover, upon conclusion of the Joint Session, the same Deputy-Speaker congratulated members for observing parliamentary conventions and decorum in successfully conducting the Joint Session.

In the WRB context, the Speaker (similarly) does not usually exercise the full range of powers procedurally granted at his/her disposal. The range of (more common) devices include, expunging an offensive term (Rules of Procedure 380 & 381; Lok

Sabha Secretariat 2010), ringing the Bell to capture Members' attention (AVLS 23-12-1999), adjourning the House (AVLS 23-12-1999; AVRS 9-3-2010; Rules of Procedure 375 Lok Sabha Secretariat 2010), making verbal appeals for order , rising standing on his/her legs (Rule 361, which specifies that all MPs must then return to their seats in silence), ignoring disruption (AVLS 23-12-1999) and/or denouncing conduct (LSD 14-7-1998). In practice, these strategies do not appear to inhibit disruption from intensifying or persisting over time.

Responding to one of the 'black days of Parliament' (i.e. failed introduction of the Women's Reservation Bill), the Speaker (Shri Ganti Mohana Chandra Balayogi) stated in his Observation on 14-7-1998 that the House witnessed "highly unparliamentary and disorderly scenes", whereupon he had to "leave the Chamber in anguish [...as] there was complete pandemonium [… that brought] the House into contempt [...and eroded] "the very credibility" of Parliament (LSD [Electronic] para 1.).

The role of the Speaker or Presiding Officer as the manager of debate, or bystander witnessing disruption, is far more active than the above paragraphs suggest. The Speaker or Presiding Officer has the power (and often exercises it) to recognize members who wish to speak, interact with members speaking from the floor of the House, start informal discussions on topics of interest, manages the time-limit of speeches, expunges unparliamentary expressions, declare the opening and closing of debate and its results, and can also be interacted with by members. In the context of POTA, the role of the Speaker in managing time is obvious, as evidenced by repeated references to party leaders' having taken the time of the party, and that junior members would only have 2-5 minutes to speak (AVJS 26-2-2002). Typically, the

Speaker's prescription on time goes unheeded, and is only enforced after numerous exhortations to 'please conclude'. The role of the Speaker in allowing additional members to speak, to either make points of Clarification, or to express their views (time permitting) is present in both contexts. In the WRB context, this more positive, dynamic role of the Speaker is evident in the number of instances where s/he has allowed Zero Hour to include discussions on WRB.

Moreover, the political backlash questioning the legitimacy of WRB following the Vice-President's decision to evict MPs also demonstrates how – when Presiding Officers are willing take to measures – they risk the neutrality of their positions.

Ultimately, the practice of disrupting and interrupting speeches, which makes for rancorous atmospheres of debate appears to be largely in the hands of MPs' themselves. The repeated violation of codes of conduct, etiquette, decorum and norms of parliamentary behaviour and the Presiding Officer's reluctant to take punitive action (except when it happens in small groups) indicate that such frameworks do not adequately facilitate contemporary ways of conducting parliamentary business on the floor of the House – or others may interpret this as merely a symptom of parliamentary decline, depending upon their theoretical positions. These findings are explored in the Ritual Chapter.

6.4. Conclusion

Based on my findings, I make the broader argument that procedures do not appear to be legitimate in themselves as a source of framing legislation without reference to

institutional and constitutional norms. However, political concerns override normative and procedural ones in both case studies and so appear to have more influence in shaping the form and content of legislation. Moreover, in the performance of debates, such procedural frameworks specifying the conduct of Members are routinely violated, with the Presiding Officer (despite performing many valuable functioning in facilitating debate sans disruption) unable to control such outbursts.

The use of the Constitutional Amendment in WRB was politicized after its first introduction in 1996, whereas the use of an Ordinance and a Joint Sitting in POTA politicized the heart of the debate itself. In both cases, procedures cannot be viewed as apolitical instruments, be they intentionally or unintentionally invoked for such purposes. Moreover, though the WRB has had the distinction of being sent to Committee twice for review, with no substantial alterations to the gist of the Bill, it is apparent that this procedural requirement was used to garner further legitimacy for the Bill – though such legitimacy would only be useful in political contexts where members are willing to pass the Bill. Performances of introduction, consideration and passage of both Bills were considered, with added focus on moments of disruptive dramaturgy or prolonged interruptions to proceedings. The unwillingness of the Presiding office to manage such conduct effectively in both cases was also considered. The only case where the Presiding Officer used the punitive measure of eviction and suspension of MPs in the Rajya Sabha in 2010 during the WRB debate was – again – viewed in strongly political terms, despite the neutrality associated with the institution of Speakership.

In summary, this chapter has explored the different ways in which procedural

frameworks have, at the very start, during, or retrospectively affected the form and content of political style and substance as enacted in legislative performances. To claim that legislatures operate strictly in terms of procedural frameworks would be to severely limit analysis of the actual process of legislation, which appears to be far more fluid, responsive and vulnerable to the current political climate and the relative strengths of parties. The next chapter (Dramaturgy) explores the interactional and performative effects of performances of debate in POTA and WRB, taking into the account the findings from this (Procedure) and the previous (Rhetoric) Chapter.

CHAPTER 7: DRAMATURGY

My analytical framework combines the conceptual frames of rhetorical political analysis (using stasis theory and modes of persuasive appeal) in Chapter 5, the uses/relevance of procedural frameworks and devices in debate in Chapter 6 and a dramaturgical analysis of MPs' performances in the current chapter to provide a multi-faceted reading of legislative performances-as-rituals in Chapter 9. Whilst dramaturgy is an entire perspective of viewing social life as interactions that enact performances, in this analysis I selectively borrow the most relevant concepts to illustrate the following assertions, That political performances are legitimately and productively viewed as performances, but that they are not 'mere' performances. That such performances are consciously scripted to effect political consequences, some of which are unintended. And that viewing legislation as performance is not only viable, but that it adds depth to the understanding how the legislative process – as primarily viewed on the floor of the House – operates in real life. The key perspectives and concepts associated with this use of dramaturgy were reviewed on . In so doing, I hope to validate the inclusion of affective, theatrical and symbolic dramaturgical forms and styles in the study of the legislative process.

Firstly, I re-state the key concepts used to conduct this dramaturgical analysis namely, face-work, stage-work and impression management. Using this framework, I analyse key aspects of performances during and surrounding POTA and WRB debates, also drawing upon ethnographic observations and interview materials collected, analyzing MPs' performances during the POTA debate, using these conceptual terms of reference. Finally, I conduct a comparative analysis, identifying patterns of similarity and difference to conclude the chapter.

Face-work refers to the interaction between members of a group in an attempt to flatter, engage with, apologize to, discredit other faces, it is the basis of much 'interpersonal rituals' (Goffman 1972, 15, 22-24, 62; Smith 2006, 52). Goffman identified four types of interpersonal rituals, namely presentational (where ceremonial terms are used to flatter or include someone in a group), corrective (where mechanisms of redress, apology are used to make up for attacks to one's fact), avoidance (where actors deliberate stay away from conflict) and aggressive (where actors deliberately or inadvertently engage in face-attacks).

Stage-work refers to rhetorical and dramaturgical techniques of 'capturing center-stage', for instance, by, not showing up, distracting the attention of the scene onto something else, claiming to speak for those who are the topic of debate, or invalidating those person's subjective views as being inconsequential (Grillo and Wildman 1991).

Impression management, on the other hand, refers to the practice of managing an image of performance for consumption by audiences, using principles of dramaturgical loyalty, circumspection and discipline Goffman (1969, 187-192).

7.1. Interpersonal Rituals of Face-Work

7.1.1. Prevention of Terrorism Act

As established in the rhetorical and procedural analysis of POTA debate, political considerations appear to have driven the substance and interpretations of procedures

surrounding parliamentary debates. The polarization of the House into POTA-supporters vs. unpatriotic/non-nationalist MPs bifurcated political opinions, despite the fact that in substance, debates shared a great deal of consensus – except on the aspect of translation. This process is analogous to the formation of teams, i.e. groups of actors who have some degree of internal cohesion and organization which distinguishes them from other groups and lone performers. Without oversimplification, one can define these political teams in terms of their political alliances, the National Democratic Alliance (led by the Bharatiya Janata Party) and the United Progressive Alliance (led by the Congress Party). As per a dramaturgical perspective, the performance of parliamentary debate is the micro-sociological enactment of conflict between both teams, as performed to an audience. Some of these enactments are explored in terms of interpersonal rituals of face-work,

Presentational rituals: During the less disrupted, and more quasi-logically oriented exchanges in the POTA debate, there were decorous references to members across the chamber, often containing some element of sarcasm. For instance, Mr. Prakash Mani Tripathi referred to Mr. Jaipal S. Reddy's speech as being eloquent, full of simple words that he did not understand (AVLS 18-3-2002). Using the compliment as the basis of criticism, Mr. Tripathi then went on to allege that Mr. Reddy, despite his eloquence, could not answer certain simple questions. In another example, Mr. Jaipal S. Reddy referred to Mr. Jaitley's profession as a lawyer, who could argue both sides of a case equally well, implying that the latter had no qualms taking either position. These decorous references were only present during the first Lok Sabha debate on POTA on 18 March 2002, and were virtually absent in the subsequent discussions – moreover, they lasted only in the first two hours of that instance of debate alone.

Avoidance interpersonal rituals: This category of ritual does not really apply to the dynamics within parliamentary debate as the goal appears to be maximizing displays of conflict and casting one's opponents in an unflattering light. As will be explored in the section of 'face-work', attacks to MPs' faces are far more common than methods of redress or flattery. The one example of avoidance interpersonal rituals found in the POTA context was Mr. Shivraj Patil's response to Mr. Prakash Mani Tripathi as the former accused the latter of quoting him out of context based on newspaper reports (which the latter was in fact, not meant to do) (AVLS 18-3-2002). Mr. Patil, being a seasoned parliamentarian and former Speaker has been observed to conduct himself in accordance with procedural rules and the norms that underline them, more so that most other MPs.

Corrective interpersonal rituals: In the 29 hours of debate on POTA (AVLS 18-3-2002, AVJS 26-3-2002, etc.), there was not a single instance where an MP apologized for his/her statement about a political opponent or opposing party. Whenever inflammatory statements were made, they descended into one-on-one arguments between MPs or, more commonly into widespread interruptions that led to brief periods of disruption of debate. The role of the Presiding Officer in attempting to redress the situation and his/her unwillingness (but not inability) to do so was addressed earlier . In what might be read as a conciliatory gesture, MPs may back down by ceasing to speak on a controversial issue so that they have enough time to complete the speech, as the interrupting member would refuse to back down. However, I would argue that these examples are more accurately read as instances of political brinkmanship, or face-offs. A particularly high-profile example of a failed corrective ritual illustrates this:

Adopting a far more conciliatory, consensus-seeking stance than his Home Minister, the Prime Minister (Atal Bihari Vajpayee) , flanked by Arun Jaitley (Law Minister) met with Congress Leader Sonia Gandhi and the Leader of the House (in the Rajya Sabha) Manmohan Singh (the 2013-sitting Prime Minister). In a "face-to-face discussion at [Vajpayee's] residence", Vajpayee, who had used more conciliatory rhetoric to seek consensus was "pleasantly surprised" to find that both sides had "not too many disagreements" (Ansari 2001, paras. 3 and 5). At this meeting, Sonia Gandhi is reported to have replied with a "polite 'no'" to the Prime Minister (Ansari 2001, headline). The Prime Minister "did not crown himself with glory" when he asked Sonia Gandhi for support "on a personal equation and got rebuffed" (para. 2). Two days after this face-off, the Prime Minister made a "rare gesture" in the Lok Sabha to greet her, in what journalists perceived as the Government's attempt to "warm up" to the Congress for its "support to push [POTO] through" (Times News Network 21-11-2001, paras. 1 &2). This particular face-off was followed up in the 'aggressive ritual' of face-work described in a later paragraph.

There is a parliamentary practice of 'yielding' the floor to another Member to speak during one's time (AVLS 18-3-2002), though it is unclear which category of interpersonal ritual this would be characterized as. During the POTA debate, MPs sought to interject during statements in the hope that the MP delivering his/her speech would yield so that the interjector would be heard. Many a time, a refusal to yield has simply led to the creation of a rancorous atmosphere in which neither the interjector's voice nor the MP speaking could be heard. The specific effect of this practice depends upon the context of its enactment and the success of getting one to 'yield' their time for another.

Aggressive interpersonal rituals: Whilst the rhetorical section focused upon the substantive content of reasons given (be they ethos-pathos-logos-or-quasi-logos based) to discredit opponents was examined, aggressive face-work views such acrimony taken to a more personal level. The most high profile 'face-off' occurred during the POTA debate when Mr. Atal Bihari Vajpayee intervened unexpectedly at the end of the debate, with Mr. Advani yielding his time so the Prime Minister could speak. As Mr. Vajpayee entered Central Hall, he was met with thunderous applause (signalled by the thumping of desks) as two Marshalls escorted him to the podium. Mr. Vajpayee had come to rebut certain allegations made against him personally by the Leader of the Opposition, Mrs. Sonia Gandhi (AVJS 26-3-2002).

Newspapers reports described Vajpayee's intervention as a "verbal assault" (Khare 27-3-2002, para. 3) that sought to 'mock' (Hindustan Times 27-3-2002, para. 6) Sonia Gandhi's right as the Leader of the Opposition to question his long career in parliamentary politics. Responding to Gandhi's question of "Will [the Prime Minister] be submissive and weak in his leadership or will he uphold the prestige of the high office he holds?", Vajpayee responded that Gandhi had no right to question him as he had been in politics since 1957, when she was "miles away from politics" (Khare, 27-3-2002, para. 14). The intervention was viewed by non-NDA parties as, 'theatrical' a 'flare-up', an 'over-reaction' that provoked "an unprecedented confrontation" with leaders of key Parties approaching the Well of the House and shouting for several minutes (Khare 28-3-2002, para. 1-2; AV JS 26-3-2002; Khare 2002b). In fact, this performance made headlines (rather than the passage of the Bill after a ten-hour debate itself) in the newspapers, supporting the idea that it was orchestrated for powerful impact – as Prime Minister's Vajpayee's general style of

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debate tends to be far more moderate and consensus-seeking (Raina 28-3-2002, para. 1). The response can also be read as a calculated method of recovering his lost sense of status: Being a (relative) political novice who had only entered politics in 1997, Mrs. Gandhi's polite rejection of POTO to Mr. Vajpayee's face may have somewhat sullied the veteran parliamentarian/politician's prestige.

Described in terms of four sets of interpersonal rituals, the image of face-work as seen on the floor of the Houses of Parliament appears adversarial, dominated by the maximizing of political controversy in especially emotive, personal terms. Notions that Government is 'incompetent', it is to 'blame', it has 'insidious' motives, etc. appear to dominate the Opposition's approach (addressed in rhetoric section) as opposed to less emotionally evocative terminology. The face-offs between Mrs. Gandhi and Mr. Vajpayee illustrate further how personal prestige and status are both lost and recovered using the site of the parliamentary debate as a moment of scoring political points and berating one's opponents. I now consider interpersonal rituals of face-work in the WRB context.

7.1.2. Women's Reservation Bill Debates

The formations of teams in the WRB context are far harder to discern as the only visible, orchestrated team has been the splinter group of regional MPs who are dead-set against the Bill citing the OBC sub-quota issue, i.e. the Samajwadi Party, Bahujan Samaj Party, Rashtriya Janata Dal and the Janata Dal (United). Other instances of collective groupings have been of the moment and were not repeated. One such example is the cross-party cordon of female MPs who 'protected' the Law Minister

during the Bill's introduction in 2009 in the Rajya Sabha (AVRS 6-5-2009). A rare moment of cross-party unity was observed during the (AVLS) 23 December 1999 debate as, for a moment, it appeared that the Bill had been introduced, MPs from Congress and the BJP cheered and thumped their desks in approval. Though MPs seek to minimize the gendered divide amongst themselves, as shown in the analysis of interpersonal rituals below, one can identity a clear division between some male MPs and female MPs. Before proceeding with further analysis, I would like to offer two ethnographic snippets that capture the gendered dynamics of debate in the WRB case:

Snippet #1, 12 September 1996:

The Law Minister introducing the Bill in 1996 states that "*Nari Shakti, Mahila Shakti* is well known" [woman's power] (LSD 12-9-1996, 514). He goes on to say that "[t]his country's culture is based on the worship of a woman", to which – untranscribed – interruptions occur. A male MP, seated somewhere near the Law Minister comments on the earlier statement, prompting laughter in the house. Shri Khalap hunches over in laughter, supporting his torso with his palm on the desk. Whilst laughing, he waves his hands waves his hands as if to say no or to disassociate himself with the interpretation presented behind 'worshipping women'.

Though the Law Minister did not intend to make a joke (as seen from his sudden, disassociating response), I infer that his comment was re-interpreted in a manner derogatory of women (and possibly seen as comical by some male MPs). This inference is supported by Ms. Uma Shree Bharti who then exclaims (in Hindi) that whilst "We" [the House] talk of the word 'woman' on the one hand, whilst the whole

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world is watching, "we are making [...] fun of it on the other" (LSD 12-9-1996, 514). The Speaker responds, saying, "a little bit of interjection in the House should not be objected to. It is okay". This comment is not transcribed in the official register, though it is perfectly audible (AVLS 12-9-1996).

Snippet #2, 12 September 1996:

In her speech on WRB, Mrs. Sushma Swaraj since the time of Independence onwards, a "progressive decrease in the political representation of women" is apparent (LSD 12-9-1996, 517). Answering her own question of "[w]ho is responsible for that", instance, she refers, "without any hesitation [to] the male dominated mentality" for perpetuating "discrimination" (517). As soon as she finishes this statement, the background noise of other comments begins to increase (where it was non-existent previously). As she says that "the mentality of male domination is present in every party without exception" and all male MPs were "equally guilty" (517), the shouting increases in the background and the camera's wide zoom shows Ms. Mamata Banerjee standing up and shouting back at some of male dissenters. The Speaker intervenes with his bell saying, "domination is taking place even in the House," with a chuckle (AVLS 12-9-1996).

Mrs. Shrimati Swaraj smiles and gestures to the shouting (predominantly) male MPs, swivelling her body with her palms thrust outward and upward, stating "They are exhibiting the same mentality [...] You are confirming my point. The obvious needs no evidence" (517). A similar outbreak of interruptions ensues amidst the Speaker's calls for "Order, order, Please, please" as he rings his bell (AVLS 12-9-1996)..

Mr. Prabin Chandra Sarma (Asom Gana Parishad, Assam) then protests to the Speaker, labelling her remarks as "insulting" and that they should be expunged from the proceedings (517). The latter chides Mrs. Swaraj, stating "The passage of this Bill needs their help also. Therefore, refrain yourself from speaking too much". Loud laughter (of men's voices) is immediately heard, especially that of the Speaker himself; the wide-angle zoom of the camera shows some male members thumping their desks in applause (AVLS 12-9-1996).

With these snippets in the background, I can now provide a richer interpretation of interpersonal rituals of debate conducted within the performance of legislation on WRB on the floor of Parliament.

In terms of presentational rituals, the general trend of referring or complimenting female MPs was largely done as a prelude to sarcastic commentary. Whilst this is not the purpose of such rituals, it adopts the same form of address that would otherwise be used to honour a member of a community. For instance, Mr. Madhukar Sarpotdar (Shiv Sena, Maharashtra) questions as to how and why "learned Members of Parliament" accepted the demands of "the Honourable Lady Parliament Members" to pass a Constitutional Amendment Bill without deliberation (LSD 12-9-1996, 271). Factually, he is incorrect as male members such Shri Somnath Chatterjee (Communist Party of India – Marxist, Bolpur Constituency, West Bengal) similarly called for no-discussion. The juxtaposition of 'learned' vs 'Honourable Lady' Parliament Members requires no further commentary to understand how that comment was meant to be sarcastic

The one exception to this rule occurred during the Rajya Sabha debate on 9 March

2011 where members of the United Progressive Alliance were congratulating Mrs. Sonia Gandhi (Chairperson of UPA) and Dr. Manmohan Singh (Prime Minister) for successfully pushing the Bill through.

As similarly noted in the POTA debates, avoidance interpersonal rituals were not employed during the WRB debate. MPs sought to maximize difference, even when claiming consensus (see rhetorical analysis on ethos-stereotyping)

Corrective interpersonal rituals were unsuccessfully called for by female MPs, and very often not acted upon by the Presiding Officer. As noted above, Mrs. Bharti objected to the satirical interpretation of 'worshipping women', to which Presiding Officer replied that it 'should not be objected to'. When Mr. Madhukar Sarpotdar (Shiv Sena) refers to Mrs. Sushma Swaraj's speech as "highly attacking [and appropriately so to make her point]" in the form of Mahishasura Mardini/Durga [Goddess of Warfare and Protection]; and that another female speaker – Dr. Girija Vyas as Saraswati [Goddess of Learning] (AVLS LSD 13-9-1996).

Mr. Sarpotdar, clearly in jest, says that whilst Durga and Saraswati were present, he could not find Laxmi [Goddess of Wealth and Comfort]. He said that she was missing, as is case whenever one searches for her, eliciting laughter in the House. Female MPs protested at the use of analogy, questioning its relevance to debate; however, the Chair did not recognize their claims and allowed Shri Sarpotdar to continue speaking without significant comment.

In terms of aggressive face-work, the use of disruptive dramaturgy has already been considered in the previous section, and in the rhetorical analysis. Mrs. Swaraj's

speech can also be seen as a form of aggressive face-work, prompting derisive commentary from multiple male MPs, despite the fact that the substance of her comments did not differ tremendously from those uttered by male MPs. For instance, in a direct response to Mrs. Swaraj's claims of 'male domination', Mr. P. N. "Tiruchi" Siva stated, "this House is also a male-dominated House that [nevertheless] is prepared to bring such a Bill", welcoming it on the behalf of the "male generation which *these people* [women] think [are] dominating, but [...] *we* are always here to give *you* the rights that *you* deserve (LSD 12-9-1996, 530).

Aggressive face-work conducted by the Bill's opponents took on a far more direct nature, attempting to discredit claims made by female MPs, without wanting to appear inimical to the cause of women in general. These claims were largely conducted in the pathos mode of appeal, hinting at greater dangers to come as a consequence of more women in the Chamber. For instance, following several interruptions by Mr. Mulayam Singh Yadav when attempting to discuss the Bill, Mr. Chandra Shekhar (Samajwadi Party Rashtriya, Uttar Pradesh) stated that "the very *character* of the Lok Sabha will be changed if this Bill is passed", and if consensus was not possibly, then what was the urgency to divide the House further on the issue? [...] and that we should not not try to divide this House not only in numbers but in *psychology* and in mental make up also when enough trouble is there in this country in future" (LSD 20-12-1999).

Alternatively, opposing MPs attempted to frame women MPs' debates as being overly aggressive (see above), as to elicit laughter or fear. When Ms. Krishna Bose (All India Trinamool Congress, West Bengal) states, "I feel that this parliament is a male club and I feel like an unwanted intruder in a male club. I have that feeling

[that] as I stand here [...] I cannot even speak here" (LSD 20-12-1999, 632-633). A volley of interruptions and objections from male MPs follow, notably, Shri Mulayam Singh who claimed that "'we' have listened too much", followed by Shri Lalu Prasad Yadav exclaiming "we feel frightened [...] they are rioters [...] they are anti-Dalit, anti minorities" (LSD 20-12-1999, 633).

Taken together, the kinds of face-work observed during parliamentary debate in both POTA and WRB appear to be highly adversarial, with political teams clearly indicated in the former and not so clearly in the latter case, with the exception of male MPs from regional parties opposing the Bill. Having elaborated upon the interpersonal rituals of face-work germane to my analysis of WRB, I now move onto the next aspect of dramaturgical analysis, stages.

7.2. Stage-Work

As introduced above, stage-work refers to the sets of techniques that frame the importance of space, and set its boundaries to differentiate it from other spaces. In their analysis of interactions at Annual Law Meetings at various American academic institutions, Grillo and Wildman (1991, 401) identify three strategies through which dominant groups (typically male, white persons) marginalize persons of colour (and the perspectives of women of colour therein) through several strategies, taking back centre-stage temporarily occupied by non-dominant groups (African Americans, Hispanics, etc.); fostering essentialism (so that women and people of colour belong to distinct categories, rendering coloured women invisible); or, when dominant groups appropriate pain or deny its existence based on unrelated experiences of

discrimination – arguing, as an analogy that they therefore understand racial discrimination and/or it is not approach to differentiate it in terms of race. In so doing, members from the 'majority' race attempted to 'capture centre-stage' and detract attention from performers of other racial backgrounds. I attempt to conduct the same analysis here, in terms of party and gender affiliations. Owing to the overlap in techniques, I present an integrated analysis of POTA, WRB and ethnographic observations, before moving to other aspects of interpreting stage-wise performances.

One way of rendering the centre-stage illegitimate is to undermine its significance through absence or non-attendance. Similar to 'setting an argument of place', or 'attempting to specify a dominant frame', (performative rituals that require group participation) legislation can be rendered meaningless or irrelevant, if there is no question of place of frame! Not all forms of parliamentary absenteeism are deliberately staged to undermine parliament's significance, however such deliberateness is more significant when discussing Constitutional Amendment Bills, Joint Sittings, etc.

In the context of POTA, MPs chose to boycott the process of voting by staging walkouts just before voting would begin during the Lok Sabha votes of 2002, 2003 and 2004. Opposition MPs (the UPA in the first two cases, and the NDA in the third case) used this tactic. This manoeuvre was read as a staging of dramatic protest against the substance of the Bill as MPs did not boycott the session entirely. None of the newspapers reports on the matter sought to explain why boycotting the votes was seen as such a significant manoeuvre One can infer that the passage of a Bill without Opposition even being present in the Chamber undermines the legitimacy of a Bill by

undermining the democratic processes set out to facilitate legislation.

Using the technique of non-attendance, MPs appeared to boycott the consideration of the WRB as it was a Constitutional Amendment Bill on September 121996. Less than 50% of MPs were present in the chamber, as most of these MPs are men (as women occupy slightly over 10% of seats), most missing MPs were male (AVLS 12 September 1996). Though the argument of (made on September 13) 'It's a Friday, MPs have rail and flight tickets to return home' as raised by one male MP could be considered as valid, the absence of many MPs on the day prior can not be accounted for. Similarly, on 9 March 2010, members of the Bahujan Samaj Party withdrew from Rajya Sabha to show their protest through absence. By claiming centre-stage as illegitimate, the presence and performance of women's bodies (regardless of their calibre) on such a stage is easier to dismiss as irrelevant/unrecognized, lacking the witnesses/audience whose participation reinforces its identity and political significance.

The practice of boycotting proceedings has also been used in other contexts, In 2001, members of the Congress Party and its allies boycotted the NDA Government by refusing to attend Parliament on account of the Tehelka scam where the BJP Party President was caught accepting bribes on camera (Andhra Business Bureau 2011, para. 17).

Another dramaturgical tactic to make 'centre-stage' irrelevant is acting in a 'parallel stage', or to make one's locus of activities the new 'centre-stage', thereby occupying that position.

In the case of POTA, the first 20 minutes of the Joint Sitting in 2002 is a case in point, Before the Deputy Speaker could begin proceedings, Raghuvansh Prasad Singh (Samajwadi Party, Uttar Pradesh) and other members (from parties such as the Left, Rashtriya Janata Dal, Muslim League and Samajwadi Party) began to make "noisy protests", chanting anti-Government and Anti-POTO slogans on their feet (The Times of India 28-3-2002, paras. 2 and 3). They were protesting against Mr. Narendra Modi's accusation that the ongoing riots in Gujarat were a product of speeches made in Parliament, and when Parliament stopped so too would the riots (Hindustan Times 27-3-2002, 9). Following 3 minutes of interruption, the members stood in silence to mark the death of the Speaker, G. M. C. Balayogi. Protests continued immediately thereafter, even throughout the Deputy-Speaker's Welcome Address, the tabling of the Bill by the Secretary General, the announcement of Members chosen to Preside over the Joint Sitting, until the Home Minister's formal moving of the Bill – 20 minutes later. Mr. Raghuvansh was placated only with the guarantee that he could speak on the matter.

The numerous examples of disruptive dramaturgy in the WRB context, fit in neatly with this interpretation of 'capturing centre stage'. During the July 1998 attempt at introducing the Bill, though the Law Minister had technically recited the words required to introduce the Bill, the Bill was withdrawn following numerous interruptions. He argued that that "we cannot allow [the disruptions in the House] to continue, if we are to maintain the best parliamentary traditions", therefore the Bill will be postponed until "consensus" is reached (LSD 14-7-1998, 263-264). It should be noted that at this time, and every time attempt at introduction, opposing MPs crowded the Well of the House, attempted/succeeded at tearing papers of the Bill's introduction, and shouting slogans creating an atmosphere of utter bedlam (AVLS 14

July 1998). Apart from these extreme examples, there are more subtle variants of male MPs speaking over female MPs in spaces designated for the latter to speak.

Alternatively, an MPs seeking to capture the spotlight in this manner may attempt to capture the attention of the Presiding Officer her/himself and in so doing capture the attention of the House. For example, when Mr. Mulayam Singh Yadav was repeatedly warned by the Deputy-Speaker of "action" to be taken against him for " deliberately [...] wasting the time of the house [...] not allowing it function and [wasting] thousands and thousands of rupees", Shri Yadav replies "Sir, how will the House run if you get annoyed", and continues on that point for several minutes (LSD 12-8-1997, 635-647), thereby foreclosing all other debate. Members have also 'invented' procedural 'requirements' in a bid to appeal to the Presiding Officer to stop debate, e.g. , Mr. Rajesh Ranjan alias Pappu Yadav (Samajwadi Party, Purnea Constituency, Bihar) procedurally innovated the requirement of unanimity in the House before a Bill can be discussed (LSD 12-8-1997, 635).

In a broader ethnographic sense, the Indian parliament has often seen scenes of intense disruption over controversy as to which procedural point is most appropriate to discuss a particular piece of legislation. For instance, the December 2010 proceedings were largely stalled owing to this procedural disagreement as to whether a Joint Parliamentary Committee ought to be constituted to investigate the large-scale scam involving telecommunications assets, whether it should be left to the Public Affairs Committee, and whether the Prime Minister ought to be in the ambit of investigations (Times of India 24-2-2011, para. 7). As explained in the Procedural Chapter, procedural invocations have become the pegs onto which political opinions, position and futures are tacked onto in displays of controversy.

The third tactic involves appropriating the voices and experiences of persons relevant to the topic and claiming the (often sole) right of representing them. In the case of WRB, this maneouvre renders the actual female body whose experience is being represented irrelevant, or invisible, on the grounds that she is unable to speak, or that she possesses no other valid representatives[39]. Relatively few female MPs from a Dalit, Muslim, Other Backward Caste/Class background have captured media and chamber attention by demanding for 'reservations within reservations', overshadowing the presence of women and men who do support the Bill through disruption. Parties who use this slogan do so regardless of the reports filed by Parliamentary Committees that examined the Bill (Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice December 2009), Clearly stated, providing OBC and minority reservation has no legal precedent and may be unconstitutional to implement. Nevertheless, these MPs claiming to speak in the interests of lower caste women continue to stall discussion, consideration and passing of WRB. Another such representative instance occurs on December 20 1999 where Mr. Mulayam Singh Yadav claims that "only" his voice" should be heard" as his party represents 85% of the population (LSD 20-Dec-1999, 632-633), despite the Samajwadi Party having nowhere near that percentage of seats in Parliament.

In the case of POTA, no such representational claims of knowledge or experience were made on behalf of any segment of the community or wider civil society. Political parties did not claim to know the mind of terrorists, nor did they claim to identify with the victims of the Bill's misuse.

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[39] This strategy echoes with ethos-based appeals as discussed in rhetorical analysis of WRB debates (in the preceding sub-section).

The fourth strategy of capturing centre-stage denies the sources of oppression that form the crux of the issue debated. In the WRB context, this meant denying the validity women's views , placing the source of their oppression onto other categories of identity, e.g. caste, class, ethnic or religious discrimination – as presented in the 'reservations within reservations argument'. Instead of proving or explicating this argument in verbal debate, MPs opposing the Bill rhetorically critique *images* (especially physical attributes) of women from upper-caste and upper-class backgrounds as inappropriate, unrepresentative or undignified to sit in parliament,

In 1997, Mr. Sharad Yadav stated that "par kati" (short-haired) women who could not speak for "our" women entering parliament – and if so, "we" will match them, one for one (Kishwar 2010, para 1.). In a similar vein, Mr. Mulayam Singh Yadav feared an "all-woman parliament" (Jaiswal 2010, para 1.) "flooding […] with wives of government officials and women connected with big industrial houses, thereby provoking young men to indulge in eve-teasing [… and] whistling" (Jaiswal 2010, para 1 &2) . Such statements are generally (with the exception of the short-haired comment) not made in the parliamentary chamber, but on external stages (such as interviews with the press, party rallies, etc.). It is as though such statements gain more significance if uttered within the parliamentary complex (considered later). Though these allegations implicitly critiquing the appearance of women, opponents of the Bill differentiate 'their' women from female MPs of different caste, religious, and other backgrounds.

In the context of POTA, these practices of 'shifting the blame' to other factors were not used in the debate. It was ostensibly difficult to blame anyone else but corrupt

State Governments for the incarceration of individuals highly unlikely to be terrorists, i.e. schoolgirls and the elderly.

Taken together, MPs in the WRB debate were more creative in their attempts at capturing centre-stage, though no less effective than MPs in the POTA debate. Owing to the binary nature of the opposition For POTA/Against POTA : Nationalist / Anti-nationalist it may have been simply unnecessary to use a diverse range of tactics, and to stick with what was most effective. The dividing lines in the WRB context were far more differentiated and far less obvious. Having reviewed diverse ways in which the 'centre-stage' was captured in the WRB, POTA and a more general ethnographic context of debate, I now move on to other, more general considerations of stages and their relevance to parliamentary debates,

7.3. Multiple Stages, Multiple Faces

Parliament is a multi-faceted institution that conducts substantial legislative work in a single day, even if the day's proceedings appear to be disrupted on television. Through interview data and newspaper archival analysis, it is clear that MPs' drop their agonistic 'faces' the moment they exit the parliamentary floor. I use the example of reports on the use of Central Hall, and its back-stages during the POTA debate.

The Central Hall is used as a stage in solemn contexts such as, the President's address to both Houses of Parliament, addresses by Foreign Heads of State (such as American President Mr. Barack Obama) and also the Presiding Officer's Welcome Address at the Joint Session. The use of the Central Hall rather than other possible

spaces indicates the solemnity that is expected of such proceedings. In general, the Central Hall is a place where members from both Houses take refreshments and interact informally. Several MPs whom I interviewed commented on the stark difference between the personae of MPs the moment they exit Central Hall (with more peaceful, amicable 'face') and enter their respective chambers (with more agonistic 'faces'). In the POTA debate, Central Hall was a site of face-offs (described earlier), with MPs retreating to its inner recesses exhibiting a similar lack of acrimony when not in the chamber proper.

The atmosphere 'behind the scenes' amongst party leaders was far less than in the "surcharged Central Hall" with the presence of screen celebrities, anxious (ailing) MPs and jesting between party leaders (Roy 28-3-2002, para. 3). At 6.30 pm, as the proceedings were ongoing, Mrs. Sushma Swaraj of the BJP escorted legendary play-back singer Ms. Lata Mangeshkar to "lend a healing effect on the frayed mood in the House" (paras. 2 and 7). Ms. Mangeshkar sat with Mrs. Swaraj as former INC Rajya Sabha MP (and legendary actor) Mr. Dilip Kumar was engaged in conversation with CPM's Ms. Sarala Maheswari at the other end of the room (para. 2). Congress MP Mr. Jyotiraditya Scindia sat through proceedings though his wife was hospitalized and Mr. Manmohan Singh (who had to leave his hospital bed to participate and was clearly "ailing") sat through proceedings (paras. 4 and 5). As each party had five minutes to speak, the discussion became "drab" as Ms. Maneka Gandhi was spotted reading a magazine (para. 6). As Prime Minister Vajpayee discussed Sonia Gandhi's remarks in her speech about him, he said that he spoke against the imposition of dowry in the 1961 Joint Session, questioning how Sonia could now "brand him as an orthodox politician" (para. 9). Replying in jest when questioned in the back-rooms of Central Hall, Mr. Mulayam Singh Yadav (Samajwadi Party), referring to Vajpayee's

bachelor status stated that he had "neither taken ... nor given dowry" . This indicates a degree of cross-party amicability or even of team collusion which makes an observer question whether their antagonistic performances in the chamber are – inauthentic (but that cannot be answered here).

As direct observation of these back-stage interactions in Central Hall are usually not reported, except on special occasions such as a Joint Sitting, the above (rare) account greatly corroborates my interpretation of the boundedness of MPs' agonistic faces. In fact the over-the-top aggressive face-work detracts from the floor as a forum for debate, implied in the following quote, Mr. Gurudas Dasgupta questioned (on WRB) why parties cannot state their "stand […] in open forum", instead of disrupting without discussion "in the camera" (LSD 2-8-2006). The role of cameras in orienting and shaping performances has already been alluded to, but is re-asserted each time the proceedings of the House are disrupted. For instance, during WRB disruptions, and more generally during the Nov-Dec session of 2010, MPs rushed into the well of the House carrying banners and shouting slogans even before the Speaker could take her seat. The House was typically adjourned within the first minute, at which point all disruption would cease and MPs calmly exist the chamber – in many cases – to go to Committee discussions.

Moreover, research suggests that the spaces of Committee Rooms (in parliaments, in general) are similarly free from histrionic declarations of party lines and political controversy as shown on the parliamentary floor (Himmelfarb 1979, 54). This may well be the reason why the bulk of legislative discussion has also shifted to these spaces, free from the performative and dramaturgical requirements of addressing multiple audiences through the lens of a TV camera.

Having reviewed the ways in which spaces are differently accessed by MPs seeking to capture 'centre-stage' or delegitimize it entirely and how spaces dictate the boundedness of the agnostic faces MPs display on the floor of the House in debate, I now move onto the final element of the dramaturgical analysis of interest: impression management.

7.4. Impression Management

As argued above, the enactment of legislation on the floor of the House is very much a performance, staged to up-stage political opponents, and create a sense of dramatic discord which is not present elsewhere (spatially) in the Parliament House. A performance (be it on stage or in social life) seeks to convince the audience of a particular interpretation (or frame, or definition) of persons, ideas, events, etc. (Goffman 1969). Performances are vulnerable to exposure, redefinition and discrediting through gaffes or unintended human errors (such as missing one's lines or inadvertently revealing a team secret) or intentional attempts of sabotage. Goffman (1990) referred to the *arts of impression management* summarized through three principles, dramaturgical loyalty, dramaturgical discipline and dramaturgical circumspection to save performances from discreditation. Dramaturgical loyalty refers to a high degree of in-group cohesion whereby other actors will step in to mask another's (usually accidental) mistake or misrepresentation (Goffman 1969). Dramaturgical discipline refers to the individual actor's degree of skill in learning and playing one's role, and to cover up after a member's dramaturgical gaffe on the spot (Goffman 1969). Dramaturgical circumspection refers to the selection of scenes,

audiences, members of cast to work with that require the least effort or necessity to monitor (Goffman 1969). Dramaturgical discipline is omitted from this analysis as it was impossible to verify or observe parliamentarians in training for the performance of their roles within the scope of this ethnographic analysis. Before delving into this aspect of analysis, it is useful to question at this juncture – what impressions or images are actually managed, and why? I first begin my analysis with a matrix of impressions that can be gleaned from WRB debates, followed by a similar analysis of POTA.

7.4.1. Women's Reservation Bill Debates

Based on my analysis of media reportage, two kinds of scenes/impressions are emblematic of WRB proceedings, Where a "handful of dissenters held the House to ransom" through disruption (e.g. tearing papers, attacking the Vice-President, etc.) and where supporters of the bill use counter-measures (such as all-women-barricades, Marshalls, etc.) to revert to procedurally-defined rituals of legislation (Times News Network 10-3-2010, para. 3). Both these images can be considered by actors (disrupting MPs, supporting MPs) as successful or unsuccessful instances of impression management – i.e. that the intended image and intent were conveyed –, or the total lack of management[40].

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[40] A minimum of ten logical (probably intersecting) possibilities arise, condensed into the four strands of discussion below, understood in terms of the dramaturgical concepts (where applicable). Passing the Bill considered as successful by supporters (1), disruptors (2); as unsuccessful by supporters (3), disruptors (4). Disrupting the Bill considered as successful by supporters (5), disruptors (6); as unsuccessful by supporters (7), disruptors (8). Alternatively, supporters and disruptors may be orchestrating their movements in tandem (9), or, no such attempt at image management is present (10). Possibilities 2, 9, 10 are not explored for the following reasons, There is not empirical basis to argue the abstract possibility where disruptors actually consider the *passing* of the Bill through the use counter-measures (barricades, Marshalls, etc.) as a *successful* instance of impression/stage/image management. Short of speculative theories where disruptors secretly agree to the Bill, applaud the strength of democracy, etc. this possibility is extremely unlikely. Also difficult to verify is the idea that supporters and disruptors are working together to stage images observed on the Bill, and is so exempted from analysis. Moreover, the pre-announced timing of disruption eliminates a further possibility, whereby disruption is chaotic (and not managed beforehand). Owing to empirical overlap (in the final analysis), possibilities 1, 3, 7 are

Disruption as successful (Disruptors' perspective): As per parliamentary footage and media coverage, disrupting MPs are valorized by their parties during rallies and are seen applauding and cheering when the Bill is thwarted (AVLS 23-12-1999). As party leaders of RJD and SP (for instance) declare their intent to resist the Bill in whatever form necessary days before its introduction, disruptions are not spontaneous eruptions – they are orchestrated beforehand. For instance, during the House debate on the President's Address, Shri Lalu Prasad Yadav interrupted (when a member mentioned the Bill), saying "Yuddha hoga" [There will be war], warning of an 'uproar' if the Bill was introduced (Indian Express 3-3-2010, para 2). I argue that disruption is the product of successful impression management by disrupting MPs, especially as the media then centres attention on the disruptors. One of the effects of such disruption is the media-conferred over-representation (in contrast to numerical representation) of disrupting parties' controversial views on the Bill. Visually, their symbolic importance is manifested as they disruptors (small in number) crowd the relative small Well of the House. As the cameras are focused on the disruption and the handful of MPs who provocative tear Bills, etc. in front of the Speaker's dais (usually near the Treasury Bench where the Law Minister introducing the Bill would be seated), the larger numbers of MPs who are seated (sometimes whilst shouting in protest) are not always captured in frame.

Disruption as successful (Supporters' perspective), A provocative line of argument arises when viewing disruption as successful image management for supporters of the Bill. Allegations of wrongful intent (e.g. that it is a 'conspiracy', Indo-Asian News Service 2010b), procedural or political incompetence (e.g. that it was not introduced

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integrated together, so too are possibilities 4 & 8. Therefore there are four possibilities explored in total.

properly, that the Government's policies are wrong, etc., unto supporters of the Bill (by disruptors, most frequently) have characterized some of the rhetorical devices used (primarily) by the Bill's (disrupting) opponents. However, there has been little or no parallel discussion on the intention, procedural propriety and competence of the accusers (generally WRB-disruptors themselves). There is also a reluctance – and as seen in the response to procedurally-sanctioned counter-disruptive measures used on 09 March 2010 – to identify and punish disruptors (beyond the Observations of the Speaker). One can argue that other MPs, not wanting to de-legitimize methods of protest they use on non-WRB Bills, avoid overt discussion on these methods as an act of dramaturgical circumspection. [41]

Disruption + Passing/Voting as Unsuccessful (Disruptors' perspective): Given the reportage on behind-the-scenes negotiations (all-party meetings, consultations, etc.) on the WRB prior to its introduction in the chamber, the use of physical disruption can be read as a symbol of *meaningful* protest/expression. As seen on (AVLS)12 September 1996 and (AVRS) 09 March 2010, the Government (of the day) was willing to pass the Bill without discussion –even evicting MPs who would prevent discussion. One can argue that discussion was unnecessary as the outcome of voting was clear. Therefore, opposing MPs' views would not have counted (towards changing the vote in any way) against the numerical strength of supporting parties except by thwarting the vote entirely. (Expelled) Janata Dal (United) Party Leader Shri Ejaz Ali, one of the MPs involved in the 08 March 2010 disruption, expresses

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[41] Alternatively, it is possible that supporters of the Bill, though genuinely committed to its principle, disagree on the specific details of its realization. They may welcome disruptive action as a means of stalling despite public pressure from women's organizations, etc. for the Bill's immediate passing. The latter interpretation is less likely as the Bill was subject to scrutiny twice in Committee where most if not all Members agreed upon its specific details in consultation with NGOs, women's groups and other public representatives, etc. Out of 30 MPs making up the Rajya Sabha Committee, only 2 dissented on the adoption of the Bill in its present form (Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice, Rajya Sabha, Parliament of India, December 2009, 4 & 70)

this view by stating "Government is resorting to dictatorship to pass the bill and we have no other way out than resorting to these means to prevent its passage by Parliament," (Press Trust of India 8-3-2010, para 2). The 'failed' or 'unsuccessful' image that is a meta-critique on the democratic process itself, rather than the de-merits of WRB.

Disruption as Unsuccessful (Supporters' perspective) + Passing as Successful + Passing as Unsuccessful (Supporters' perspectives): I have grouped these possibilities together as my analysis indicates them to be different aspects of the same phenomenon. Throughout the history of the Bill, in moments of disruption and the use of counter-measures on 09 March 2010, supporters (especially Government) have been criticized for their poor 'floor management[42] (Verghese 2011, para. 1). Floor management considerations include, (relating back to notions of centre-stage), ensuring substantial presence of MPs (from all parties), adequate turn-taking opportunities for speaking, the avoidance of dominance through unsolicited interruption, the cultural understanding of political forms deemed appropriate to express protest, etc. (McHenry 2007b, 13). From this perspective, the government has been criticized for both allowing disruption to occur, introducing Marshalls into the House, and for wanting to pass the Bill. It is difficult to label the passing of the Bill as 'successful' or 'unsuccessful' for supporters of the Bill as it is uncertain whether it will be introduced in the Lok Sabha.

In the preceding paragraphs, I considered four interpretations of observed WRB-

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[42] The floor can be an arena where social and political stands are cast in relative terms, observed through persuasive influence (embodied in verbal and physical rhetoric and dramaturgy) significantly. The overlaps between notions of floor management and dramaturgical circumspection are obvious, and contribute to a reading of parliamentary performances as highly scripted events.

interactions in the parliamentary chamber as instances of successful/unsuccessful impression management. Emphasis was placed on the content and techniques used to stage such images. I now perform a similar analysis with the POTA case. Within this debate, I consider the impressions managed in the 2002 and 2003 debates, arguing that the 2004 debates showed similar patterns of management, but with reversed roles (of the former Government in Opposition). For the purposes of brevity and clarity, but without forsaking the depth of analysis, I omit the 2004 debate.

7.4.2. Prevention of Terrorism Act

Disruption as Successful (Disruptors' perspective): In contrast to the WRB case above, I would argue that the success of disruption depends largely on electoral patterns and the strength of opinion on a particular issue. Despite brief periods (up to 20 minutes) of incessant interruptions where discussions could not take place, the POTA debates did not witness any of the disruptive dramaturgy that took place in the WRB context, at least during the course of debates themselves. The most prominent form of subversive behaviour, arose when members boycotted the vote to register dissent – though this cannot be considered disruption. However, Opposition MPs could legitimately (as performatively shown through vociferous protest in rhetoric and dramaturgy) to have 'fought tooth and nail' to fight a draconian piece of legislation.

Disruption as Unsuccessful + Voting/Passage as Successful (Disruptors' Perspective): For the reasons argued above, Opposition MPs profited from their boycotting of the vote, and the intense drama generated by moments of shouting protest, etc. One can

therefore not address this theoretical possibility as, I would argue, Opposition parties

tacitly accepted the Bill (as per a rhetorical analysis) as shown in the Congress-run

Maharashtrian Government's use of POTA to book Mohammad Afroz for suspected

terrorist activity during the very proceedings of the Joint Session itself (AVRS 26

Mar 2002). Therefore the possibility of 'Voting/Passage' as an unsuccessful outcome

for the UPA Opposition is foreclosed in this analysis.

Disruption as Unsuccessful/Successful (Supporter's perspective): The numerous

conciliatory gestures made by Mr. Vajpayee towards Mrs. Gandhi in seeking her

support on POTO imply that scenes of disruption were sought to be avoided in

Parliament. Moreover, the Government's attempt at legitimating the Bill further by

seeking its approval in the Chief Ministers' Conference, and in improving its (still

faulty) safeguards, corroborates this view. Whilst the Government did not by any

means criticize the Opposition for extended periods of interruption, owing to the *fait

accompli* of the Joint Session, periods of disruption would not have mattered to the

final outcome of the vote. It is difficult to view the passage of POTA as having

bolstered the prestige of the NDA Government, owing to the controversies

surrounding its abuse in 2003.

Voting + Passage as Successful (Supporter's perspective): This image is the most

straightforward in this analysis as the NDA Government wanted to enact POTA for

various reasons. The 'Unsuccessful' possibility is foreclosed from analysis. As argued

by Kang (2002, para. 1), the BJP's "spin doctors have been projection … [POTA's

passage] … as a political victory for the party". Moreover, the POTO issued proved

to a successful electoral plank in the Uttar Pradesh and Delhi Municipal Assembly

elections (para. 3).

The resulting analysis paints a much more variegated and sophisticated picture of the different kinds of political performances that transpire within a single debate. To illustrate this analysis further, I consider the patterns of dramaturgical loyalty and dramaturgical circumspection employed in both cases.

In the POTA debate, strong patterns of dramaturgical loyalty were exemplified on the floor of the debate with the numerous interruptions by AIADMK members supporting Mrs. Jayalalithaa's use of POTA against Mr. Vaiko. Similarly, BJP members were quick to respond to any allegation cast upon Mr. Narendra Modi's use of POTA against members of the minority community. These patterns of loyalty conform with team allegiances as explored previously. In the WRB case, patterns of dramaturgical loyalty are less straightforward, as team lines are drawn in less stark terms, For instance, when Shrimati Geeta Mukherjee called for all women MPs to walk out of the chamber in protest, only 3 MPs followed her (LSD 14-8-1997; Rai 2011, 14). Similarly, when Dr. Rita Verma (female MP, Bharatiya Janata Party, Bihar) walked out in protest against the mocking behaviour of male MPs when discussing atrocities on women (LSD 20-12-1996), she was not accompanied by women, but by a male MP. Acts of dramaturgical loyalty in the WRB case have also been ridiculed, or instance, when Shrimati Geeta Mukherjee refers to going on a 'hunger strike' with other female members in the Speaker's Chamber on (LSD) July 14 1998, Mr.Anand Mohan (All India Rashtriya Party, Bihar) then questioned why members are indulging in 'dramatics' elsewhere when they remained quiet in the chamber?

Techniques of dramaturgical circumspection were similarly not an issue in the POTA debate, with the exception of the two months of its promulgation. The NDA did not

wish to bring the bill, owing to the lack of consensus, but brought it anyway on the 11th of December despite an atmosphere of dissent. Once the Joint Session had been decided upon as the definitive option to take, the BJP had no reason not to initiate debate in December 2001.

In the WRB context, can view various Governments' reluctance to introduce the Bill – ostensibly to prevent discrediting their images to the public – over the years as an act of dramaturgical circumspection. Despite having the numbers needed to pass the Bill, the Government is likely to have avoided further distasteful incidents in Parliament (that could see the humiliation of a Prime Minister, or the manhandling of a Vice-President) under its tenure. This inference is supported by the Government's withdrawal of the successfully introduced Bill (in July 1998) on the grounds of a lack of consensus, and more generally in all queries regarding consensus and unanimity (discussed above). It is significant to note that the Government in power at the time has the right to choose what appears on the parliamentary agenda, and has all the incentive to avoid discussing highly controversial bills that may not be passed. Moreover, one can also argue that the Governments of the day chose to avoid attempts at discussing the Bill as they did not wish to be forced into a political manoeuvre from which they could not retreat – as the 33% quota of reservation may be unpalatable for many male MPs across the political spectrum opposed to the rotational system suggested in the Bill.

In both cases, the line-up of speakers representing key parties on both discussions of the Bill reflected those who were most articulate on the Bill's contents, and who had the greatest time spent on the subject. For example, in the Rajya Sabha debate of 2010, Mrs. Jayanthi Natarajan and Mrs. Brinda Karat – two eloquent female MPs –

spoke in favour of WRB. As eloquent was Mr. Arun Jaitley's performance on this occasion, and also during the 18 March 2002 POTA debate (in his capacity as Law Minister). Prime Minister Manmohan Singh's remarks at the close of the WRB' debate in 2010 added gravity to the passage of the Bill, whereas Prime Minister Atal Bihari Vajpayee's remarks at the close of POTA constituted forms of aggressive face-work. In both cases, orators whose positions of political prestige and/or rhetorical skills were chosen amongst the first few MPs to speak, heightening the sense of occasion. Moreover, as MPs typically get less time to speak towards the end of debate, it can be argued that more important MPs tend to speak first – and capture the attention of viewing audiences inside and outside the Chamber. Though choices of skilled actors facilitate a smooth dramaturgical management of impressions, parties have no control over which audiences are viewing them and how, owing to the interpretive acumen of the Indian media and the widespread reach of mediatization.

From a broader ethnographic perspective, scenes of disruption and successful legislation on the floor of Parliament are largely attributed to the Government and it's allies' efforts on floor management. Floor management, is the process whereby Party Whips ensure that Whips are sent out (in the case of important votes), MPs are roused from sickbeds and constituencies to fly in for the vote, and everyone is made present and accountable for. The Government wields the brunt of responsibility to manage whatever disruptions emerge, regardless of whether they are justified or not. In the Winter 2011 Session of Parliament, the Lok Sabha was been paralyzed by days of disruption over the issue of incorporating firms such as Wall-mart into the Indian economy. With a view to facilitate other legislative business, the Government conceded in backing down to the demands of the Opposition, Whether this can be viewed as a responsible exercise of political power, or a different (and successful)

form of democratic representation is another matter entirely.

7.5. Conclusion

This chapter has examined various dramaturgical techniques and analogies in the hope to verify whether parliamentary legislation can be usefully viewed as performance – and if so, what does that additionally tell us about the ways that parliament functions. Firstly, I examined four different kinds of interpersonal rituals which make up face-work, demonstrating that face-work in the parliamentary chamber is overwhelmingly aggressive, with little scope of of redress employed in the two case studies viewed at here. Whilst other methods such as expunging comments were used in the POTA context, they were not substantial. Secondly, highly emotive forms of rhetoric and dramaturgical were demonstrably shown to be forms of 'capturing centre-stage', in order to become the focus of media and parliamentary attention in both cases. Thirdly, the agonistic 'faces' of MPs as demonstrated in the chamber and their attempts at one-upmanship were shown to have bounded effect and was in fact, unrepresentative of broader relations between MPs, MPs were far more conciliatory when working in parliamentary committees, or when meeting in the Central Hall for refreshment. Fourthly, using the principle of impression management, diverse sets of images, i.e. possible interpretations of the performances as they unfolded, and different motives or benefits attributed to them were considered. Dramaturgical loyalty and circumspection were found to have been highly suggestive motivations in the non-staging of WRB debates, but were less significant in the POTA debates. Both debates featured fine orators and specialists on the subject, raising the standard of debate and improving impressions of parties that

MPs represented. Taken together, dramaturgical methods of staging performances

appear to accurately explain many political manoeuvres in staging and scripting

debates, adding support to the notion that legislative performances are in fact,

skillfully staged political performances. Moreover, such methods allow one to

uncover the real 'substance' of political debate and strategizing, differentiating

substance from the rhetorical and dramaturgical hype observed in the chamber. I

would also suggest that there are no real methods for corrective interpersonal rituals

in the chamber as MPs understand that their performances of hyperbolic rhetoric and

dramaturgy are – to some degree 'all show' , but not 'mere show'. Rather than viewing

the use of the dramaturgical metaphor as a heuristic device, considering it

applicability and utility in exploring dimensions of performance traditionally beyond

the purview of legislative studies, the analytical utility of this concept is also

established.

The next chapter, i.e. the climax to this thesis, on Ritual integrates the rhetorical,

procedural and dramaturgical analysis of parliamentary debates, not only as

performances, but as (potential) performances of ritual.

CHAPTER 8: RITUAL

The goal of this thesis is to ascertain whether legislative interaction on the floor of

the Houses of the Indian Parliament is usefully considered as ritual, and what an

analysis can add to knowledge on how parliaments operate. To do so, I have taken

several sequential analytical steps, in the form of a rhetorical, procedural and

dramaturgical analysis of the enactment of the Prevention of Terrorism Act (2001-

2004) and the Women's Reservation Bill (1996-present). The rhetorical analysis

revealed that much of the alleged 'substance' of debate was in fact rhetorical

hyperbole, masking broad areas of cross-party consensus in both cases. The

procedural analysis revealed that considerations surrounding the use, invocation,

and/or adherence to procedural devices such as the Joint Session of Parliament,

Ordinances, Constitutional Amendments and sending Bills to Committee were

largely predicated on political considerations. An analysis of the enactment of

specific legislative procedures such as introduction, consideration and voting yielded

a similar finding. In the dramaturgical analysis, the role of hyperbolic rhetoric,

disruptive and embodied dramaturgical techniques (i.e. thwarting of procedures and

etiquette) were revealed to part of a larger parliamentary 'performance' of legislation,

particularly in attempts to capture 'centre-stage'. The MPs wore adversarial 'faces'

when in the chamber, only to drop them instantaneously in alternate spaces such as

Central Hall or committees, or when the cameras stopped broadcasting. Moreover,

the dramaturgical loyalty amongst teams, defined largely in terms of ethos-based

divisions (e.g. patriots vs. anti-nationalists, women as goddesses vs. women as

provocateurs wearing lipstick) was re-enforced with a reading of performances as

acts of 'impression management'. Taken together, my analysis of legislation as a

performance has been largely successful, with forms of hyperbolic rhetoric and dramaturgy identified as more sensational aspects of such performances.

In this chapter, I aim to integrate the information presented above into an analysis of the same performances of legislation, only this time using the concept of 'ritual' as the analytical lens. I apply Rappaport's (1999, 32-49) formal-causal schema to the identification of rituals of parliamentary debate in the Indian context, followed by an exploration of interpretive possibilities (cohesive, agonistic, cognitive, liminal-transformational) generated by such analysis. Thirdly, I address broader conceptual questions of meaning and significance of political rituals of legislation within the Indian context.

8.1. Identifying Legislative Political Rituals in the Indian Parliament

Rappaport (1999, 24) defined ritual as "the performance of more or less invariant sequences of formal acts and utterances not entirely encoded by the performers" (24) and listed six properties to recognize the form and formal-causal (causations by virtue of form) of rituals, form, encoding by other-than-performers, invariance and uniqueness, dual efficacy, performative power, meta-performative power.

Form refers to the idea that rituals possess a certain form or structure (be it something orderly or raucous) and are composed of sequences of stylized, aestheticized gestures, utterances repeated during/in prescribed times and places. *Encoding by other-than-performers* refers to the fact that scripting/ordered performance and interpretation attributed to ritual acts arise from existing

convention, or orders (and not performers). *Invariance and uniqueness* highlight the tension between the prepared script (that changes only under certain circumstances) of ritual that remains largely fixed and the fact that each performance of ritual is nevertheless unique and cannot be repeated. *Dual efficacy* refers to the multiple effects of ritual, i.e. that it has technical (physical, material, economic, etc.) and performative (meaningful, ideological, discursive) consequences.

Performative Power refers to ritual's ability to transform symbolic, elements of political life whenever performers perform rituals – rituals have no power unless they are performed live. For example, a ruler cannot truly be seen as a legitimate monarch without a coronation ceremony (that officially transforms his/her status); an MP cannot truly be said to be an MP without performing the oath-taking ceremony even if voted into office by his/her constituents. *Meta-performative Power* refers to rituals' ability to re-establish the conventions, order, structures, etc. they rely on by bringing these (institutional or otherwise) orders into 'being' or 'reality' through embodied performance. In this sense, ritual validates itself and its institutional, ideological, etc. basis through repetitive re-assertion. For example, though the 'nation' as a whole cannot be represented at one instant, in one place as the sum of all its citizens, it is nevertheless powerfully and successfully invoked and represented during military displays and parades during days of national celebration (e.g. Republic Day in India).

In terms of form, performances of parliamentary debates in the Indian context vary from moments of highly formalized turn-taking in making speeches to moments of uproar and chaos. Both images are 'extreme' forms of parliamentary debate, with the norm appearing to be somewhat fluid verbal exchanges with the occasional protesting member shouting to be heard and background murmurs throughout debate.

Whilst this description characterized many moments during the POTA debates, a 4-year observation of parliament (2007-2011) and the WRB fracas indicate that this 'median' of performance has steadily inched towards the pole of 'disorder/disruption'. For example, during the month-long Winter Session of 2010, the Lok Sabha only conducted 2 hours and 44 minutes of work was conducted as the start of every single day (after the 1st) saw most MPs from key parties holding banners and shouting in the well of the House over anti-corruption issues (PRS 2010, 1). After a few attempts at saying 'silence', or 'please sit down', the Presiding Officer adjourned the House. televisation of proceedings would then stop. A further attempt was (sometimes) made after the lunch break, only to have the same repeat of events.

As for encoding, the parliamentary institution itself has codified prescriptions of behaviour as set out in the Rules of Procedure, which (theoretically) is enforced by the Presiding Officer. The flaunting of rules via overwhelming, incessant, interruptions during debate, physical disruption, shouting and standing in the Well, etc. indicate non-compliance with such rules. The limited use of punitive mechanisms by the Presiding Officer to counter acts of repeated interruption and disruption indicate that MPs transgressions of these rules have gained more acceptance (or tolerance) within the institution itself.

To understand which sources of encoding (qua Rappaport) inform observed performances, one must look to extra-institutional factors such as party norms, political incentives, electoral cycles, personal proclivities and the like. Which sets of political reasons an Indian MP chooses to follow depends upon the party one is attached to: A supporter of the NDA regime in 2001 might argue that the Bill was introduced to support India's international allies in the 'war against terrorism',

whereas a UPA supporter might point to the proximity of elections in the state of Uttar Pradesh (with the highest number of parliamentary seats). Similarly, supporters of the Janata coalition government could argue that the timing of the Bill reflected the framer's acknowledgement of the low representation of women – detractors of the government would point to upcoming polls in Uttar Pradesh. The procedural devices of the Joint Session, or even of initiating legislation on a Constitutional Amendment can therefore be viewed as highly politically motivated acts. As listing the various sources that frame performances in parliament would make for a very different study, I limit my comments to the non-dominance of procedural or institutional frames.

It is valuable to note that MPs themselves, including those engaged in dramaturgical disruption, do not view their transgressions against established procedure to be inimical to democracy . In fact, these MPs justify and valorize their attempts whilst painting themselves as crusaders for a more nobler cause, threatening to declare (justified) war "*yudda hoga*" (Mr. Lalu Prasad Yadav) if their demands are not met (Indian Express 3-3-2010, para. 2). Again, this can be read as a highly political act of self-presentation, interpreted as a sincere move to further the cause of lower-caste women, or as an attempt to halt any increase in women's representation (depending entirely on one's political position). The only moment of consensus that a fundamental threshold was crossed arose when the Vice-President Hamid Ansari was "attacked" by disrupting MPs in 2010, with consequent punitive actions. Institutional sources themselves condemn all acts of disruption, though they tolerate milder versions of them (as shown by the general absence of punitive measures) (The Hindu 9-3-2010, para. 1).

The role of public opinion, as refracted through a very active Indian press (and 24

hour rolling news channels) is also a part of the structure that encodes or decodes MPs' behaviours. With the view the MPs perform to their constituent audiences, their gestures, stylization, dramaturgy, rhetoric and even invocation of procedures are not accidental. The role of political socialization to create a sense of institutional ethos and a 'parliamentary identity' has yet to exert strong influence over MPs' actions, despite valiant efforts by departments such as the Bureau Parliamentary Studies and Training within the Indian Parliament.

Taking the various sources order such as the media, public opinion, political/electoral incentives and procedural-institutional norms into account, the latter appears to be a tool selectively utilized for these performances – rather than exerting any real control over MPs themselves. The parliamentary institution appears to have instead adapted itself to MPs' insistence on disruption, For example, during the Winter Session of 2010 (when virtually no work was conducted on the floor due to disruptions), MPs did not return home for the day – as I discovered whilst trying to schedule interviews. Many of them remained in the House to participate in committee meetings, which also constitute a valuable form of political work . As much technical, bi-partisan discussions on legislation are (increasingly) held in committees, one cannot infer that Parliament has lost its relevance owing to what (publicly) appears as a breakdown of proceedings on the floor of the House.

Moreover, members of the Secretariat who keep parliament functioning at various levels perceive the institution to be that of a highly functional working one, not reliant on what happens on the floor (Interview 2010b). As an institution, floor performances have no consequence, though ironically it is this minute part of the physical and organization space of parliament that addresses the public and shapes

elections. The point that can be made is that (specifically) the institution itself does not account for the encoding or ordering of acts (verbal and physical) on the floor of the house, i.e. in performances of debates.

In the third point of his schema, Rappaport discusses terms of 'invariance and uniqueness', in that though rituals are scripted, their live performances can never be repeated. The same constellation of actors, places, times, outcomes managed will never be the same as a past or a future iteration of the same ritual. In the two case studies observed, both outcomes were very different, With POTA, the Bill was passed through the Lok Sabha, rejected by the Rajya Sabha and finally 'bulldozed' through with a Joint Session. With WRB, the Bill was introduced in 1996, sent to Committee (twice), failed at multiple attempts at re-introduction and was finally introduced and passed in the Rajya Sabha in 2008 and 2010 respectively (amidst dramaturgical furore). It has yet to become an Act of Parliament as no attempts have been made to introduce it in the Lower House. The only common elements are that differing constellations of MPs have met in similar spaces, summoned by Parliament to discuss legislation. The levels of disruptive dramaturgy were far more violent in WRB, and the level of acrimony in rhetoric in POTA far exceeded the former. The question is – and this is what this step by step analysis seeks to discuss – is whether any ritual is place?

In terms of dual-efficacy, I operate from the premise that legislation changes symbolic and material worlds through its enactment. For example, the passage of POTA, its amendment, repeal, and continued life through UAPA (with many, but not all clauses) affects the rights and lives of those who are (for example) arrested under such law (since 2001).

With WRB, the most tangible changes occur to the body of MPs themselves as they can no longer contest for seats every election. An upheaval in the system of elections would be a further tangible consequences which in direct terms, would not (theoretically) affect the aam admi 'common man', apart from the fact that he/she would have to vote for a woman legislator once every three elections in a fifteen-year cycle. In symbolic terms, the additional political representation of women could on the one hand be seen as tokenism taken too far, or as a real acknowledgement of the inherent capacity of women and the unjust way in which they have systemically been excluded from office. Again, until the Bill is passed, these effects are purely speculative.

The fifth point in Rappaport's schema is that of 'performative power', i.e. the direct consequence of speech-acts uttered under prescribed conditions to transform one object or status into another (c.f. Searle 1989). In the parliamentary context, whenever the Speaker utters the phrase "The Ayes have it. The Ayes have it. The Bill is passed", a legislative Bill (or draft) has successfully been transformed into an Act of Parliament, which is legally enforceable and remains (unless specified otherwise) on the statute books. This is by far the most obvious performative effect of the process of legislation. Once the Speaker has made this utterance, the Bill can only be repealed or amended by a repeat of the entire process – it cannot be deemed null (except in exceptional legal-constitutional circumstances). In the strictest sense of the term, only the words of the Speaker and MPs who are called upon (by notifying the Speaker in advance) to introduce Bills have performative power. However, not all of the Speaker's statements have performative power – to transform circumstances – are there are numerous visual and recorded instances where the Speaker appeals for

'order' and 'stands on his/her legs' (Rule 361 of Rules of Procedure) – which is a cue for order, it is procedurally mandated that no one else should be standing or speaking in the chamber at this point – fail entirely as they are not adhered to. The Speaker, when making statements with performative power (such as, The Bill is passed), only enjoys this power because of an inherent agreement to respect the outcome (and not necessarily intermediate process) of legislation by the Government and its agencies. As not all Bills are ratified at the Central and State Levels, even this performative power is limited. For example, despite laws against dowry or female infanticide, improper implementation of such laws in certain states have not curbed these practices inimical to the female gender.

In the case of WRB and POTA, there were multiple attempts made at introducing the respective Bills following the 'script' of introduction. As opposing MPs were vociferously following their own 'scripts' (motivated by their own incentives), despite the fact that procedurally, such introductions were correctly followed – they were not acted upon as successful instances as they were deemed illegitimate owing to the 'lack of consensus'. Again, this undermines the power of such codified procedural, performative, script to order interaction, and points to political displays of dramaturgical loyalty for legislation to be successfully considered legitimate. In the Winter Session of 2010, the Government deviated from this practice (as with the 2003 Budget) when it declared Bills to be passed despite the fact that the entire Opposition was on its feet, shouting in the chamber – thereby rendering discussion void. The departure from conventional expectations of 'consensus' points to a disturbing (potential) trend that could render all discussion of legislation on the publicly viewed floor of the house as defunct in the future. One hopes this will not be the case.

Meta-performative power (the final aspect of Rappaport's schema), is the ability of ritual to re-instate and assert the orders (or structures) provide it with its form and significance. If anything, the increasingly disruptive performances viewed in the Indian parliament, and highly politicized use of procedural formats, acerbic rhetoric and dramaturgy point to the increasing irrelevance of the parliamentary institution as a model of orderly conduct. These performances appear to value and are shaped by expectations of parties, the electorate and upcoming polls. If anything, the divergence from a more structured, ordered form of debate (in a gradual fashion over many decades) points to MPs' increased use of theatrical and dramatic gestures. The theatricalization of political dramaturgy (on the floor) of the House can in turn be linked to the increased role of the media in shaping public opinion: the 'lowest common denominator' appeal to elicit pathos based responses from the public (as opposed to substantive and technical debate), etc.

Thus having considered all six points of Rappaport's (1999) schema in describing the various aspects of rituals and their performances, I attempt to synthesize the above analysis in response to the following question, Do rituals of parliamentary debate exist in the Indian context and if so, are they significant to understanding parliament's institutional significance?

Based on my discussion of legislative performances within Rappaport's schema (as above), I conclude that there are in fact, several different kinds of rituals at work within a single instance of legislation in the Indian Parliament. Owing the institution's inability and/or unwillingness to control MPs' behaviours, there is no overarching authority that can enforce one single ritual of legislation. Therefore, I

offer the following catalogue of legislative sub-rituals as an accurate mapping that captures the complexity of legislative performances above: procedural rituals, disruptive rituals and interpersonal rituals, suggested here as the components of the broader drama of legislation.

8.2. Interpreting sub-rituals of legislation in the Indian Parliament

By procedural rituals, I refer to performances that derive their form from procedural frameworks typically codified in manual such as the Rules of Procedure and/or the Indian Constitution. Alternatively, procedural rituals may also derive their legitimacy from uncodified parliamentary conventions/traditions, depending upon context. I would limit the conception of 'procedural ritual' to the barest minimum of rhetoric and dramaturgy required to perform procedures, e.g. where a Law Minister may say 'I hereby introduced a Bill to amend the Constitution of India' (AVLS 23-12-1999; 14-7-1998). Making substantive speeches on a Bill is thereby excluded from the purview of this form of ritual. It is important to differentiate procedures (as the list of dos and don't and how to-s) from procedural rituals as the latter must be perform in certain scripted sequences in a repetitive fashion to quality. For example, raising a Point of Order (though it may be a valid thing to do) does not mean that one has performed a procedural ritual. The performative power of procedural rituals is, however, dependent upon its successful performance, which is in turn (often) dependent upon political proclivities. The meta-performative power of procedural rituals is unclear as this is a nascent concept, though it can be hypothesized that such rituals legitimate future performances of legislation by establishing traditions of behaviour which future generations of MPs will emulate.

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In interpretive terms, procedural rituals did not provide a forum for cohesion in legislative debate (as shown by voting boycotts), but performed a more cognitive (often agonistically interpreted) role. Members (and more accurately, their teams' dramaturgs) often aligned themselves agonistically around different interpretations of procedure. Persons representing the larger institution of Parliament itself, e.g. the Speaker/Presiding Officer, interpreted procedures to emphasize Parliament's history, dignity, majesty and longevity – even if their interpretations stood at complete odds with observed happenings in the chamber. As legislation could be recognized as such without some reference to procedure, procedural rituals also (cognitively) oriented MPs and their audiences to recognize their behaviours as part of the legislative process. For instance, tearing papers of copies of the Women's Reservation Bill is less likely to have effect if done randomly during some other debate, as it would have when performed during the introduction of the same Bill. The use of procedures did not appear to perform any liminal, or transformative role, but sought to uphold Parliament's traditionally ascribed identity and ethos. Audiences (the general public, constituents, the media, etc.) did not seem particularly interested in the proper observance of procedures, but rather the absence of wide-scale disruption and the desired legislative outcomes (see below).

Disruptive rituals refer to scenes of disruption that periodically appear around some specific issue or cause and obey a certain (albeit chaotic) structure. In the case of WRB, disruptive rituals were precipitated by the Government's announced intent to pass the Bill. Opposing MPs and their party leaders would issue statements warning of an impending disruption if the Bill was to be taken up in Parliament. On the day of scheduled discussion, those MPs would crowd the well of the House and shout

slogans. In the case of POTA, disruption did not really hamper the flow of debate, except at short intervals. The specific form of a disruptive ritual would vary from performance to performance. In performative terms, a successfully performed disruption would thwart legislation, whereas an unsuccessfully performed ritual would not stop legislation from transpiring. Meta-performative consequences of disruption are considered towards the close of this chapter.

Many disruptive rituals occurred around moments of performing procedural rituals (of introduction, consideration and passage), though sometimes they would permeate throughout debate. Whilst the most obvious interpretive function one can ascribe to disruption is that of facilitating agonistic exchange, one can argue that all parliamentary debate facilitates the same. The performance of disruptive rituals enable one to identify cohesiveness across groups of MPs, and so infer the boundaries and loyalty of dramaturgical teams – often a product of intra- and extra-party solidarity, reflecting the kind of agonistic pluralism Mouffe (1999) argues is vital for the vitality of democracy. One could also argue that disruptive rituals perform a broader, cohesive function in terms of solidifying the boundaries between teams and their loyalties within teams. The cognitive effects of disruptive rituals are harder to read as that depends upon which audience is intended, The general public appears to view disruption as unbecoming of Parliamentary time and as a waste of public resources. In contrast, MPs view disruption as a suitable form for the discharging of their representative function, as mandated by parties whom voters put into power. Disruptions may in fact, perform liminal roles, in providing alternative spaces and formats through which parliamentarians can discharge their constitutional and representative duties. One must remember that, the evolution of parliamentary procedures appears to have been shaped by the elite, Western-educated Indian

intelligentsia of the time, being influenced by the performances they observed of Westminster. In this vein, disruptive rituals may be viewed as transformative sites where alternative articulations (and modes of) democratic performance are being explored by new social groups acquiring greater access to political representation, and therefore political power. A radical view would be to posit disruption as the alternative that is gradually replacing more conventionally expected parliamentary performances of legislation, eroding the procedural and institutional mandates that inform those views.

The definition of different kinds of interpersonal rituals (presentational, avoidance, corrective and aggressive) was presented in the dramaturgical Chapter (7). The analysis revealed the the most prevalent form of interpersonal ritual, as observed on the floor of Parliament, was aggressive face-work, with presentational and corrective forms often subverted to perform aggressive functions. The limits of this aggression as bounded by space have already been discussed.

Interpersonal rituals were the hardest to analyse in terms of the catalogue of effects listed above as they varied greatly from context to context. Attacks upon the faces (cast in terms of ridicule, questioning integrity and competence, etc.) seemed to be part and parcel of what is accepted within the ambit of parliamentary performances. Face-attacks could take place amongst more senior politicians, or their juniors seeking to save the faces' of their leaders. Mechanisms of redress were largely mediated by the Speaker who at times overlooked slights grounded in gendered terms, but disallowed words casting direct aspersions on the political integrity of MPs. In this sense, face-attacks could be viewed as fulfilling an agonistic function. The changes viewed in MPs' performances as soon as they entered different spaces,

however, demonstrate that these attacks and redresses may be 'playful' (without serious consequences to the actual persons involved), or taken non-seriously as part of 'the performance'. Cohesive interpersonal performances were noted when MPs from the same party or alliance as a colleague who was 'attacked' came to the latter's aid.

These rituals and performances did not appear to be part of a larger liminal process of transforming parliamentary performance and its significance. Instead, they appeared to be a mode of regulating boundaries of acceptable forms of interaction amongst MPs, as they engaged in potentially discrediting rhetoric and dramaturgy. The underdevelopment of more conciliatory modes of expression and interaction, and the boundedness of aggressive face-work in particular institutional spaces, facilitates the view that MPs reflexively view their performances of hyperbolic rhetorical and dramaturgical contest as a 'performance' to achieve other political effects, i.e. of managing the public's impressions. One can also make the argument that the overly agonistic space of the chamber, in contrast to the rest of the Parliament's precincts, and the general demeanour of MPs in other contexts of interaction (except during electoral rallies where face-attacks are also common), represents a liminal space wherein MPs can engage in ritualized conflict to (for example) 'vent grievances' more effectively.

8.3. Attempted Synthesis

Throughout the discussion of the forms and effects of procedural, disruptive and interpersonal rituals of parliamentary debate, certain congruent interpretations have

led me to attempt at a synthesis of these debates within an overarching concept –

representation. I did not foreground this finding in my earlier chapters to reflect the

emergent, inductive nature of the ethnographic research conducted for this thesis.

Throughout this analysis, MPs have rhetorically and dramaturgically performed to a

diverse set of viewing audiences who respond in some way. Despite the fact that

Parliament is so expensive to run, that MPs salaries are increasing, and that MPs face

widespread allegations of corruptions, one must question – why perform in the first

place? And why in parliament? The role of performance in communicating political

positions, the relative strengths and sincerity/trustworthiness of parties has already

been considered. In efficacious terms, it makes sense for MPs to dramatize their

disputes in front of a billion-strong audience, who is (as statistics show) increasingly

likely to vote in future elections. The question one must ask is why has Parliament

retained its seat as the stage of political performances despite the financial and

political costs of running it? Is it because alternative ways of disseminating the same

kind of simplified political information to a wider audience has yet to be found? In

the case of POTA, the positions of all parties were known well in advance of the

Joint Sitting as was the outcome of its voting. Nevertheless viewer statistics indicated

that people still stopped to 'watch the show'. One might argue that parliament

constitutes a form of entertainment in the Indian social context, however, the cost of

running it appears to outweigh such limited advantages. These patterns indicate that

Parliament, despite all its allegations of decline, continues to act as the symbolic

bridge between representatives and the represented. I argue that the performances of

legislative sub-rituals only further the process of representation (as per Mouffe 2000

and Young's 2001 broader understanding of which political forms of deliberation are

legitimate), and have evolved (and are still evolving) to reflect changes in Indian

polity and society.

Procedural rituals have 'evolved' in the sense that they are considered less important than they used to be – their forms remain the same. The passage of Appropriation Bills by voice voice amidst dramaturgical protests (shouting in the Well of the House) by the entire Opposition demonstrate that – either this ritual is outmoded – or it has limited applicability. One can also interpret that basis of securing legitimacy for the passage of legislation has shifted from procedural forms, to alternate sources. The performance of procedural rituals may simply be a form of 'manifest legitimation' (Norton 1990) where Parliament rubber-stamps government policy. In this case Parliament and government are one, so what the opposition does is of little consequence, unless it can oust the Government – and become the new Government in turn. In a more provocative vein, one can argue that the norms underpinning the legitimacy of parliamentary procedures, are being severely tested (through disruption) by inclusions of new political groups whose vernacular modes of performance do not recognize institutional constructs as being valid (or more valid than their own frames of reference and logics of appropiateness). Either way, it is beyond the scope of this thesis to suggest that the evolution of the significance of procedural rituals constitutes decline and the role of vernacularization in such a process. Making such as judgement is fundamentally a normative enterprise, itself suspectible to politicization within the already deeply agonistic dramaturgical construct at work within parliamentary performances of legislation.

Interpersonal rituals have become far more aggressive, as compared to the more orderly, decorous exchange of arguments in the 1950s (Kashyap 2005, para. 8), and seek to 'attack' opponents, as opposed to emphasize mutual points of consensus. In so

doing, politics has not only becoming more 'exciting' through tense confrontations between (allegedly) ideologically opposed political parties, it has also diminished the importance of projecting consensus. One can link this lack of wanting to seem 'united' across the political spectrum on key issues of policy as symptomatic of a larger change in the relationship between political parties and their ability (or claims to) represent the 'entire' nation. As regional parties and identity-based parties acquire greater significance within political coalitions, it is difficult to expect Parliament to function with the broadest interests of all in mind. It almost seems inevitable that such structural changes in the scope of parties and their interests (i.e. to placate constituents and get re-elected) would also lead to a re-prioritization of select interests over more national ones. Nevertheless, as demonstrated in the POTA analysis, the power of questioning one's patriotism in debate can polarize political opinion into divisive teams/camps. Interpersonal rituals concerning attacks on the faces of women MPs have not seen any changes for the better in recent years.

In terms of the representational argument, the aggressive attacks on the faces of ones opponents indicate the preponderance of descriptive/symbolic representational dynamics. Though MPs are elected by constituency, selective mobilization of 'vote banks' based on caste or religion (primarily) ensure that MPs are elected (for better or worse) on the basis of personal attributes, or whether they stand for such attributes. These dynamics are further consolidated through the disciplining institution of the political party, which only allow MPs to (in public view) act within narrowly defined roles. Symbolically, MPs continue to use the rhetoric of supporting or saving the 'nation', even if their motives may be more directly related to preserving or expanding their bases of power.

Disruptive rituals offer liminal spaces where alternative modes of representing one's constituents are continually explored by MPs. Disruption was once a marginal phenomenon, but by 1997 had become increasingly common and in 2011 is part of the routine of parliamentary life. One can argue that disruptive rituals reject the social and cultural norms embedded in procedural frameworks, themselves a product of discussion amongst Western-educated Indian nationalist elites. As the social composition of Parliament continues to widen its vernacular base, one can argue that the form of legislation most suited to appealing to the electorate has similarly undergone change. If re-election is proof that an MP is preferred by his/her constituents, and that this election is the basis of constituting a democratic parliament, then the methods by which he/she communicates to the larger public cannot be dismissed as undemocratic, regardless of how disruptive they may appear. Moreover, in the time to come, a comprehensive review of Parliamentary functioning taking into account its changed composition and relationship with the electorate may shed further light on this issue. Moreover, the impact of mediatization and the ways in which it changes the relationship between an MP and a constituent must also be taken into account as the MPs' actions can then be recorded, replayed and reviewed countless times over by multiple audiences evaluating and responding to such performances.

Taken together, if the form of parliament is viewed as a space which reflects, rather than determines the most popular (i.e. democratic) form of representative performance, then the decline of parliament hypothesis stands on unstable theoretical constructs as parliament's functions/effects would no longer be confined to a priori assumptions grounded in procedural frameworks. This mode of analysis rejects the notion that procedural frames of interpreting legislative performances provide a very

limited, idealized view on the significance of legislation and of parliament more generally as an institution. As seen in politicians' responses to procedurally legitimate eviction of disrupting MPs in the WRB in 2010, the legitimacy afforded to a Bill is less determined by how strictly a debate was governed, to how free that debate *appeared* to be.

An extreme example of this is the passage of the Appropriation Bill in 2009 sans debate. One can cynically argue that the appearance of being democratic (i.e. having the right to disrupt) is more important than following democratic procedures (set-up by political elites decades prior). Ultimately, the minimum definition of democratic in theory comes down to the rule of the numerical majority. In substance, democracies are expected to safeguard the rights of minorities and protect them from the tyranny of the majority. One can argue, optimistically, that the Opposition's use of disruptive strategy to force the (majority) Government to back down from the introduction of Wall-mart and other global chains into the Indian economy, constitutes a clear case of the latter.

Alternatively, one could point to the same sets of disruptive ritual to claim that it prevents the democratization of parliament itself by stalling increases in representation for women (WRB). The only solution for this question comes with the passage of time and further ethnographic research on how parliament will reconcile the needs of representation amongst smaller, more mediatized communities and their representatives, and the norms and procedures of democratic institutions. It reflects a classical struggle between the procedural requirements and substantive fulfilments of democratic theory and practice

Recalling Pitkin's (1967) classification of formalistic, descriptive, substantive and symbolic representation, the emergent effects of 'rituals of representation' within legislation in the Indian show a complex interplay of all of these modes. Owing to the forms and persistence of disruption by regional political groupings, and more commonly, by mainstream parties – one can make the broader argument (returning to Lukes, 1975) that the activities of a legislature perform symbolic, and instrumental effects for a political system. Owing to the changes in composition of MPs and constituency lines shaped along the lines of caste, religion and other features of identities, and also external forces such as the media and its reporting practices, one may make the case that disruptive rituals are becoming the 'norm', i.e. they are increasingly being accepted as the legitimate form of symbolic political action (as sets of diffuse practices of legitimation, Packenham (1970)). Whether this conclusively connotes a breakdown or failure of the political system (McHenry n.d., 14), a decline of parliament itself (Kashyap 2005) is a different question. It will take further research to unpack these claims, which are beyond the scope of this thesis. As set out in Chapter 1 (Introduction), the primary goal of this thesis, i.e. to ascertain the presence and utility of viewing legislation through the lens of ritual has (hopefully) been accomplished.

I would like to make a brief observation on the nature of these representational rituals, read through the lenses of deliberative theory. Earlier, I explored the Habermasian ideal of deliberation, followed by critical responses to it by Young (2002, 2001) and Mouffe (1999). In Chapter 5, I preformed rhetorical political analysis using the statis theory and the ethos-pathos-logos framework with both case studies. The common denominator in both cases was that high levels of consensus existed between the Government and the Opposition – at least in the substance of

their political opinions, as opposed to the polarized method of delivery. In Chapter 7 (Dramaturgy), I demonstrated how opinions were pre-formed before they ever arrived upon the floor of parliament, and that disruptions were more than likely to have been similarly scripted in advance. Chapter 6 (Procedure) demonstrated the limited relevance of procedural frameworks in the legitimacy (success) of passing Bills. Taken together, the Habermasian ideal of orderly turn taking procedures to arrive at a rational consensus flies is not wholly applicable within the Indian context, even when some flow of debate is ongoing (owing to dramaturgical attempts to manufacture discord when consensus is actually present). Mouffe's (2000) prescription of 'agonistic pluralism' whereby members of a debate treat each other as worthy adversaries, as opposed to enemies, seems to come closer to understanding the deliberative dynamic at play. Moreover, the legitimacy of disruptive tactics and forms of adversarial dramaturgy is tacitly demonstrated by the lack of punitive measures taken against agitating MPs (except in the WRB debate in the Rajya Sabha – which was viewed as inappropiate). Within this rich vein of analysis, which provides many opportunities for research on the topic in the future, the institutional discourse of disruption as a symptom of decline – as opposed to disruption viewed as a symptom of democratic vernacularization of a representative institution – is once again theoretically challenged.

In summary, I began this chapter by reviewing the contributions of previous chapters to facilitating a ritual analysis of legislative performances in the Indian Parliament. I then introduced my conceptual frameworks to conduct a ritual analysis and began by interpreting performances in terms of Rappaport's formal-causal schema of ritual. I identified three sets of legislative sub-rituals that are concurrently performed by different teams of MPs during legislation on the floor of the House, procedural,

interpersonal and disruptive sub-rituals. The cohesive, agonistic, cognitive and liminal effects potentially induced by each ritual were considered in turn. As an attempt towards synthesis – by the identification of a common narrative running through each interpretation – I then briefly discussed the notion of 'rituals of representation' into my analysis. Some concluding remarks were made on the viability of understanding parliament as a forum of representation and deliberation, whose procedures and performances reflect (rather than shape) its evolving significance and style of legislative enactment.

CHAPTER 9: CONCLUSION

In this chapter, I summarize the key research findings from each analytical chapter of this thesis. Then, I revisit the research questions and main argument set out in the Introductory Chapter and assess (and explain) how the evidence gathered contributes to, or detracts from the key argument. I then consider the limitations of my research, followed by its contributions to the discipline and the research possibilities that it generates.

9.1. Chapter-by-chapter summary of thesis and key findings

In the first four chapters (Introduction, Literature Review & Analytical Framework, Methodology and Case Studies, Context), I introduced the key concepts, analytical frameworks, arguments, research propositions, methods, case studies and the historical, political and performative context of the Indian Parliament. These chapters effectively 'set the scene' for the remaining four analytical chapters (Rhetoric, Procedure, Dramaturgy, Ritual), each of which drew upon an understanding of the forms of performance observed in the Indian Parliament as well as the meaning or significance ascribed to them from within and beyond the institution.

In Chapter 1 (Introduction) I established the key research questions and the main argument that this thesis set out to make. I began to 'set the scene' outlining the contradiction between theoretical designations of parliament's functions and its 'august' stature with scenes of disruption, chaos, politicization of debate (if any is conducted), etc. in the Indian context. Arguing that the 'decline' hypothesis did not

adequately explain these behaviours and explore possibilities of institutional change and re-signification, I then introduced my key research aim. By using an interdisciplinary framework drawing upon anthropological, sociological and performative/theatrical disciplines, the aim of my thesis was to re-cast disruptive, dramaturgical, emotive, theatrical, etc. behaviour, i.e. behaviour dismissed by conventional approaches to studying parliaments, as symbolic forms of the legislative process enacted on the floor of the House as a ritual performance. Framed in terms of research questions, I set out to answer the following, (1) Can the process of legislation be usefully considered as a performance of ritual? (2) Why, or why not? and (3) What is the symbolic significance of the presence of absence of ritual in legislation?

My broader argument was that legislation could usefully be considered as a performance of ritual (as observed on the floor of the House) and that behaviours classed as emotive, theatrical (histrionic, melodramatic, etc.), disruptive, etc. could be viewed as forms of symbolic political action performing a diverse range of political effects. Based on that idea, I sought to contribute to a broader, evidence-based re-conceptualization of the symbolism associated with the legislative performance, manifested in the ways it transformed social and political realities. The rest of this chapter fleshed out this argument and addressed the three research questions identified above.

Chapter 2 (Literature Review and Analytical Framework) provided a literature review of relevant concepts and their treatment within the discipline of political science, following by a presentation of the analytical framework used in this thesis. Firstly, the old and new institutionalist approaches in legislative studies were

presented and their attempts (or avoidance of) to explain the kinds of phenomena classed as 'disruption' in the Indian Parliament. Theoretical discourses on the three key functions of parliamentary institutions were also discussed, namely: legitimation, representation and deliberation. The overlap between my research and the fields of sociological-constructivist institutionalism and a more inclusive understanding of what constitutes political deliberation was also remarked upon (c.f. Smith and Brassett 2008; Young 2001; Mouffe 1999). I have avoided pigeon-holing my research into any particular institutionalist approach or foregrounding my research as seeking to explore key functions of parliament, owing to the exploratory nature of my research and its emphasis on studying the performances of political ritual. A case study of the Oath of Affirmation ritual was also presented as an example of how a ritual-centric analysis could be used to interpret performances within the Indian Parliament.

Chapter 3 (Methodology and Case Studies) provided the methodological justifications for research approach, strategy, design, involved in conducting an ethnographic extreme case study of two pieces of legislation. The articulation of reasons for and against each methodological choice is hoped to have bolstered the validity and reliability of the ethnography conducted. Moreover, the chapter introduced substantive features of the legislation to introduce the reader to the empirical context of analysis. The extreme features of disruptive behaviour, polarized rhetoric and unusual uses or dismissals of procedures were introduced as a justification of case study selection. The historical, legislative and political context of the introduction of both Bills was then presented.

Chapter 4 (Context) began with a historical and analytical overview of key aspects of

the performances relevant to this thesis. The legal and constitutional frameworks that facilitated performance of legislation by an elected body of MPs within a democratic set-up was firstly addressed. The identity of the key cast of performers, and broad trends characterizing changes to the composition of parliament (vernacularization, mediatization, criminalization) were introduced. The extent of legislation was then addressed, followed by a similar analysis on disruption. The norms of parliamentary decorum and etiquette underpinning expected standards of behaviour by MPs was then introduced. Finally, I considered the role of the changing nature of the audience-performer (public-MP) relationship in mediatized form. Taken together, this chapter provided a contextual climate within which the findings of this thesis could be situated.

In Chapter 5 (Rhetoric), I compared the political rhetoric and discourse employed within both case studies, using the frameworks of 'modes of persuasion' and 'stasis theory'. In the POTA debates, despite claims of irreconcilable ideological divides, there was an overwhelming degree of consensus across the political spectrum on issues of conjecture, definition and quality. Rhetorical differences on the issue of translation, i.e. whether to promulgate, amend or repeal POTA was the only rhetorical divide found amongst parties. In practice, the Opposition parties' use of POTA in their own states indicates that this difference was also staged for other purposes. Parties differentiated their rhetoric by using different ethos and pathos based appeals, interspersed with logos/quasi logos appeals drawing from constitutional frameworks. The debate was somewhat ironic as many of the arguments that the UPA Opposition levelled against the NDA had been used by the latter against the former when Congress promulgated the Terrorist Activities and Disruptions Act. In the WRB debates, a similar picture of consensus emerged, with

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dissent clearly running through regional parties such as the SP, BSP, RJD, JD (U) seeking to oppose the Bill in the name of the OBC sub-quota (issue of translation). Differential uses of ethos strategies cast a sharp division between female and male MPs, regardless of their position on the Bill.

Chapter 6 (Procedure) compared the same case studies in terms of the procedural devices, motions and rituals used to frame, enact, thwart, conduct and regulate debate – and the role of the Presiding Officer in regulating debate. The analysis showed that procedural device such as the Constitutional Amendment and Committee referrals in WRB and the Joint Session and Ordinances in POTA were heavily politicized in their interpretation. Moreover, the performances of MPs during during significant legislative procedures (of introducing, considering and passing Bills) indicated a violation of procedural norms and codes of conduct. The reasons behind and effects of non-punishment by the Presiding Officers, in largely facilitating disruption (as opposed to managing debate) was also considered. Taken together, the chapter indicated the limited explanatory power that procedural frameworks (on their own) afford the practice of legislation on the parliamentary floor, indicating the need to recourse to alternate sources of understanding.

In Chapter 7 (Dramaturgy), I considered the ways in which MPs presented themselves to one another through dramaturgical techniques, how these roles are differentiated, how teams are organized and the changes in their performance across different stages. Several insights emerged from this analysis, The dominant mode of interpersonal ritual (or face-work) was adversarial on the floor of the House, with little recourse to corrective mechanisms. Moreover, the performance of agonistic face-work was limited to the chamber, and did not extend to the other spaces.

Dramaturgical techniques of 'capturing centre-stage' were used in both cases, explaining the utility of disruptive dramaturgy and heightened politics in a substantial sense. These findings were corroborated by an analysis of 'impression management' within the POTA and WRB debates. Taken together, the chapter justified the interpretation of legislative processes as performance, and specified ways in which the political substance of performances were scripted, space-bound and enacted- and to what effect.

Chapter 8 (Ritual) integrated the numerous findings of this thesis, as summarized above, using them as the basis of evaluating whether legislative performances on the floor of the House were, in fact rituals – and what would either answer imply. When analyzed through the lens of Roy Rappaport's six-fold schema of formal-causal properties of ritual, it emerged that multiple forms of rituals were at work within legislation in the Indian parliament. There were no overarching rituals of performance, as there were no authorities willing to exercise their power to limit the forms of MPs behaviours. There were numerous sub-rituals that can be categorized as , procedural rituals, disruptive rituals, interactive/reactive (interpersonal) rituals, suggested here as the components of the broader drama of legislation. I used different approaches to interpret the function, or effects of ritual, i.e. cohesive, agonistic , cognitive and liminal effects, unlike many other performances and behaviours in everyday life. Taken together, I found that each ritual, regardless of whether it performed a cohesive, agonistic, cognitive or liminal role could convincingly, when read through theories on political representation and deliberation, demonstrated the constructed (and therefore questionable) nature to the 'decline of parliament' narrative. Both theoretical strands, when interpreted using the vernacularization argument, pointing to the viability of interpreting forms of disruption in parliament

as part of a narrative of widening forms of democratic participation and political communication considered legitimate due to the inclusion of more diverse social and political identities with a different notions of what constitutes the political and how it is best deliberated/decided upon.

9.2. Contributions of Research

In empirical terms, an ethnographic study of the performance of legislation contributes to the discipline in several ways. There are limited studies using such an approach within legislative studies in general, and certainly in the Indian context. Dominant approaches are informed by normative and/or moral concerns with the functional outputs of institutions, as opposed to what an institution actually performs on an everyday basis. Whilst there is much discussion on the significance of disruption and a decline in the quality of debate in the Indian public domain, these discussions are largely confined to the media and its numerous outlets (talk shows, expert panels, etc.) and have yet to be reflected in academic studies of the same. Whilst these forms of performance have been extensively commented upon, in other words, they are to be analyzed substantially.

In analytical terms, the utility of perceiving political action as performance, and then as ritual has enabled alternate means of interpreting behaviours that defy commonsensical or institutional standards of decorum, etc. expected of parliamentary performances. Moreover, the construction of political performances understood through dramaturgical methods of staging, scripting, styling, impression and team management, etc. give partial credibility popular, arm-chair notions of 'parliament as

a stage or theatre' only to show that MPs are 'putting on shows' or 'staging dramas', in a much more a meaningful sense – and to arrive at surprising conclusions.

One of the strengths of this thesis is the rigorous analysis of how more mainstream approaches at studying legislation have as of yet not considered the role of performance and ritual, and how they may do so in a complementary fashion with existing approaches. The synergies between concepts used to study rituals, performances, methods used to conduct ethnographic research, and research gaps identified within the political science literature were visibly highlighted, adding credibility to the method of analysis used in this thesis.

Moreover, this analytical effort is part of a much broader shift that has just begun within the social sciences and political science research towards integrating notions of performance or the performative into research. This thesis has attempted to grapple with different layers or levels of interpreting performance, as a meta-message or image conveyed to audiences, as the micro-sociological product of face-to-face interaction and as the scripted production of numerous political dramaturgs.

Moreover, the utility of interpreting political performances as rituals also contributes to the broader 'performative' turn described above. The re-introduction of ritual into studies of political institutions facilitate the integration of symbolic, affective, dramatic, etc. elements of political behaviour and expression in a more structured form. As it is useful to understand trends or patterns within institutions and the way they change over time, ritual is a useful concept to map such patterns onto and infer their potential effects. An unexpected 'benefit' of using this analytical approach was in emphasizing the televisation of parliamentary proceedings in understanding the

shape, content and form of political performances on the floor of the House. To understand the meaning of legislation, therefore, one must view it as a performance within a much broader relations of performer-audience, parliamentarian-public etc. in a broader process of mediatization.

Returning to political theory, the findings themselves have contributed to studies that critique the privileging of 'rational discourse' as the dominant, if not proper form of behaviour within democratic institutions like parliament (Habermas 2006, 413; Cohen 1989, 345) . Disruptive forms appear to facilitate some of parliament's traditional roles of 'ventilating grievances' as society's 'pressure valve' and also as a means of expressing changing configurations of power along communal, caste and identificatory lines (Norton 1993, 204).

The findings above discredit the whole-sale application of the Habermasian ideal of political deliberation to the Indian parliamentary context. If discussions do not take place to arrive at consensus (as consensus is present, but staged as non-existent), if they do not take place within a rhetoric favouring reason/logos (as opposed to emotion or passion/pathos and character/ethos), and if there is no wider sense of a public/collective good (as opposed to loosely-knit alliances between regional parties and unstable national parties) – how then can Habermasian conditions of deliberation be fulfilled? Moreover, the parliamentary context itself favours certain 'norms of articulateness' (Young 2002) that exclude numerous political identities and their vernacular modes of political performance, deeming the latter as illegitimate. Tacit acceptance of such tactics begs the question of whether (despite theoretically driven assertions of 'decline') that such forms of performance have already become a legitimate part of the wider sets of performances which make up legislation in the

Houses of the Indian Parliament.

Bearing these findings in mind, this thesis supports (but does not claim to prove conclusively) the need to re-conceptualize parliament and how deliberative aspects of legislation (in particular) is perceived. Rather than being the mode of arriving at some agreement on the best course of action for all, performances of legislation on the floor of the House appear to concern themselves with appearance (read: substance) of political representation. As shown in the Women's Reservation Bill debate, some groups or identities are less easily afforded greater representation than others.

In terms of future research questions and projects, I would personally be keen on exploring the effects of mediatization on the relationship of the Indian Parliament with the wider public. Alternatively, an extension of the same analytical framework as applied to different, more closed spaces where policy decisions are actually made (these are likely to be done in Committee meetings and leaders' meets) would be enlightening. Within the same context, the use of the ritual-as-performance hypothesis could be used to interpret ceremonial events such as the President's Address, Republic Day parades, and the like to explore the ways in which they perform representation.

Based on my line of argument as summarized above, my thesis provides decent grounds on which the 'decline' hypothesis of parliament can be questioned, in different terms. If what has been considered symptomatic of decline (i.e. disruption) can actually be facilitating greater political representation, then one must question whether it is in fact a bad thing for MPs to do? From a much broader perspective, the

disruption-as-democratic-expression argument could also be explored in other national contexts which have similarly rising levels of raucous behaviour, as some scholars have already begun to do. The forms of performance (as disruptive) also speak volumes on what is understood as the act of representation and the expectations placed upon representatives of the public.

Casting my net away from the Indian context, as a limitation and also a research possibility, I must also emphasize that my findings apply to what Mezey has characterized as an 'arena' legislature (such as the British and Indian Parliaments). 'Transformative' legislatures, such as the US Congress, in contrast, are likely to observe alternate rituals of legislation, disruption, and forms of performance that fit within their political culture (Mezey 1979 in Norton, 1990). It would be very interesting to apply the analytical framework used here in such a context and explore similarities and tensions.

Having presented a summary of my key findings, discussed the limitations, contributions and research possibilities arising from my findings, I now conclude this thesis with an assessment of my research questions and findings. I asked three questions at the outset of this thesis,

(1) Can the process of legislation be usefully considered as a performance of ritual?
(2) Why, or why not?
(3) What is the symbolic significance of the presence of absence of ritual in legislation?

My research has found, as summarized above, the presence of multiple sub-rituals

that operate in tandem during the performance of legislation. The patterns of these performances and the repetition, along with the symbolic importance afforded to them, qualify them as rituals. These patterns indicate that such performances are not rare oddities and imply that they may feed into more established relationships between parliamentarians and their electorates. Rituals of legislation in the Indian context are significant as they demonstrably perform effects of cohesion, agonistic expression, cognitive orientation, liminal/transformative facilitation and political representation. In so doing, such a multi-faceted perspective adds layers of meaning surrounding what has typically been interpreted as a straightforward, procedurally-driven process. Theoretically speaking, these findings also speak to more contemporary understandings of political deliberation, and provide tantalizing hints at how the politics of representation and deliberation can be understood differently through (and because) of the emergence of chaotic, disorderly scenes of disruption coexisting (and to some extent, supplanting) with more normative/conventional expectations of parliamentary performance. Moreover, some light has been shed on the fluid, dynamic manner in which a sense of institutional identity and function evolves organically through the performance of multiple rituals symbolically crafted and imbued with a form and substance particular to its wider environment.

Whilst these findings have been persuasively corroborated through interpretive analysis and a triangulated ethnographic approach, it remains to say that they are time-and-context specific to an institution in a state of continual evolution.

APPENDIX

Phases of field research

June – August 2009 (3 months)

November – December 2010 (2 months)

Live observations of the parliamentary chamber conducted

- (3 Jun 2009). Election of Meira Kumar, first female (Dalit) Speaker of the Lok Sabha. [Public Gallery] Lok Sabha Chamber, New Delhi.
- (5 Jun 2009). Motion of Thanks on President's Address. [Distinguished Visitor's Gallery]. Lok Sabha Chamber, New Delhi[43].
- Indirect (daily) observation via Lok Sabha T.V. Channel (Live) Broadcast (July 2009, Nov & Dec 2010 – as there were breaks in June 2009 and session ended in early August 2009)

Key happenings during field research

- 2009, Election of Meira Kumar as first female, Dalit, Speaker of Lok Sabha;; Parliamentary Recess between 10th June and 1st July (for Budget Scrutiny)l Session ended on 7th August
- 2010, 'Season of scams' paralyzes parliament in 'deadlock'; 97% of productive time lost due to disruptions; House could have but did not adjourn early

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[43] Thanks to Mr. E. B. I (who shall remain thusly named for reasons of privacy) for arranging the DVG Pass for me on this occasion

Audio-visual materials collected[44]

Women's Reservation Bill (WRB) – Lok Sabha Debates

- Lok Sabha (12 Sep 1996), *Parliamentary Proceedings of Lok Sabha*, Lok Sabha Audio-Visual Unit, Parliament Library Building, New Delhi.

- Lok Sabha (13 Sep 1996), *Parliamentary Proceedings of Lok Sabha*, Lok Sabha Audio-Visual Unit, Parliament Library Building, New Delhi.

- Lok Sabha (14 July 1998), *Parliamentary Proceedings of Lok Sabha*, Lok Sabha Audio-Visual Unit, Parliament Library Building, New Delhi.

- Lok Sabha (23 Dec 1999), *Parliamentary Proceedings of Lok Sabha*, Lok Sabha Audio-Visual Unit, Parliament Library Building, New Delhi.

- Rajya Sabha (8 Mar 2010), Parliamentary Proceedings of Rajya Sabha, Lok Sabha Audio-Visual Unit, Parliament Library Building, New Delhi.

- Rajya Sabha (9 Mar 2010), Parliamentary Proceedings of Rajya Sabha, Lok Sabha Audio-Visual Unit, Parliament Library Building, New Delhi.

Prevention of Terrorism Act (POTA) – Lok Sabha Debates

- Joint Session (26 Mar 2002), Parliamentary Proceedings of Joint Session on Prevention of Terrorism Bill 2002, Lok Sabha Audio-Visual Unit, Parliament Library Building, New Delhi.

- Lok Sabha (16 Dec 2003), *Parliamentary Proceedings of Lok Sabha*, Lok Sabha Audio-Visual Unit, Parliament Library Building, New Delhi.

- Lok Sabha (18 Mar 2002), Parliamentary Proceedings of Lok Sabha, Lok

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[44] Special thanks to Dr. Carole Spary for assistance with familiarizing me with the procedures to request and obtain AV material from Parliament Library, Delhi.

Sabha Audio-Visual Unit, Parliament Library Building, New Delhi.

– Lok Sabha (3 Dec 2004), *Parliamentary Proceedings of Lok Sabha*, Lok

Sabha Audio-Visual Unit, Parliament Library Building, New Delhi.

– Lok Sabha (6 Dec 2004), *Parliamentary Proceedings of Lok Sabha*, Lok

Sabha Audio-Visual Unit, Parliament Library Building, New Delhi.

Table 22: Chronology of Prevention of Terrorism Act Debates and exclusions made

Debate Date	Timing	Location	Purpose	Time Spent
18/03/02	1516 to 2202 hours	Lok Sabha	Passed POTA 2002	06:45:00
21/03/02	Not accounted	Rajya Sabha	Rejected POTA 2002	N/A
26/03/02	1100 to 2102 hours	Joint Session	Passed POTA 2002	10:02:00
16/12/03	1550 to 1956 hours	Lok Sabha	Amended POTA 2003	04:04:00
18/12/03	Not accounted	Rajya Sabha	Amended POTA 2003	N/A
03/12/04	1419 to 1530 hours	Lok Sabha	Repealed POTA 2004 and amended UAPA 1967	01:11:00
06/12/04	1417 to 1854 hours	Lok Sabha	Repealed POTA 2004 and amended UAPA 1967 (concluded)	04:37:00
09/12/04	Not accounted	Rajya Sabha	Repealed POTA 2004 and amended UAPA 1967	N/A
			Total time spent on POTA debate in LS & JS:	**26:39:00**

Documents collected

Please note that I have included materials in this list which I did not cite in my thesis,

however, I became better informed about the general dynamics of performance

within each case study to help me interpret the specific instances of introduction,

passing and consideration with far more clarity. [45]

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[45] Unless stated otherwise, all debates were retrieved in hard copy from Parliament Library Building in New Delhi. Electronic transcripts were not always helpful as text were not translated into English. I would like to thank Mr. Leander Theodore Noronha for his assistance with translation, and Ms. Polina Changuleva for facilitating his assistance in this matter.

Women's Reservation Bill (WRB)

- (3 Aug 2000). *Debates*, 327.

- (10 Aug 2000). *Re, Early passing of the Bill providing reservation of 33 percent of seats for women in Lok Sabha and State Assemblies*, 329-343.

- (10 Dec 1996). *Report of Joint Committee on the Constitution (Eighty-First) Amendment Bill*, 1996, i-36.

- (10 Dec 1999). *Business of the House*, 264-270.

- (12 Aug 1997). *Debates*, 5-7.

- (12 Aug 1997). *Re, Constitution (Eighty-First Amendment) Bill*, 480-484;489-497.

- (12 May 1997). *Re, Reservation of Women Bill*, 319-324.

- (12 Sep 1996). *Constitution (Eighty-First Amendment Bill)*, 1-5; 8-12; 403-417; 513-560?

- (13 Aug 1997a). *Debates*, 1.

- (13 Aug 1997b). *Re, Constitution (Eighty-First Amendment) Bill*, 242-257.

- (13 Sep 1996). *Constitution (Eighty-first Amendment) Bill*, 243-247; 252-262; 266-342.

- (14 Dec 1998). *Debates*, 463-464; 472-482.

- (14 July 1998a). *Debates*, 104.

- (14 July 1998b). *Constitution (Eighty-Fourth Amendment) Bill*, 263-283.

- (16 Dec 1996). *Debates*, 218-221; 225-226; 229-237.

- (2 Aug 2006). *Submissions by Members, Re, Women's Reservation Bill*, 396-400.

- (20 Dec 1996). *Debates*, 252-260.

- (20 Dec 1999). *Re, Women Reservation Bill*, 439-450.

- (21 Dec 1999). *Debates*, 1-12, 551226; 532.

- (21 Nov 1996). *Motion Re, Report of Joint Committee on Constitution (Eighty-first) Amendment Bill – Extension of Time*, 212.

- (22 Dec 2000). *Valedictory References*, 270-278.

- (26 Apr 2000). *Debates*, 311-313.

- (28 July 1997). *Debates*, 240.

- (28 July 2000). *Debates*, 308.

- (28 May 1998). *Debates*, 289-305. [Atrocities on Women; WRB mentioned]

- (30 Jan 2004). *Resolution Re, Passing of Women's Reservation Bill*, 122-124.

- (6 Aug 1998a). *Debates*, 31-33.

- (6 Aug 1998b). *Valedictory Reference*, 81-84.

- (6 Mar 1997). Business of the House, 204-206.

- (8 Mar 1999). Re, International Women's Day and Women's Reservation Bill, 627-667.

- (8 Mar 2001). Re, International Women's Day, 238-251.

- (8 Mar 2002). Re, International Women's Day, 409-428.

Prevention of Terrorism Act (POTA)

- (11 Dec 2001). *Prevention of Terrorism Bill*, 417-419.

- (16 Dec 2003). *Statutory Resolution Re, Disapproval of Prevention of Terrorism (Amendment) Ordinance and Prevention of Terrorism (Amendment) Bill*, 2003, 447-528.

- (17 July 2002). *Re, Alleged Misuse of POTA*, 392-416.

– (18 Mar 2002). Statutory Resolution Re, Disapproval of Prevention of Terrorism (Second) Ordinance and Prevention of Terrorism (Amendme4nt) Bill, 2002, 444-568.

– (2 Dec 2004). *Bills Introduced*, 362-366.

– (20 Feb 2003). *Re, Alleged Misuse of POTA*, 383-398.

– (22 Mar 2002). Debates 366-384. [Disruptions on POTO]

– (26 Mar 2002).Joint Sitting of the Houses of Parliament, Prevention of Terrorism Bill, 1-184.

– (3 Dec 2001). *Re, Reported Statement of Prime Minister on POTO*, 324-343.

– (3 Dec 2004). *Statutory Resolution Re, Disapproval of Prevention of Terrorism (Repeal) Ordinance, 2004 and Prevention of Terrorism (Repeal) Bill, 2004 and Statutory Resolution Re, Disapproval of Unlawful Activities (Prevention) Amendment Ordinance, 2004 and Unlawful Activities (Prevention) Amendment Bill, 2004*, 467-484.

– (6 Dec 2004). *Statutory Resolution Re, Disapproval of Prevention of Terrorism (Repeal) Ordinance, 2004 and Prevention of Terrorism (Repeal) Bill, 2004 and Statutory Resolution Re, Disapproval of Unlawful Activities (Prevention) Amendment Ordinance, 2004 and Unlawful Activities (Prevention) Amendment Bill, 2004*, 460-556.

– (8 Mar 2002). Bills Introduced, 430-440.

Other Relevant Materials – Lok Sabha

– (19 Dec 2001). *Valedictory Reference*, 331-334.

– (19 Dec 2006). *Valedictory Reference*, 495-498.

- (23 Dec 2003). *Valedictory Reference*, 517-520.

- (27 Apr 2001). *Valedictory Reference*, 362-368.

- (5 Feb 2004). *Valedictory Reference*, 371-376.

Women's Reservation Bill (WRB) – Rajya Sabha Debates

- (10 Mar 2010). Re, Request for Revocation of Suspension against Seven MPs, 1-3.

- (11 Mar 2010). Re, Request for Revocation of Suspension Against Seven MPs (Contd), 1-6.

- (6 May 2008). *Debates*, 560-564. [Interruptions to Introduction of One Hundred and Eighth Constitutional Amendment; Uncorrected Debates from Rajya Sabha Website]

- (8 Mar 2010). Debates, 1-10. [One Hundred and Eighth Constitution Amendment Bill; Uncorrected Debates from Rajya Sabha Website]

- (9 Mar 2010). Debates, 1-95. [One Hundred and Eighth Constitution Amendment Bill; Uncorrected Debates from Rajya Sabha Website]

Prevention of Terrorism Act (POTA) – Rajya Sabha Debates

- (21 Mar 2002). Statutory Resolution Seeking Disapprovals of the Prevention of Terrorism (Second) Ordinance), 2001 and the Prevention of Terrorism Bill, 2002, 392-431; 432-538.

Other themes [46]

- Disruptions to Proceedings; Budgetary discussions; Motion of Thanks on President's (&Viceroy's) Address; Debates on other Counter-Terrorist Acts, Unlawful Activities Prevention Act; Maintenance of Internal Security Act; Terrorist & Disruptive Activities Prevention Act; Submission by Members (Question Hour and Zero Hour Disruptions); Discussions under Rule 193 on matters of Internal Security; Valedictory References; Written & Starred Questions; Incidents of Communal Violence

Interviews Conducted

Table 23: Details of interviewees[47]

Role/House		M/F	Party	State	Ethnicity/Religion	Year
MP	LS	M	N/A	N/A	N/A	2009
MP	LS	M	AIUDC	Assam	Muslim	2009
MP	RS	F	CPIM	West Bengal		2009
MP	LS	M	CPI	West Bengal		2009
MP	LS	M	BJP	Gujarat	Hindu	2009
MP	LS	F	DMK	Tamil Nadu	Christian Tamil	2009
MP	LS	M	INC	Delhi		2009
MP	LS	M	AGP	Assam		2009
MP	LS	F	AITC	West Bengal		2009
MP	LS	M	J&KNC	Jammu & Kashmir	Muslim	2009
MP	RS	F	BJP (once INC)	Rajasthan	Muslim	2009
MP	RS	M	INC	Tamil Nadu	Hindu; Tamil	2009

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[46] I collected, in addition to the materials listed, much more material on the themes listed here. As I adopted an ethnographic approach, I sought to explore every seemingly relevant aspect of parliamentary behaviour that seemed relevant to my analysis. Reading some of these additional materials helped informed my perspective, and facilitated my ethnographic immersion in the parliamentary context of study.

[47] Details that could be used to identify MPs and interviewees have been removed from this table owing to the highly political nature of the subject of this thesis. This is to circumvent legal issues with the principle of parliamentary privilege.

MP	LS	M	AITC	West Bengal	Muslim	2009
MP	LS	M	INC	Kerala		2009
MP	RS	F	INC	Rajasthan	Hindu	2009
MP	LS	M	CPIM	West Bengal	SC	2009
MP	LS	F	AITC	West Bengal		2009
MP	LS	M	AITC	West Bengal	Muslim	2009
MP	RS	M	INC	Tamil Nadu	Hindu; Tamil	2009
MP	LS	F	BJP	Madhya Pradesh	Hindu	2009
MP	LS	M	INC	Gujarat	ST	2009
MP	LS	M	CPIM	West Bengal		2010
MP	RS	M	BJP	Maharashtra	Hindu	2010
MP	LS	M	SDF	Sikkim		2010
MP	LS	M	Independent	West Bengal	SC	2010
MP	LS	M	CPI	West Bengal		2010
MP	RS	F	ex-SP	Andhra Pradesh		2009
Veteran Columnist	M			Karnataka		2010
Bureaucrat	M					2010
Veteran Journalist	M					2010
Activist	M					2010
Researcher	F					2010
Legal Expert	M					2010
Bureaucrat; Scholar	M					2010
Activist	M					2010
Bureaucrat	M					2010

I conducted 36 interviews (27 MPs, 2 Media Persons, 1 Researchers, 3 Bureaucrats, 2 Activists, 1 Legal Expert) over two tranches of field research in 2009 and 2010. Thanks goes to Professor V.G. Hegde at Jawarhalal Nehru University for his help in identifying suitable expert (non-MP) interviewees. 9 of these interviewees were women (1 of whom was a researcher), 5 were Muslims, 1 Christian, 2 Scheduled Caste and 1 Scheduled Tribe MP. 10 MPs were from the state of West Bengal, 3 from Tamil Nadu, 2 from Gujarat, Rajasthan and Assam and 1 each from Delhi, Jammu &

Kashmir, Kerala, Maharashtra, Sikkim, Madhya Pradesh, Andhra Pradesh and 1 who refused to allow further details be publicly made available. On average, most interviews lasted an hour and were conducted in English with 1 exception conducted in Tamil. 9 MPs were first-timers, many others had ministerial or senior parliamentary experience. 4 Party Leaders and 1 Chief Whip were interviewed.

Purposive/Convenience Sampling Strategy

Reasons: MPs were unavailable for interviews in November- December (Winter Session 2010) owing to disruptions (97% of productive time lost that session) in the House (and the simultaneous scheduling of Committee Meetings for when the House was unable to function). Moreover, December-January is the 'wedding season' in North India. Many MPs were 'out at a wedding' or a wedding-related function each night. Thirdly, a significant number of MPs had returned to their constituencies whilst the session was on, as it was unclear whether it would be adjourned sine die.

I can provide transcripts and recordings from these interviews if required (where available – some interviewees were not comfortable being tape recorded).

Though I conducted a relatively large number of interviews, I did not cite them in the substance of this thesis, except in a few cases. Much of the substance of these interviews have been presented in this thesis using already published sources, e.g. newspapers, publications, etc. However, without conducting these interviews, I would have probably not have appreciated the sources cited as much as I currently do. There is something to be said for 'face-to-face' interaction and directly observing people that helps a person learn more about them than by reading many books on the

subject.

I have included my interviews in my Appendix as they have helped the 'immersion' process of ethnographic research, helping me more in understanding how participants within the institution view themselves and others, as opposed to gaining an 'objective' view of their performances (which was not the object of interviews in the first place).

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