The Impact of Women's Political Leadership on Democracy and Development

Case Studies from the Commonwealth

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Commonwealth Secretariat
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Foreword

As part of the global landscape, our achievements in the Commonwealth often mirror the trends across the international arena. The global target of 30 per cent of women in decision-making across all sectors was adopted at the Fifth Commonwealth Women's Affairs Ministers Meeting (5WAMM) in 1996. It is encouraging to note that some Commonwealth countries have gradually been able to achieve this target in parliament and local government. In 2013, at least 11 member countries were in the top 40 countries of women in parliaments: Rwanda tops the list with 56 per cent women, closely followed by Seychelles with 43 per cent and South Africa with 42 per cent. A third of members have a minimum of 20 per cent representation of women in parliaments, and the share of women ministers averages at 20 per cent.

The presence of women at the highest level of national government is even more elusive; only 17 of 193 Heads of State and/or Government globally are women, with four from the Commonwealth. Her Majesty Queen Elizabeth II has been represented by women governors-general across the regions of the Commonwealth in Antigua and Barbuda, Australia, The Bahamas, Barbados, Belize, Canada, Grenada, New Zealand and St Lucia. In addition, women leaders have served as deputy presidents and speakers of the House of Assemblies; yet there are only 16 Commonwealth women speakers out of 39 globally from 189 parliaments. At the local government level, a handful of members have reached and surpassed the global target of 30 per cent.

Women's minimal leadership role in executive and political spheres remains a serious concern. This is fuelled by entrenched unconscious biases, which hinder women's effective participation in politics and leadership roles. In response, many countries have continued to strengthen inclusive systems of government through the introduction of accountability measures. There has also been a calculated effort to increase women's representation through the adoption and implementation of quotas and other affirmative policies. However, the representation of women goes beyond numbers to include factors of effective leadership. The Commonwealth is committed to increasing support for the advancement of women's effective leadership at the national, regional and local levels to enable members reach the agreed minimum of 30 per cent. Moreover, a critical mass of women in decision-making is pertinent to achieve political transformation to ensure women's effective participation, without necessary allegiance to the political elite or traditional norms existing in particular political systems that dictate how women actively participate or get involved in politics. Political party and electoral reforms will only be

successful if aimed at strengthening women's political participation, through changing of policies and mechanisms that will guarantee the rights and entitlements of women in all public decision-making processes.

The 'cycle of political accountability' mobilises around women's agencies and interests to secure political accountability for half of the world's population to be equitably represented, and for governance initiatives to be transferred and reflect the needs and priorities of all social groups. This is achieved through legislative and policy reforms that are effectively pursued with the ultimate goal of transforming politics. Models from the Commonwealth reveal that some member countries have attained political transformation by exploring and utilising the cycle of accountability at the different levels of decision-making – national, provincial/state and local governance. This publication thus focuses on four selected countries that can serve as good practice models for the Commonwealth, namely: Bangladesh, India, New Zealand and South Africa. A common thread in these countries is the important role played by political parties to implement necessary mechanisms to bring about change for women's inclusion in decision-making and governance structures.

The Commonwealth Gender Plan of Action for Gender Equality 2005–2015 calls on governments to introduce measures to promote at least 30 per cent representation of women in parliament, government and business by 2015. Notably, a major milestone for the Commonwealth was the significance of having the first woman Chair of the Commonwealth in 2011– the Prime Minister of Trinidad and Tobago, Kamla Persad-Bissessar – and she handed over to (then) Prime Minister of Australia, Julia Gillard, at the Commonwealth Heads of Government meeting held in November in the same year.

The Commonwealth believes in the potential of its women to bring about real change through developing their capacity to become agents for development and democracy through its programmes. The 2011 Commonwealth Day theme celebrated 'Women as Agents of Change' in leadership across all spheres including agriculture, education, finance, health, infrastructure, media and politics, in the private and public sectors and civil society structures. The Commonwealth further championed regional colloquia and international advocacy in partnership with national governments, the Commonwealth family and strategic partners to call for an increase in women's political participation in leadership roles at all levels of decision-making, and for key actors to develop strategies and institutionalise mechanisms to systematically deal with the barriers that persistently hinder the effective participation of women in politics.

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June 2013

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Abbreviations and acronyms

AIDS	Acquired Immunodeficiency Syndrome
AL	Awami League (Bangladesh political party)
ANC	African National Congress
BJP	Bangladesh Jatiya Party
BJP	Bharatiya Janata Party (India political party)
BNP	Bangladesh Nationalist Party
BPfA	Beijing Platform for Action
CEDAW	Convention to Eliminate All Forms of Discrimination Against Women
CGE	Commission on Gender Equality (South Africa)
DA	Democratic Alliance (South Africa)
FPTP	First-Past-the-Post (electoral system)
GDI	Gender Development Index
HDI	Human Development Index
HIV	Human Immunodeficiency Virus
IULA	International Union of Local Authorities (South Africa)
MDGs	Millennium Development Goals
MMP	Mixed Member Proportionality (electoral system)
MP	Member of Parliament
NGO	non-governmental organisation
NZ	New Zealand
NZLP	New Zealand Labour Party
NZNP	New Zealand National Party
OECD	Organisation for Economic Co-operation and Development
PoA	Commonwealth Plan of Action for Gender Equality 2005–2015
PR	Proportional Representation (electoral system)

PWG	Parliamentary Women's Group (South Africa)
SA	South Africa
SADC	Southern African Development Community
UP	Union Parishad (Bangladesh)
WAMM	Women's Affairs Ministerial Meeting
WLC	Women's Legal Centre (South Africa)

Chapter 1

Women's Political Participation in the Commonwealth: Issues and Challenges

Recognition of the importance of women's effective participation and representation in democratic processes has been widely acknowledged, and that genuine democratic elections must contribute to women's empowerment and strengthen gender mainstreaming at all levels of decision-making. The Commonwealth's guiding principles and values in the 1991 Harare Declaration, reaffirmed in the 2011 Perth Commonwealth Heads of Governments Meeting (CHOGM), emphasised improving gender equality and women's empowerment in the Commonwealth, and called on Heads to demonstrate commitment by entrenching measures to advance women's political participation and leadership at all levels of decision-making. The proposed 'target of no less than 30 per cent of women in decision-making in the political, public and private sectors by 2005' (Commonwealth Secretariat 1996) is attracting increasing support from member countries. Actions to realise this global target, especially the equitable representation of women in the political arena, are constantly evolving.

One of the priority action areas of the Commonwealth Plan of Action for Gender Equality 2005–2015 (PoA) is to mainstream women's participation in democracy and peace processes, undertaken by the thematic programme on gender and political development in the Commonwealth. The programme is in direct response to the recommendations by ministers to the Secretariat at the Ninth Commonwealth Women's Affairs Ministerial Meeting (9WAMM) in 2010 in Barbados, to embark on identifying strategies for increasing women's representation and influence in leadership positions with a view to strengthening effective policy-making (Commonwealth Secretariat 2010).

1.1 Challenges to women's effective participation in politics

Notwithstanding these policy prescriptions, steep challenges still impede achievement of the 30 per cent global target. Since the Beijing Declaration and Platform for Action of 1995, women have only attained a 10 per cent increment in decision-making and leadership positions globally. Even though equality between men and women is guaranteed in our constitutions, a large percentage of political party membership is men, who tend to base political decisions on their own experience; it is therefore necessary for women to be represented to redefine political priorities. Women represent 1.1 billion of Commonwealth peoples, and form the highest number of voters in any election, yet they are the least represented in governance and political processes. Women particularly struggle against political legacies, which include colonial heritage, liberation struggles, single party dominance, military coup d'état, long rule and

despotism. Moreover, these political legacies have vested a culture of clinging to power without opportunities for grooming new leaders. Nepotism is rife and transfer of power has seen the devolution to family relatives, a form of 'political monarchy'. As a result, many women remain challenged by these limiting factors, which persistently hinder their participation. In addition, some Commonwealth countries have mainstreamed women into decision-making by recognising their overwhelming contribution in liberation struggles, civil wars and/or protest politics – in Mozambique, Namibia, Rwanda, Sierra Leone and South Africa – thereby sidelining academic excellence as a criteria or guarantee to participate in governance. More efforts are still required for women to attain the 30 per cent representation by 2015.

The under-representation of women's participation is mostly symptomatic of persistent gender stereotypes, conflict between family and work demands, patriarchy and the lack of an enabling political environment, inadequate funding to support female candidates, absence of special measures/quotas, low literacy levels, lack of job security in politics, the absence of female role models, politically motivated violence, corruption, and lack of training for political participation. As a result, many women are reluctant to compete in politics. The reality is that a lack of gender balance still persists at all levels of decision-making, with particular weakness in Pacific island member countries, where women represent an average of 4 per cent of all elected representatives, and in the West Africa region, where this figure is 10 per cent. Women's representation still remains at 20.9 per cent in the Commonwealth; this is comparable with global statistics which show an average of only 20.8 per cent seats occupied by women. In 2012, out of the 20 female Heads of State, 7 were from Commonwealth countries: Prime Minister Julia Gillard of Australia, Prime Minister Sheikh Hasina Wajed of Bangladesh, President Pratibha Patil of India, President Portia Simpson-Miller of Jamaica, President Joyce Banda of Malawi, President Monique Ohsan-Bellepeau of Mauritius, and Prime Minister Kamla Persad-Bissessar of Trinidad and Tobago.

A third of Commonwealth countries show more than 20 per cent representation of women in local governance, with Lesotho leading with 49 per cent following the introduction of legislative quotas in 2005. Similarly, Australia, Canada, Namibia, New Zealand, South Africa, Swaziland and Uganda have also reached the global target of 30 per cent women representatives at the local government level. Nonetheless, female elected councillors and mayors remain under-represented in all regions of the world, and a significant number of Commonwealth member countries are yet to achieve the PoA target (Commonwealth Secretariat 2013).

1.2 Electoral systems favourable to women's participation

The Commonwealth is committed to assisting members achieve equitable governance through its work on democracy, women's political development and leadership in decision-making positions. The PoA recognises that socio-economic

development, democracy and peace are inextricably linked to gender equality. Democracy at the national and local levels promotes transparency and accountability and is essential to efficient and effective delivery of public services, thus stimulating economic growth and reducing poverty. Elections are the most visible representations of democracy in action, and integral to all areas of democratic governance. Despite the importance of elections, a genuine representative democracy goes beyond holding free and fair elections, but should involve all social groups and contribute to women's empowerment. The under-representation of women at the executive and cabinet levels is very real, and their absence at the decision-making levels makes it extremely difficult for them to participate effectively in governance and developmental issues that would otherwise benefit women, men, girls and boys.

The realisation is that overcoming the complexity of barriers that create and sustain women's exclusion from leadership demands strategic, multi-pronged and systematic approaches. *There are two options for consideration: either to allow the political system to transform itself over a period of time or to introduce affirmative action policies to fast-track women's political participation.* A variety of positive action mechanisms; constitutional, legislative, political and electoral reforms; and electoral quotas have been explored by governments and political parties to address the imbalance of women's participation at all levels of decision-making.

There are two main types of electoral systems: the First-Past-the-Post (FPTP) or constituency system, where the winner takes all by simple majority; and the Proportional Representation (PR) or Party List electoral model, where seats are allocated to each party in proportion to the number of votes the party receives. The FPTP system is popularly practised in 33 Commonwealth countries. Its main disadvantage is that it gives larger parties a greater share of the vote with fewer votes for smaller parties, thereby excluding minorities and limiting women's participation. Most seats are won by incumbents, *mainly men*, making it difficult for women to unseat their male counterparts in well-established constituencies. This electoral model further involves 'money and power' politics, thus making it difficult for women to participate with limited funds or sponsorship.

The PR electoral model is favourable to women's political participation; the electorate may directly vote for the political party or for a candidate whose votes are pooled to his/her political party. However, the list is subjective to political parties, meaning that candidates owe allegiance to the party. The party list can either be closed (where voters cannot contest candidates selected) or open (where voters choose the party based on candidates selected). This electoral model has increased the participation of women in politics, particularly if accompanied by the 'zebra' or 'zipper' system of alternating women and men on the list – as in Guyana, Mozambique, Namibia and South Africa. The Mixed Member Proportionality (MMP) system – a combination of simple majority and PR – has proved successful in recognising smaller parties

and minorities into parliament, and has also increased women's inclusion in decision-making in Australia, Lesotho, Namibia, New Zealand, Rwanda, Pakistan and Seychelles.

1.3 Quotas and electoral systems

Globally, 60 per cent of countries have adopted alternative forms of quotas, which have advanced women's representation in governance at the national, provincial and local levels. *Although electoral quotas are controversial, they have helped women enter politics.* Only 17 Commonwealth countries practise a combination of quotas and electoral systems (Commonwealth Secretariat 2013).

There are three notable types of quota systems used in politics: (1) voluntary party quotas – to guarantee nomination of women; (2) constitutional and legislative quotas – enshrined in a country's constitution and/or electoral law, political party policy or other comparable law of the country; and (3) reserved seats for women (legal and voluntary). Interestingly, some members are averse to quotas, which are seen as an impediment to appointing competent women to positions of authority. The 'politics of meritocracy' is preferred, but the reality is there are few women in leadership positions, and inadequate measures to mainstream women into politics further limit the opportunities available for women to participate effectively. Women leaders appreciate electoral quotas as an opportunity to enter politics, gain experience and build confidence to compete effectively in any electoral system.

1.4 Rationale for the publication

The strength in numbers of women in decision-making varies across the regions of the Commonwealth. This publication identifies alternative strategies employed by four countries in three regions of the Commonwealth that have met the global target of 30 per cent and effectively advanced the participation of women in decision-making at all levels. This has been through electoral reform in New Zealand (Pacific region), party voluntary quotas in South Africa (Africa region), and legislative quotas in Bangladesh and India (Asia region).

The country case studies articulate positive action measures to increase women in decision-making and provide key information on women's political participation at the national, provincial and local/communal levels. They facilitate knowledge exchange and enable member countries to strategise on different measures at increasing women's effective participation in leadership roles and decision-making.

New Zealand was the first country to grant women the vote in 1893, and since then the participation of women in politics has been seen as a normal part of society. It took a minimum of 50 years before electoral reform was introduced in the country, when women represented less than 10 per cent in

parliament. Electoral reform championed by the New Zealand Labour Party saw the adoption of the Mixed Member Proportionality (MMP) electoral system, which has brought about an incremental rise in the participation of women since the 1980s and now stands at 32 per cent. The case study on New Zealand clearly provides an alternative to electoral quotas: the introduction of the MMP electoral model resulted in an overwhelming improvement in the representation of women in the political leadership within party structures, the national assembly and executive in the 1990s.

Since the collapse of apartheid South Africa, the new and liberal constitution affirmed the participation of women and the institutionalisation of affirmative action policies by the ruling party, the African National Congress (ANC), saw the sudden rise of women from 4 per cent to 25 per cent in 1994. The representation of women has steadily risen since to 43 per cent over three elections held successively in this teenage democracy, and South Africa has become one of the top ten countries in the world to mainstream women in parliaments. With approximately 40 per cent women in local government, parliament and cabinet, South Africa is one of the Commonwealth's best performers with regard to women's political participation. Women have entered the corridors of power in their numbers, and have occupied non-traditional spaces, like the Ministries of Intelligence, International Cooperation, Home Affairs and Defence. South Africa thus stands as a shining example of consolidating democracy and strengthening women's effective participation in decision-making.

Bangladesh and India have excelled in mainstreaming women into local governance structures, following constitutional amendments to reserve one-third of all local government seats for women in India in 1992, and institutional reforms to increase women's active participation in Bangladesh in 1997. These actions have seen more than one million women elected to India's Panchayat Raj and Bangladesh's Union Parishad (UP). Political parties have taken the lead to implement the constitutional quotas of 33 per cent and beyond, and have received financial rewards from national governments. Fines have also been imposed on political parties yet to attain the required quotas. This publication unveils the local dynamics at play in Bangladesh and India local government systems, clearly indicating an unfulfilled potential that requires further work to empower and leverage the equitable participation of women at the local level.

Beyond the numbers game, the case studies poignantly describe the positive impact of women's participation in these countries as a developmental resource in governance systems. The publication further places emphasis on the impact of women's participation in these countries on the national laws, socio-economic development, and political, constitutional, legislative and electoral reforms that have occurred since women engaged in politics and decision-making. Such changes have benefited all levels of society, further attesting to the critical importance of women's inclusion in decision-making.

Overwhelmingly, women still account for the most impoverished in any society, and it becomes necessary that the political gains achieved with women's engagement in political leadership are translated in the status of women at all levels of society.

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Chapter 2

The Impact of Women's Political Leadership on Democracy and Development in South Africa

Colleen Lowe Morna and Mukayi Makaya-Magarangoma

> This whole thing of empowerment of women is really not a 'cute' thing as sometimes people make it out. It is fundamental for survival of normal society. *I cannot imagine a government without women* – Phumuzile Mlambo-Ngcuka, former (and first woman) Deputy President of South Africa

Abstract

In less than 20 years South African women leaders have contributed to radical changes in laws, policies and service delivery that have resulted in far greater gender awareness and responsiveness in South Africa's governance than ever before. These changes reflect in new institutional norms and discourse; sea changes in the lives of women previously excluded from the corridors of power; and in the 'new men' emerging to champion gender causes. They also reflect in the lives of 'ordinary women' now claiming access to land, mineral resources, finance and other means of production with which to enhance their livelihoods and those of their families. Even so, women remain the majority of the poor, the dispossessed, those living with HIV and AIDS, and daily violated as a result of high levels of gender violence. Women's names do not feature in ongoing power struggles for the top leadership of the African National Congress (ANC), although the opposition Democratic Alliance (DA) has three women at the helm. In the countdown to 2015 – the deadline for the 28 targets of the Southern African Development Community (SADC) Protocol on Gender and Development and of Millennium Development Goal (MDG) 3: promoting gender equality and empowering women – South Africa needs to redouble its efforts to ensure the achievement of gender parity in all areas of decision-making. South Africa also needs to ensure that this translates into real changes in the lives of the majority of women.

2.1 Introduction

In a country where politics has historically been pale and male, South Africa's Ambassador to Italy and former Deputy Secretary-General (DSG) of the ANC, Thenjiwe Mtintso, defies every stereotype. 'I did not choose politics; politics chose me', she says. 'It chose me because I was born of a poor African woman, a domestic worker', in the Eastern Cape province of South Africa.

Taken at a young age to live with her aunt, who was pawned off to a brother-in-law when her uncle died, economic forces led to Mtintso dropping out of school, becoming a factory worker and later a disciple of Steve Biko's Black Consciousness Movement. Arrested, tortured and imprisoned, she suffered, 'not because of my activism alone, but because I dared as a women, a black women, to challenge the system'. The experience propelled her into a lifelong struggle for freedom from oppression, including gender oppression.

> 'The system was such that the white male could take being confronted by a male species even if it was black; they could deal with that. But they could not deal with a female African species', she reflects. But going into exile for nearly two decades, she encountered patriarchy, 'within the liberation movement. It's not a constitutional issue. But it's an undertone, a nuance that you are a woman, and if you are in a meeting with men and there is tea to be served, they look at you automatically.'

Defying the odds once more Mtintso went on to become a commander of Umkhonto we Sizwe, the ANC's military wing based in Uganda. Following South Africa's first democratic elections in 1994, Mtintso became a Member of Parliament. In 1998, she became the founding chairperson of the Commission on Gender Equality, moving from there to Deputy Secretary-General of the ANC, the sixth most powerful post in the party, before taking up posts as Ambassador to Cuba and then Italy. In every one of these positions, Mtintso says she has sought to put gender at the centre of the governance agenda:

> 'I had to make a statement right off from day one – to say that gender is going to be one of the things that we do and women are going to be at the centre… In Rome, my number two is a white male and he knows that when he speaks under the flag of South Africa that is held by a woman, he just has to throw in a sentence on women, wherever he might be.'

Mtintso's story reflects the sea change in women's role in public life in South Africa since the advent of democracy in 1994, when women's representation in parliament shot up from 2.7 per cent to 27 per cent, and has continued to rise to its current level of 44 per cent (Mtintso 1999b). According to the Minister of Women, Children and People with Disability, Lulu Xingwana, 'When women came into politics in 1994, we decided we had to make a difference. We organised ourselves into a woman's caucus, and infiltrated every committee. Women were expected to fail, so we came together to form a multiparty women's caucus to speak with one voice, for example on violence against women, HIV and AIDS, peace and stability, education'.

This chapter draws on research conducted by Gender Links in two seminal studies, *Ringing up the Changes: Gender in Southern African Politics* (2004), and *At the Coalface: Gender in Local Government in Southern Africa* (2007) as well as more recent desktop research and interviews with key informants. It explores the barriers to women's political participation in South Africa, as well as why

women's inclusion and participation is so crucial to democracy. Drawing on Mtintso's access-participation and transformation framework, the chapter explores the mechanisms that have been used to radically increase women's representation and participation at the local, provincial and national levels, as well as what difference this is making. The chapter concludes with a brief analysis of challenges and next steps.

2.2 What keeps women out of politics?

2.2.1 Social and cultural factors

Constitutional Court Judge Albie Sachs has said that the only truly non-racial institution in South Africa is patriarchy (Sachs 1990). Social and cultural factors are the single most important barrier to women's access to decision-making. They often continue to hamper the effectiveness of women, even when they have a foot in the door. This is reflected in the dual burdens of home and work that women in politics continue to bear; the open hostility in some public spaces towards women in decision-making (especially at the local level); and the difficult relationship that women in politics frequently have with the media.

2.2.2 The private–public dichotomy

No matter how gender sensitive decision-making structures have become, many women still find that there is a mismatch between the freedom they have found or created in the work place, and the patriarchal regimes at home.

In South Africa, Britton found that women are likely to move with their male politician husbands to Cape Town, but the reverse is not true for women politicians (Britton 1997). In her study of women in the South African parliament, Mtintso discovered that most women found 'political fulfilment at the expense of personal fulfilment'. They said even relatives, and especially in-laws, found it difficult to accept the idea of women going into parliament. They complained that marriages were breaking up, friends and children feeling abandoned. One woman had separated from her husband after he started to abuse her physically, and accuse her of having extra marital relations in Cape Town (Mtintso 1999a).

Former South African speaker of parliament, now the ANC's national chairperson, Baleka Mbete[1], says, 'it will take decades until women can sit back and say, "I should not worry; my husband is at home, he will take care of making sure that the groceries are there, that there is food for all". It's just a reality'.

2.2.3 Public scepticism and hostility

Although South Africa is becoming more accustomed to women in decision-making, public scepticism and hostility still surface in some quarters, and may

be undermining for women decision-makers. According to former Deputy President, Phumzile Mlambo-Ngcuka:

> 'I actually distinctly remember sitting in a board meeting with one investment banker of one of our top banks and talking about the Mining Charter, and the different elements in it. And I mean he literally laughed 'ha ha ha', and I was like you know, I come from a mining background, I know a lot about mining, more than you will ever know.'

2.2.4 The media

Women's views and voices continue to be at best under-represented in the media, at worst ridiculed and distorted. Research conducted by Gender Links shows that women constituted a mere 24 per cent of news sources in election coverage in 2009; this was up from 10 per cent in 1999, but similar to the 23 per cent achieved in 2004. This shows that women's views and voices are still marginalised in elections (Lowe Morna et al. 2009). Describing her experience with the media, Mtintso recalls:

> 'My favourite is what I call "the roving microphone". I was part again of a group of men that were being interviewed in some decision-making structure, and I was almost in the middle. But the microphones were moving from my left to the right and I was just watching them as they moved from the left to the right, and to the left, to the right. And I think 30 minutes later watching these microphones, nobody was directing any questions to me, or the men next to me themselves were not allowing me to respond to any questions. There was an understanding amongst the journalists, women and men that these questions were meant for the men around me. On the last question then one of the female journalists brought the microphone to me and said, "Miss Mtintso, in your new responsibility, what are you going to do for women?"'.

Gender Links' analysis of the 2009 elections reflected a host of subtle stereotypes. Examples include 'COPE's eager new girl on the block' (Lynda Odendaal) in *The Sunday Independent* (Ngalwa 2008); 'Woman with her heals on the ground' (Wendy Luhabe) in *The Sunday Independent* (Forde 2008); 'On campaign with superwoman' (Helen Zille) in the *Saturday Star* (Warby 2009) and 'Die-hard had to eat her words' (former Deputy President, Phumzile Mlambo-Ngcuka) in *The Sunday Independent* (Forde 2009).

Blatant gender stereotypes included the prominent coverage given to the leader of the opposition Democratic Alliance, Helen Zille, admitting that she used Botox (Huisman et al. 2008); and references to Zille as the 'poster girl'. During the swearing-in ceremony after the elections, the then Minister of Defence (now Minister of Public Service and Administration) Lindiwe Sisulu was said to have added 'a touch of glamour to the proceedings' (Smith 2009).

2.2.5 Institutional factors

Institutions can enhance the individuals that work in them, or marginalise them even further. Male-dominated political decision-making structures are often intimidating to women. They do not change overnight because women have arrived. Research at the national and local levels reveals several barriers to women's participation in parliament and councils. These range from formal (i.e. meeting times, language and lack of translation) to informal (i.e. sexist comments and innuendo, the way meetings are chaired and agendas set).

2.2.6 Lack of support from political parties

Some of the key internal factors that can help or hinder the effectiveness of women politicians include: democracy and democratic practices within the party, such as election processes for leadership, the style of leadership and who sits in leadership structures; exercise of power and power relations; the existence of a gender policy; and the history of the party, its culture, values, traditions, norms, programme and activities.

2.2.7 Political party allegiance

All politicians face dilemmas at one time or another over divergences between political party positions and their own convictions. Women in politics often feel these tensions more acutely because of the expectation that they 'represent women'. In South Africa, the Inkatha Freedom Party's Sue Vos wrote that:

> 'There is no doubt that the PR list system ensures that all politicians must remain popular with (mostly male) party bosses to survive. Male leadership also invariably selects which women are promoted within which party structures and within parliament. They decide who sits on what committee and who gets speaking time in the house, on what and when survival instincts triumph men are the game, they control the game' (Vos 1999: 108–109).

2.3 Why should women be in politics?

2.3.1 Equity

The United Nations Charter for Human Rights, the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW), the Beijing Platform for Action (BPfA) and other international instruments conclude that it is unjust to exclude women from politics, which in turn is central to decision-making. The Commonwealth Secretariat promotes gender equality as a human right and fundamental principle of the Commonwealth. It is also critical to Commonwealth goals of eradicating poverty, building resilient economies, harmonious communities and promoting sustainable development'.

During Gender Links' local government research, a ward committee member in the Emakhazeni District Council of Mpumalanga, South Africa, noted: 'We have come a long way from being oppressed as black people by the apartheid regime. We speak of living in a democratic society, but it appears as though this democracy is only for the benefit of men. Women are now being oppressed by their own men, who do not believe that we are capable of contributing meaningfully to the society in more ways than being child bearers'.

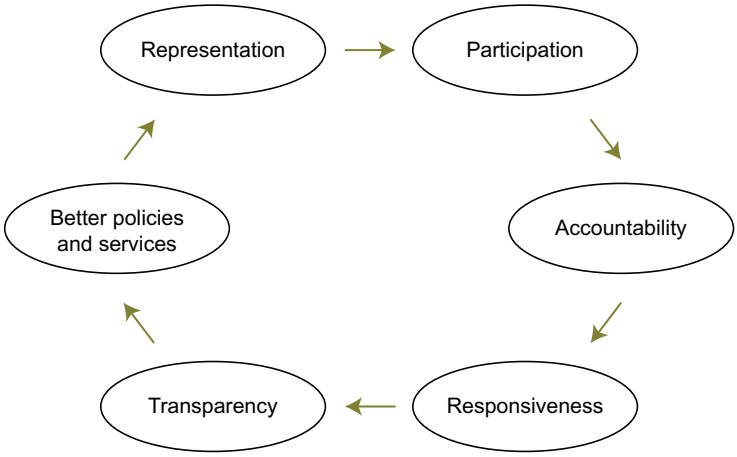
2.3.2 Efficacy

The BPfA argues: 'Women's equal participation in decision-making is not only a demand for simple justice or democracy but can also be seen as a necessary condition for women's interests to be taken into account. Achieving the goal of equal participation of women and men in decision-making will provide a balance that more accurately reflects the composition of society and is needed in order to strengthen democracy and promote its proper functioning' (United Nations 1995: paragraph 181).

The International Union of Local Authorities (IULA 1998) states that: 'Systematic integration of women augments the democratic basis, the efficiency and quality of the activities of local government. If local government is to meet the needs of both women and men, it must build on the experiences of both women and men'.

In a study on women in the South African legislature, Albertyn et al. (2002: 24–51) noted: 'Most international research has tended to concentrate on the mechanisms for getting women into parliament and on the barriers to full and equal participation faced by women within the institution. Less work has been done on the actual impact of women on the nature and work of legislated bodies. Not surprisingly, most of the research has been carried out in those countries with high numbers of women in parliament. Generally, it is suggested that greater numbers of women in legislative bodies have resulted

Figure 2.1 Cycle of Political Accountability



in increased attention to laws and policies dealing with families, women and children (Reynolds 1999; Lovenduski and Karam 1998). There is also some support for the idea that women can impact on the nature of the institution itself once they have a critical mass. Karam and Lovenduski (1998) note that women in Scandinavian legislatures at the national and local levels have influenced the nature of politics in a number of ways, including a greater prioritisation of family obligations and more accessible laws and debates'.

Their research began from the premise that 'in South Africa, the question is no longer whether women make a difference, but how much difference women can make' (Albertyn et al. 2002: 50). The research concluded that: 'The representation of women is not only politically and theoretically justifiable, but the evidence available about the working of parliament after 1994 suggests that a more representative parliament is a more effective institution' (Albertyn et al. 2002: 25).

As South Africa's Minister of Home Affairs, Naledi Pandor (then a Member of Parliament) put it when she launched the 50/50 campaign in Cape Town in 2002: 'The question is not whether women make a difference, but rather if society is democratic. If the answer is yes, then there should be women in all spectrums of society'.

2.4 Conceptual framework

This chapter builds on, and is informed by the conceptual framework first put forward by Mtintso (1999b: 35–52; 1999c: 33–51). This framework, which has been elaborated for the purposes of this chapter, is illustrated in Figure 2.2.

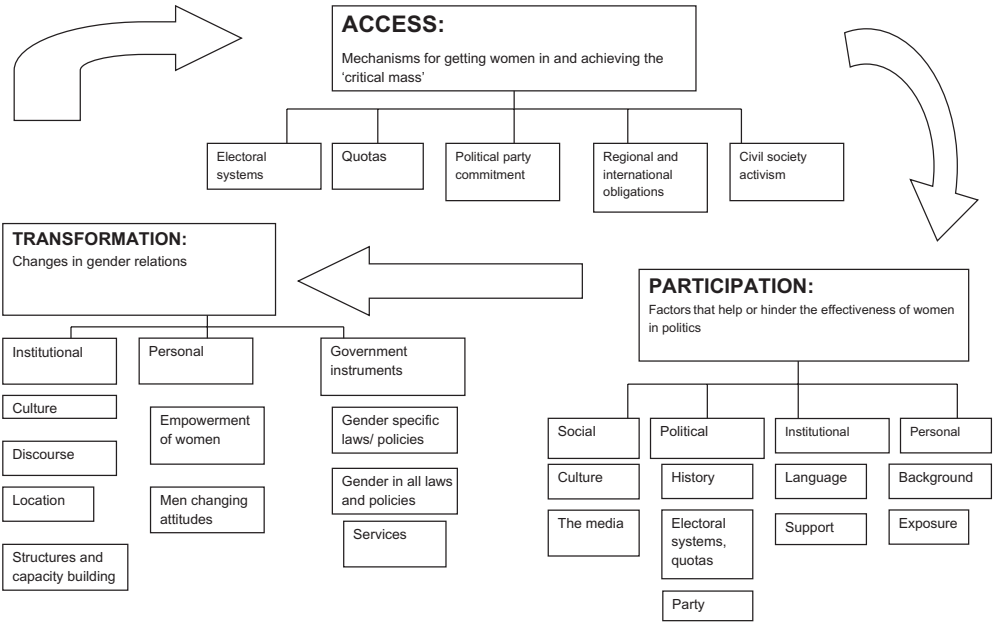
The crux of Mtintso's argument is that access and numbers are a prerequisite for, but do not guarantee, transformation. She argues that once women have entered political decision-making, it is necessary to remove the barriers to their effective participation. Only when women are present in significant numbers, and are able to participate effectively, are they likely to start 'ringing up the changes'.

2.4.1 Access and 'critical mass'

Of all the areas of decision-making, politics is the most public of spaces and among the most hostile for women to access. The world over, the only way in which this first and most basic barrier to women's political participation has ever been overcome is through special measures of some description, usually voluntary or legislated quotas.

A question that frequently arises in quota debates is the extent to which women have to be represented in specific numbers in order to make a difference. The 'critical mass' debate traces back to research by Danish political scientist, Drude Dahlerup, who declared: 'Don't expect us to make too much difference as long as we are only a few women in politics. It takes a critical mass of women to make a fundamental change in politics' (Dahlerup 1991: 10).

Figure 2.2 Conceptual framework



Initially, the Commonwealth, SADC and others set a 30 per cent target as the basic minimum required for women to make a difference. The SADC Protocol on Gender and Development calls on governments to strive for gender parity in *all* areas of decision-making by 2015.

2.4.2 Measuring women's access to decision-making in South Africa

South Africa does not have legislated or constitutional quotas. The ANC adopted a voluntary 30 per cent quota for women in 2002. Five years later in December 2007, the ANC took a decision to raise this to 50 per cent at both the national and local levels. Mtintso recalls: 'In 2002, [ANC women] lost the "not less than 50 per cent" debate. We then came back and got the "not less than 50 per cent" in 2007. So you can see the gains that were made the more we increased our numbers. By 1999 [women] had made strong contributions, including the body of the legislation that came out'.

Xingwana adds: 'While men (in the ANC) opposed the 30 per cent quota, we had a much easier ride with the 50 per cent in 2007. Men in the ANC and other political parties had no leg to stand on'.

Table 2.1 shows that, at 30 per cent, women are least well represented in the foreign service. Across political decision-making in South Africa, the 50 per cent target has only been achieved at the level of provincial premiers, followed by deputy ministers with 45 per cent women. However, in parliament, local government, cabinet, provincial cabinets and among chairs of portfolio committees, women now constitute 38 per cent to 44 per cent of the total.

Table 2.1 Gender and decision-making in South Africa

Area of political decision-making	% of women	% of men
Parliament	44	56
Premiers	55	45
Ministers	35	65
Deputy ministers	45	55
Members of the Executive Council (MEC)	40	60
Local government	38	62
Chairpersons of portfolio committees of the National Assembly	30	70
Foreign service (ambassadors)	30	70

Source: www.gov.za (accessed 19 February 2013)

2.4.3 Electoral systems

In South Africa, national elections are conducted on a simple PR basis, while local elections are conducted on a mixed system that involves both the PR and the First-Past-the-Post (FPTP) systems. The mixed PR and FPTP system in South Africa is designed to harness the best of both electoral systems (with the PR system more friendly to women and minorities and the FPTP enhancing individual accountability) (Box 2.1).

The 2009 elections witnessed South Africa edge closer to the target set by the SADC Gender Protocol for achieving gender parity in all areas of decision-making by 2015. As a result of the combination of the PR system and the ANC's 50 per cent quota, women's representation in parliament increased from 33 per cent to 44 per cent.

Box 2.1 Proportional Representation versus First-Past-the-Post

In the **Proportional Representation** (PR) or 'list system' citizens vote for parties that are allocated seats in parliament according to the percentage of vote they receive. Individual candidates get in according to where they sit on the list. In an **open list system**, voters determine where candidates sit on the list. In a **closed list system**, the party determines where candidates sit on the list, although this is usually based on democratic nomination processes within the party.

In the constituency or **First-Past-the-Post** (FPTP) system, citizens vote not just for the party, but also for the candidate who represents the party in a geographically defined constituency. Thus a party can garner a significant percentage of the votes, but still have no representative in parliament because in this system 'the winner takes all'.

A breakdown of the 2009 election results by party shows that the proportion of women in the ANC increased from 37 per cent in 2004 to 48 per cent in 2009. The main opposition Democratic Alliance (DA), led by a woman (Helen Zille), remained fiercely opposed to quotas, stating that it believed in 'fitness for purpose'. However, the proportion of DA women increased from 21 per cent to 30 per cent in what has sometimes been referred to as the 'snowball' effect of the ANC quota. Zille came under heavy fire from the media and gender activists for failing to appoint any women to the provincial cabinet of the Western Cape – the only province won by the opposition in the last elections. This added credence to those calling for a legislated quota on the basis that gender equality in decision-making is a constitutional principle that cannot be left to the whims of political parties.

The local elections in 2011, in which women's representation slipped back from 40 per cent to 38 per cent as a result of the ANC's overall majority declining, added momentum to this call. Table 2.2 summarises gender and local government election results over the four municipal elections since 1995. The table shows steady progress in the first three elections, with women's representation increasing from 19 per cent in 1995 to 29 per cent in 2000, and then up further to 40 per cent after the ANC adopted a 50/50 quota in 2006. Of particular significance, in 2006 women's representation increased in ward seats (where women traditionally do not do as well as in PR seats) from 17 per cent in 2000 to 37 per cent in 2006. The decline in women's representation in ward seats from 37 per cent in 2006 to 33 per cent in 2011, and the corresponding overall decline of women's representation by two percentage points is a blow for the 50/50 campaign.

What is interesting, and in keeping with the DA's argument that women in the party are accorded seats on merit rather than through quotas, is that the DA achieved a higher proportion (36%) women in ward seats than the ANC (34%). The local elections witnessed Patricia de Lille (formerly leader of the Independent Democrats) joining the DA, resulting in two women being the face of the opposition party. However, the local elections again witnessed a war of words between Zille and the ANC over her having an all-male cabinet in the Western Cape, where she is premier, after de Lille moved from the provincial cabinet to become mayor of Cape Town.

Table 2.2 Gender and local government in South Africa

Year	% women (ward)	% women (PR)	% women (overall)
1995	11	28	19
2000	17	38	29
2006	37	42	40
2011	33	43	38

Source: Gender Links 2011:4

While gender did not feature prominently in the campaigns, it did feature in the 'mud-slinging' that followed the local elections. Referring to the DA's female leadership but lack of women in the Western Cape provincial cabinet, the ANC said that the DA saw women as only fit to be 'poster girls'. Zille hit back by saying: 'I am a woman, so is the mayor of Cape Town. So is the DA's national spokesperson. So are many of our top shadow ministers. So is half the mayoral committee in the City of Cape Town' (Phakathi 2012). She noted that the ANC had never had a woman leader and had failed to put up women mayoral candidates.

2.4.4 Pressure for a legislated quota

With confidence in the commitment of political parties to ensuring women's equal participation in decision-making waning, a strong alliance for legislated quotas is gaining momentum in South Africa. This group of activists and independent bodies argues that gender equality is too important to be left in the hands of warring political parties that place their self-interest before fundamental cornerstones of the constitution.

The Commission for Gender Equality (CGE) and the National Democratic Institute (NDI) strategised on how to push forward the campaign for 50/50 quotas in South African electoral laws during a roundtable discussion on International Women's Day on 8 March 2012.

The campaign has recently received renewed interest after the Independent Electoral Commission's Chair, Pansy Tlakula, spoke out about the need for a legislated quota system to achieve parity in women's representation in the country. The Ministry of Women, Children and People with Disability also addressed the issue in green paper discussions, which led to the drafting of a Women's Empowerment and Gender Equality Bill (see section 2.6 on transformation).

The Local Government Municipal Structures Act, 1998 (Act 117 of 1998) makes provision for the equal representation of women and men in political party lists and ward committees; however, the act does not make this mandatory. The Electoral Act, 1998 (Act 73 of 1998) requires every registered party and candidate to respect the rights of women and to communicate freely with parties and candidates, facilitate full and equal participation of women in political activities, ensure free access for women to all public political meetings, marches, demonstrations, rallies and other public political events. Yet the act falls short of legislating a quota.

The South African Women's Legal Centre (WLC) tabled compelling legal research indicating that the principle of equality and positive discrimination is firmly established in the country's constitution. In addition, it noted that the Promotion of Equality and Prevention of Unfair Discrimination Act imposes a positive obligation on the state to enact equality legislation – and on political

parties to develop equity plans. The WLC tabled specific recommendations for amendments to the Electoral Act, Municipal Electoral Act and Municipal Structures Act, including provisions and sanctions for non-compliance.

Ironically, as South Africa prepared for the 2011 local elections, the Minister of Women, Children and People with Disabilities, Lulu Xingwana, was putting the finishing touches to the Gender Equality Bill, which would result in punitive measures for companies and individuals who do not meet the government's gender equality targets. 'The bill on gender equality [which was due to be enacted by March 2013] will enforce the 50/50. We will have to amend the electoral act', Xingwana said. Asked what response this has received in parliament, she responded: 'Political parties did not speak up [against the bill] as we debated. They all want to look good, so they are not fighting it openly'.

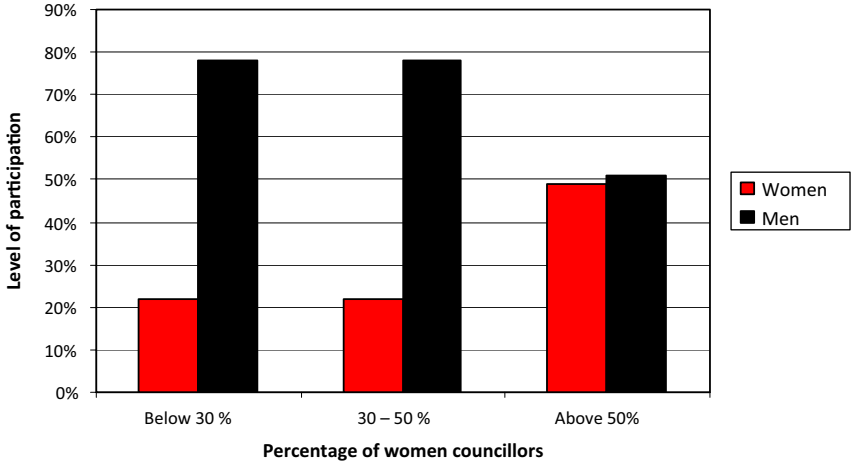
2.5 Participation

Beyond gender parity by 2015, the SADC Gender Protocol calls on governments to devise policies, strategies and programmes to enhance women's effective participation in decision-making. This section explores the importance of the 'critical mass' in giving a voice to women, and the importance of women occupying leadership positions within decision-making structures and claiming new spaces in previously male-dominated structures.

2.5.1 Numbers matter!

Figure 2.3, taken from the Gender Links study *At the Coalface: Gender and Local Government in Southern Africa,* shows that where women constituted below 30 per cent of the councillors in a quantitative survey of who spoke, women

Figure 2.3 Level of participation versus percentage of women in councils



Source: Lowe Morna and Tolmay (2007)

spoke 21 per cent of the time. Where women constituted 30 per cent to 50 per cent of councillors, they spoke 22 per cent of the time (not much different to when they constituted below 30%). However, when women constituted more than half of the participants, they spoke almost as much as men. The conclusion drawn from this finding is that the 'critical mass' is indeed not 30 per cent but gender parity (Morna and Tolmay 2007: 144).

Council meeting observations in Johannesburg, which has achieved gender parity both in the council and mayoral committee, reflected high levels of participation by women. More women than men attended the meeting observed in the City of Johannesburg, one of the few that provides interpreters. The agenda included the budget and street names.

Street names are a source of concern for women, who have found that in emergencies they are not able to direct emergency services because of the absence of streets names – especially in the former black townships. Compared to many of the other meetings observed, the researchers noted the confidence with which women participated and the substantive nature of the debates in Johannesburg. The fact that more women than men attended the meeting (suggesting quite a few absentee male councillors) also suggested a higher level of commitment on the part of the women councillors (Morna and Tolmay 2006: 144).

2.5.2 Positions occupied by women within political decision-making

In research on women in Western European parliaments, Lovenduski found that: 'When gatekeepers are forced to admit women, they may still manage to keep them at the bottom of hierarchies once they are admitted. This, it appears, is what happened in Europe. A generally higher proportion of women in legislatures, which has failed to be reproduced in executive bodies, are an indicator of such a pattern' (Lovenduski 1986: 241).

2.5.3 Political parties

Table 2.3 shows that following the ANC's Mangaung Congress in December 2012, women still only occupy a third of the top party positions, even though the party has a 50 per cent quota for women in decision-making. Women do not occupy either of these top posts. The ANC boasts many senior women with

Table 2.3 Women and men in top party structures in South Africa

Party	Head		2nd top position		3rd top position		4th top position		5th top position		6th top position		Total (women)	Total (men)	% women
	M	F	M	F	M	F	M	F	M	F	M	F			
ANC	1		1			1	1		1			1	2	4	33
DA		1		1	1		1		1			1	3	3	50

Source: ANC and DA websites (accessed 19 February 2013)

impeccable credentials, such as former Minister of Home Affairs, Nkosozana Dlamini-Zuma, who now heads the African Union and two former women Deputy Presidents, Phumzile Mlambo-Ngcuka (now Executive Director, UN Women International) and Baleka Mbete (now ANC national chairperson). Yet none of these women have ever been seriously touted for the top posts in the party. At the Mangaung conference, the ANC Women's League backed the incumbent President Jacob Zuma, a polygamist whose gender credentials fall far short of his rival in the party elections, Kgalema Montlanthe, who garnered only 25 per cent of the vote.

Ironically the DA, which is opposed to quotas, has 50 per cent women in its top structures including the party leader Hellen Zille, re-elected at her party congress in December 2012. The DA has formed an alliance with the Independent Democrats, also led by a woman – Patricia de Lille. Asked how she felt about this as an ANC stalwart, Mtintso responded: 'It is very embarrassing! I was driving in the Eastern Cape a while ago, and I saw the three photos [of the DA leaders]. They were so beautiful! Whoever is doing their PR just knows how to do it. ANC men call them "the Margaret Thatchers", but that sidesteps the issue. It is the death of the politics, especially gender politics in the ANC. It should not be that our society is defined by three conservative women. Where is the ANC, with its supposedly progressive policies? We have men and women that are equally capable. I have said to the ANC that personally I will know that we have reached equality when I see as many stupid women as there are stupid men in the leadership!'

2.5.4 Top leadership

During the second term of former President Thabo Mbeki (2004–08), Mlambo-Ngcuka became the first woman to hold the post of Deputy President. Under the brief caretaker presidency of Kgalema Montlanthe in 2008–09, Mbete served as the Deputy President of South Africa. Prior to this position, she served as the speaker of parliament. Pundits speculated that President Jacob Zuma would apply the 50/50 principle and appoint Baleka Mbete as Deputy President. On the contrary, he opted for Kgalema Motlanthe. Says Women's Minister, Xingwana: 'Women are ready for the top positions. It is men who are not ready. If we can produce a Nkosozana Dlamini-Zuma, surely this is evidence enough that we are ready for top office'.

2.5.5 Parliament

According to Mtintso, 'Another disappointing area concerns the leadership of parliament. The past two speakers were women. There is now (for the first time) a male speaker, Max Sisulu, who joked that he is likely to be referred to from time to time as Madame Speaker! The ANC has retained the chairman of the National Council of Provinces (NCoP) Mniwa Mahlangu, a man, [who] took over from a long line of women leaders. All the leaders of the 13 parties that secured seats in parliament, except for the Independent Democrat's Patricia de

Lille, are men. This leaves Deputy Speaker, Nomaindia Mfeketo, as the only woman in the top hierarchy of parliament. It also places challenges on this key institution to be mindful of gender parity considerations in the choice of leadership for portfolio committees'.

2.5.6 Diplomacy

Women now comprise about 30 per cent of all South Africa's ambassadors. Although this is still well below parity, this places South Africa among the top ten globally, where diplomacy is still very much a 'men's club'. According to Mtintso, the major change came about during Dlamini-Zuma's tenure as minister of foreign affairs from 1999 to 2009: 'She made the push for women to enter politics. The conditions of diplomats are very difficult for women, especially married women, and then it becomes a revolving door – they come in, they stay for the four years – then they go out and they don't come back – and there is no consistent approach to make sure that when you lose one you also put another one in'.

2.5.7 Premierships

The one area of top leadership that shows gender parity is possible is the premiership of the nine South African provinces. South Africa has five female premiers and four male premiers. The victorious ANC, which won eight out of nine provinces during the April 2009 elections, applied the 50/50 principle to this area of decision-making. The DA won the Western Cape, and Helen Zille subsequently became the leader of the province.

2.5.8 Gender benders in parliament and cabinet

In addition to where women sit within the hierarchy of decision-making structures, an important consideration is in which areas of decision-making they are to be found. Globally, women tend to predominate in the 'soft' committees of parliament, councils and cabinet. Women are scarce in the 'hard' areas like finance, economics, security and defence. There is a debate on the implications of this gender division of labour across the different sectors of governance. One view is that it is important to have women in the 'hard' areas. Others argue that the distinction itself cannot be justified. Norwegian analysts have made the point that describing the areas in which women predominate as 'soft' devalues these important areas, like education, health and social expenditure, which in fact account for the bulk of expenditure (Karam and Lovenduski 1998: 136).

Table 2.4, on the distribution of women in the parliamentary committees of South Africa, shows that women lead 11 of the 31 portfolio committees of the National Assembly (this excludes the portfolio committees of the National Council of Provinces and the Joint Portfolio Committees). At about 30 per cent, the proportion of committees led by women falls short of parity. However 7 out of 11 (63%) of these committees (marked in italics in Table 2.4) comprise

Table 2.4 Portfolio committees in the South African parliament led by women

Portfolio committee	Chairperson of committee
Arts and Culture	Thandile Babalwa Sunduza
Basic Education	Hope Helene Malgas
Economic Development	*Elsie Mmathulare Coleman*
Home Affairs	*Maggie Margaret Maunye*
Human Settlements	Beauty Nomhle Dambuza
Public Service and Administration	*Joyce Clementine Moloi-Moropa*
Public Works	*Manana Catherine Mabuza*
Trade and Industry	*Joanmariae Louise Fubbs*
Transport	*Nozabelo Ruth Bhengu*
Co-operative Governance and Traditional Affairs	*Dumisile Goodness Mhelengethwa*
Women, Youth, Children, Disabilities	Dorothy Mapula Ramodibe

Source: http://www.parliament.gov.za/live/content.php?Item_ID=137 (accessed December 2012)

traditionally male dominated areas, showing that women are no longer just confined to arts, culture, basic education and women's affairs. Their voices extend to economic development, home affairs, public service administration, public works, trade and industry, transport, co-operative governance and traditional affairs.

Following cabinet reshuffles after the 2009 elections, women have dropped from 40 per cent to 35 per cent of cabinet. However, of the 13 women ministers, at least 10 (76%, marked in italics in Table 2.5) head ministries that are heavily male dominated in other parts of the world. These include agriculture, communications, defence, energy, home affairs, foreign affairs, labour, mineral resources, public services and water. Following the storm over her

Table 2.5 Ministries led by women in South Africa

Ministry portfolio	Minister
Agriculture, Forestry and Fisheries	*Ms T Joemat Pettersson*
Basic Education	Ms M A Totshekga
Communications	*Ms D Pule*
Defence and Military Veterans	*Ms N N Mapisa Nqakula*
Energy	*Ms E D Peters*
Home Affairs	*Ms G N M Pandor*
International Relations and Cooperation	*Ms M E Nkoana-Mashabane*
Labour	*Ms M Oliphant*
Mineral Resources	*Ms S Shabungu*
Public Service and Administration	*Dr L N Sisulu*
Social Development	Ms B O Dlamini
Water and Environmental Affairs	*Ms B E Molewa*
Women, Children and People with Disabilities	Ms L Xingwana

Source: www.gov.za (accessed December 2012)

provincial cabinet, Zille announced a shadow cabinet with 9 out of 32 (28%) women, with a similar proportion of shadow deputy ministers. Five of the nine women shadow ministers work in non-traditional areas including home affairs, justice and constitutional development, police, public enterprises, science and technology. The overall proportion of DA women in the shadow cabinet is, however, considerably below that of the ANC.

2.5.9 Support structures

Support structures play a key role in enhancing women's participation in decision-making. These may be informal, such as women's caucuses within and or across parties, or formal, such as portfolio committees on women. South African women formed a Parliamentary Women's Group (PWG) soon after the 1994 elections. The name itself is significant: opposition parties did not want the body to be called a caucus, as their male colleagues would see this as 'selling out' party interests. According to Xingwana, this played an important role in the early days as women sought to navigate new corridors of power. However the PWG soon broke up into women's caucuses within parties. While South Africa had an Office on the Status of Women in the President's Office, it had a Joint Committee on the Quality of Life and Status of Women in parliament. With the creation of a stand-alone ministry, there is now a portfolio committee on Women, Children and People with Disabilities.

2.5.10 Effective participation: women finding their voice

In her 1999 study, Mtintso found that some women Members of Parliament (MPs) she interviewed in 1995, who rarely participated and said they found parliament overwhelming, stated in 1999 that they enjoyed their work and had become more involved in parliamentary activities. The reasons they cited boiled down to demystifying the institution, feeling valued, feeling that they knew and felt strongly about issues such as gender and the plight of women in rural areas, as well as the fact that they had proprietary knowledge (Mtintso 1995; 1999a).

In 1995 Lydia Kompe, an ANC MP with roots in the Rural Women's Movement and who served two terms in parliament, told Mtintso: 'This place gives me the creeps. It is unfriendly and unwelcoming. It was meant to make people feel the power even in the building itself. I feel overwhelmed and completely disempowered. I cannot see myself making any input never mind impact here. I feel lost. I do not think I will even finish the term of office' (Mtintso 1995). However, in follow up research in 1998 Kompe reflected: 'When I came here I felt out of place, isolated, with no education and I was just bombarded by everything. I could not participate. I was completely powerless, despite the fact that I was in a powerful institution. I only started to grasp most of the things in 1996. I had also chosen committees where I was at least comfortable and which were not that technical. Now I can stand up and challenge any one, and especially the opposition, with confidence. I realise that the lack of confidence

had shackled me for a long time, made me withdraw and made me bitter against those who were privileged with the know-how. All that resentment that built up has now disappeared with the confidence that I have' (Mtintso 1999a).

During the research study, *Ringing up the Changes: Gender in Southern African Politics*, Gender Links followed Mum Lydia, as she is fondly known to her constituency. Attesting to her effectiveness on the ground, one of her women constituents said: 'like Moses who delivered the Israelites to Canaan, she is taking us to a new land'.

Councillor Sinah Gwebu has been a ward councillor in the City of Johannesburg since 2000. When she started she set herself a target, 'To prove to the male councillors and others that I could deliver'. During Gender Links' study, *At the Coalface: Gender in Local Government,* she said that she is more confident because of the support offered to her by the Multi-party Women's Caucus (MWC) and a unique capacity building project that she participated in, the Gender, Local Government and Communications pilot project, undertaken with Gender Links and the University of Witwatersrand from October 2004 to May 2005.

> 'I am more networked than before; I know more NGOs, more government departments and their various roles that all these stakeholders play in society. Also I have learned more about policy-making and implementation and the processes that are involved in coming up with policies. Personally I have gained knowledge that nobody can take away from me. I now have experience in how to deal with my own issues as an individual.'

A male focus group in the Alexandra township of Johannesburg spoke warmly about their interaction with ward councillor Gwebu: 'She has proven to us that women are capable in the same way as men. It is from that perspective that I believe that as a community we need to learn to be respectful and accommodative as well as open minded with regards to the participation of women in local government', said one of the men (Lowe Morna and Tolmay 2007: 162).

2.6 Transformation

Representation and participation in decision-making allows for the full spectrum of voices to be heard, experiences and values to be centred, and for citizens to take responsibility for and change their own lives. Once citizens who had previously been reduced to non-citizens bring 'other' views, paradigms begin to change. Those who had always spoken on behalf of the others, assuming they know what the others feel, are challenged. Various myths are exploded and a new understanding begins.

Thus when women enter decision-making, the concept, content and form of politics and governance, and the way that they are practised, begin to change. Power relations shift. Outcomes begin to be informed by the new paradigm.

Yet there is a constant struggle, because the very same institutions bringing about change also need to be transformed.

As illustrated in Figure 2.2, the transformation in gender relations can be measured in three areas: institutional change; personal change (for women and men); and the extent to which gender is integrated into key tools of government including laws, policies and services.

2.6.1 Institutional change

Being able to transform society demands that women start by being able to transform the institutions of power that they find themselves in. Former South African Speaker, Baleka Mbete, says: 'Before you can even start talking about transformation, you have to redesign the tool for doing so, because the tool is not suitable. It would be a lot easier if women had originally been part of constructing parliaments. Some of these are everyday things like the family unfriendly hours that parliament sits, which became a habit when women did not even feature in the minds of decision-makers'. In South Africa, the sitting times of parliament have been changed and the parliamentary calendar aligned to school holidays. There is an effort to ensure that meetings do not extend beyond 6pm.

2.6.2 Women's agency

A key indicator of change is the extent to which women begin to 'flex their muscles' within decision-making structures. For example, Thenjiwe Mtintso recalled how, when she served as Deputy Secretary-General of the ANC, she had to call local branch officials to inform them that she was changing their lists as they had not complied with the ANC's 'zebra' requirement for women on party lists in the 2002 local government elections. Had she not occupied this post, she believes it is unlikely the party would have translated this principle into practice (Box 2.2).

2.6.3 Men taking up gender causes

An important measure of change is the extent to which men begin to champion gender causes as result of a 'critical' mass of women being in decision-making. Both Mtintso and Xingwana recall the fierce battles within the ANC to get the 30 per cent quota adopted. Yet by the time the fight for the 50 per cent quota got underway in 2007, the difficult arguments had been won: 'No one could really speak up against the principle', Xingwana said. What is important, according to Mtintso, is that in the course of the debates ANC men challenged their own deeply ingrained patriarchal values.

During the research study, *Ringing up the Changes: Gender in Southern African Politics,* the late Kader Asmal said the quota debate in the ANC in 1991 caused him to stand back and think about why women are so under-represented in public life. A constitutional lawyer who played an important role in drafting South Africa's constitution and went on to become Minister of Education,

Box 2.2 When you have the power, use it

Former Deputy President of South Africa, Phumzile Mlambo-Ngcuka, recalls the night-time game drive on the back of a pickup truck in the Kruger National Park, after a meeting of the President's Business Advisory Council. 'If I got mauled', she asked a former aide, 'what would I tell my mother in KwaZulu-Natal? That Phumzile got attacked searching for lions in the middle of the night!?' … 'There are enough lions in politics', reasoned South Africa's pragmatic second-in-command, 'without having to go to the Kruger Park to look for more!'

When President Thabo Mbeki appointed her to be his deputy in June 2005, following the dismissal of former Deputy President, Jacob Zuma, Mlambo-Ngcuka stepped into the inner lion's den of South African politics. Conspiracy theories hung heavily in the air, with some alleging that this formed part of a game plan that began with Mlambo-Ngcuka's husband, Bulelani, then director of the National Prosecuting Authority (NPA) and investigating a case of corruption that eventually led to Zuma being charged.

Mlambo-Ngcuka served as Deputy President of South Africa from 2005 to 2008. She was the first woman to hold the position and at that point the highest-ranking woman in the history of South Africa.

When President Nelson Mandela first asked her to serve as deputy minister of trade and industry in 1994 she responded: 'I don't know anything about that! I asked him to give me a day to gather my thoughts. I believed that much as we should make ourselves available to govern, we should also not be reckless and risk the reputation of the institution you are supposed to advance. I did not want to be over confident. I have never regarded myself as being capable of being a token. So I had to ask myself honestly: can I do this? I said, I don't think I know enough about this, but what I do know is that I have the capacity to learn, and learn fast'.

With her motto, 'If you have the power, use it', Mlambo-Ngcuka left a gender footprint in all her portfolios. As deputy minister of trade and industry, she started the South African Women Entrepreneurs Network (SAWEN) and Technology for Women in Business (TWIB) Forum. As minister of mines, she championed the Mining Charter, which sets targets and dates for achieving a quarter ownership by blacks and 10 per cent ownership by women. As Deputy President, Mlambo-Ngcuka reached out to women with her 'shared economic growth' agenda, which she called a 'Paradigm shift, so that we all begin to see that contributing to the development of South Africa makes business sense'.

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Those who worked closely with Mlambo-Ngcuka confirm that she did not regard the empowerment of women as a mere frill. CEO of Mujoli Resources, Nonkqubela Mazwai, who worked as a consultant at the Ministry of Minerals and Energy, verifying that the requirements of the Mining Charter were being met, says Mlambo-Ngcuka never compromised on the 10 per cent stake for women. She recalls a case in which a businessman asked the then minister what she expected him to do: bring in a busload of women, with no skills or experience, and add them to his company? Looking back at him with a straight face, but exuding her usual charm, Mlambo-Ngcuka responded: 'I am sure we can make a plan'.

Mlambo-Ngcuka resigned as Deputy President following the recall of President Mbeki by the ANC in 2008. Today, she is the Executive Director of UN Women International and an accomplished businesswoman. Asked to reflect on her 14 years in public office she responded, 'This whole thing of empowerment of women is really not a "cute" thing as sometimes people make it out. It is fundamental for survival of normal society. I cannot imagine a government without women!'

Asmal said: 'There are three core values of the constitution: equality, freedom and dignity. There is no space in that for denying women a place. The very nature of democracy requires that equal opportunities be created for all. Strategies for redressing imbalances are vital. I have come to understand that gender equality is a form of emancipation for men'.

Councillor Richard Vusi Lukhele from Umjindi in the Mpumalanga province of South Africa believes that there are two kinds of male councillors: 'There are men who in their homes are used to women playing the submissive and sometimes complacent roles. These men have a difficulty in accepting women as their peers and as their superiors, in committee's for example. On the other hand you have got your men who live with women whom they view as key partners in decision-making at home. These men in my experience have not had a problem with accepting the concept of women's empowerment and participation in the workplace'.

An interesting development over the last few years according to Xingwana is that men are now organising their own forums. For example, the South African Police Service has a men's forum whose slogan is 'not in our names'. There are also several examples of men championing key pieces of gender-related legislation (Box 2.3).

2.7 Changes in policies and laws

Table 2.6 summarises the broad range of constitutional, legal, regional and international commitments that South Africa has made to gender equality

Box 2.3 The man who championed South Africa's Choice of Termination of Pregnancy Act[2]

One of the most hotly debated pieces of legislation in the first post-apartheid parliament, the South African Choice of Termination of Pregnancy Act (CPTA) is also one of the world's most liberal abortion laws.

Key provisions of the act are that:

- abortion should be available to all women, upon request, up to 14 weeks;
- from 14 to 24 weeks, abortion should be available under certain conditions; and
- the state should provide information on abortion, pre- and post-counselling.

A divisive bill that came about as a result of some women in parliament and civil society lobbying and advocating for its passage, it was actually a man – Dr Abe Nkomo, then Chair of the Portfolio Committee on Health who championed the bill.

Nkomo attributes his commitment to two factors: as a medical practitioner, he saw 'young women at the prime of their lives decimated by the effects of back street interventions'; the party had also taken a position recognising the right of women to make reproductive choices.

Nkomo added: 'Gender cannot be the sole preserve of women. It is the responsibility of the whole society, with women as champions assisted by men who are committed to the cause'.

since 1994. Albertyn, Hassim and Meintjes observed: 'It seems that women's presence in committees may play a crucial watchdog function, serving to maintain a consciousness of gender issues, even if no real analysis emanates from the committee…. In South Africa the question is no longer whether women can make a difference to Parliament, but rather how much difference they can make' (Albertyn et al. 2002: 50).

According to Xingwana: 'We have passed a plethora of laws – [on] domestic violence, the Maintenance Act, Choice of Termination of Pregnancy, boxing and sports. These would not have seen the light of day if women had not been there'.

The Women's Empowerment and Gender Equality Draft Bill, championed by Xingwana, seeks to consolidate these gains through a legislative framework for the empowerment of women embodying the values of human dignity, the advancement of human rights and freedoms, non-racialism and non-sexism.

Table 2.6 South Africa's commitments to gender equality

The constitution	
Gender mentioned	Section 1, non sexism; Section 9 prohibits discrimination based on sex, pregnancy, marital status; Section 12, bodily integrity; Section 27, reproductive health
Provides for affirmative action	YES
Customary law	Section 15 (3) customary and religious provisions consistent with constitution
CEDAW	
Ratification – no reservations	YES
SADC Gender Protocol	
Signed and ratified	YES, August 2008 and August 2010
Employment	
Affirmative action	Employment Equity Act
Maternity	Covered by Basic Conditions of Employment
Sexual harassment	Code under Labour Relations and Employment Equity Act
Gender violence	
Domestic violence act	Domestic Violence Act 1998
Sexual Offences Act	YES
Rape in marriage	YES
AZT to survivors of rape	YES
Sexual and reproductive rights	
Abortion	Choice of Termination of Pregnancy Act: based on a woman's right to choose
Family law	
Marriage	Recognition of Customary Marriages
Inheritance	Amendment to Customary Law of Succession

The act provides for women's empowerment and gender mainstreaming in the public sector, private sector and civil society.

The Gender Equality Bill aims for, 'substantive gender equality' as opposed to just 'gender equality'. The latter is defined as: equal recognition, enjoyment or exercise by a person, regardless of his or her gender, of human fundamental freedoms in the political, economic, social, cultural, civil and any other aspect of life. The former is defined as: gender equality in practise (de facto) and in law (de jure).

In an excellent example of the SADC Gender Protocol at work, the draft bill has a 50 per cent target for women in all areas of decision-making, as provided in the protocol. If the Draft Gender Equality Bill becomes law, the minister

will be able to issue a directive to ensure that the 50 per cent target is met by requiring that all entities:

- set targets for such representation and participation;
- build women's capacity to participate;
- develop support mechanisms for women;
- show progress towards the elimination of discrimination against women;
- adopt measures, including special measures, as envisaged in section 9(2) of the constitution to encourage, improve and reward women empowerment; and
- disaggregate gender-, age- and disability-related data on women's empowerment.

The bill reinforces the rights of sexual minorities and recognises the human rights abuses and violations they face because of their sexual orientation or gender identity. South Africa is the only country in SADC that recognises the rights of the lesbian, gay, bisexual, transgender/transexual (LGBT) and intersexed community.

There are specifications around procedural issues and a list of 18 applicable pieces of legislation that the bill affects ranging from the Labour Relations Act, Schools Act, Employment Equity, Recognition of Customary Marriages and Electoral Acts, among others. Until gender equality is achieved in a particular sector, the bill states that it is not unfair discrimination to implement special measures to eliminate discrimination against, or to empower, women, pregnant women and women who are breastfeeding – especially those who have been directly or indirectly disadvantaged, such those who live in rural areas or informal settlements.

2.8 Changing lives through service delivery

Lulu Xingwana insists however that, 'It doesn't matter how many women we have in parliament, how many women we have in cabinet, as long as our women in the rural areas, and our women in the informal settlements remain poor, we cannot say we have achieved. South Africa is two worlds in one. The majority of our women have high levels of illiteracy. They do not have access to resources. They have been left out of Black Economic Empowerment initiatives.' Xingwana has personally sought to make the link between policy and practice in her various portfolios (Box 2.4).

2.9 Challenges

South Africa has come a long way since 1994, both in bringing women into decision-making and promoting gender-responsive governance. There are, however, still several concerns with regard to sustainability. A report on

Box 2.4 From the margins to the mainstream

It's 10 December 2012, the closing day of the Sixteen Days of Activism campaign in South Africa. Maureen Magubane and Zandile Sibiya are busy farmers and senior executives in the Women in Rural Development (WARD) network in KwaZulu-Natal, but they would not miss this day for anything – to support the Minister of Women, Children and People with Disability, Lulu Xingwana, as she launches South Africa's first National Gender-Based Violence Council.

In her former role as Minister of Agriculture, Xingwana 'found' these two women and many like them, pulling them in from the margins into mainstream economic life in South Africa.

Once a farm hand, Magubane now co-ordinates a co-operative of 40 families on a 853 hectare former-white farm in the most rural of South Africa's provinces. In 2009, she won the national female Entrepreneur of the Year Award. Sibiya has risen from a teacher earning 65,000 rand (R) a year to a sugar farmer running a family business with a R7 million a year turnover.

WARD – Xingwana's brainchild – has a membership of more than 8,000 in the province. Commenting on the minister's initiative, which has brought sea changes to the lives of many women in the province, Sibiya says: 'I have never seen such a person with the passion to work with women, especially rural women: that love and support'.

Magubane adds: 'If you see where I come from you would not believe this is me. I come from the deep rural areas, where there is no newspaper. [Minister Xingwana] got me from there. Without women like her we would never be where we are today. I am very proud of her. I would like her to be the President!'

Both women are beneficiaries of South Africa's carefully considered land resettlement scheme run on a 'willing buyer, willing seller' basis, and of a Ministry of Agriculture that has made it a point to ensure that women benefit. Before Xingwana became Minister of Agriculture, Thoko Didiza, a strong women's rights activist, held the post. Tina Joemat-Petterson, also a woman, is currently Minister of Agriculture.

For Magubane, who has gone from being farm worker to farm manager, this proved a tumultuous experience: the former white owner of the farm left with reluctance and disdain for those being resettled, the poor farm workers who had served him in the past. 'It was a long fight. We were in all the newspapers', she says. Sibiya, on the other hand, had an empathetic transition. The government provided a deposit and soft loan, and the former owner, 'served as a mentor; he was very keen to help with skills transfer'.

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Both women have embraced new learning. In 2008, Magubane went on a government-sponsored tour to Japan where she learned about the One Village, One Product initiative. She started the One Home, One Garden project on the farm. 'From farm worker to farm manager – what can I say? As a manager, I have had to learn to do a lot of paperwork. I knew the job, but now see the other side, the business side'. Recently, the co-operative successfully tendered to provide schools with indigenous chickens and baked goods. 'I have never doubted my own ability', reflects Magubane, 'I have always believed that as a woman I will make it'.

Sibiya started off with a 163-hectare farm, which she runs with her family. This has since grown to 193 hectares. Government advice and extension services have made it possible for her to join the predominantly white and male sugar barons in the province. In addition to technical skills, she says she has 'gained the confidence and skills to negotiate, to express myself in such a way that the next person can understand'.

women in South Africa's parliament noted: 'Our study points to the need for a formal methodology to be adopted by parliament for integrating gender issues into the legislative process. A methodology of this nature would seek to ensure the specific impact of all policies and laws on women are considered in a consistent and structured way in parliament. The centrality of gender and race requires that they be dealt with in a systematic fashion by parliament' (Serote et al. 1996).

The National Treasury dropped the Women's Budget Initiative (WBI) when the two-year Commonwealth pilot project came to an end. Disagreements about defence spending in the era of HIV and AIDS led to Pregs Govender, former Chair of the Joint Committee on the Quality of Life and Status of Women, abstaining from voting on allocations for a controversial arms deal. She later resigned from parliament.

Mtintso comments: 'In my view, we have been lacking in government a coherent gender policy that runs across. It has tended to be a hit and miss. The advantage of having women is that in most cases where there are women located we get more hits – but not in all places. The advantage of having many women is that you are likely to have more hits'.

Xingwana adds: 'Most ministries have a gender focal point and they make an effort to mainstream gender. The problem is allocation of resources. We need to work much harder on gender-responsive budgeting'.

A particular concern going forward is the weak state of the national gender machinery. Previously the Office on the Status of Women resided in the presidency, where it could perform a cross-cutting function. Following his

election in 2009, President Jacob Zuma announced a Ministry of Women, Youth, Children and Disability, on par with other line functions.

Says Xingwana: 'We have done well on the legal and policy fronts. But it is still a patriarchal world. The challenge is implementation and lack of co-ordination of programmes. We have NGOs and government departments doing their own thing. Most of the time they do not speak to each other'. On December 10 – Human Rights Day – 2012, the ministry launched the National Council on Gender Violence. 'The aim is to bring together government departments – justice, the police, social development, health and leading NGOs, as well as traditional leaders to fight this scourge with one voice,' said Xingwana.

The conversion of the Ministry of Local Government and Provincial Affairs to the Ministry of Co-operative Governance and Traditional Affairs, following President Zuma's election, and the Traditional Authorities Bill that contradicts the Gender Equality Bill in key areas, have fuelled further concerns that progressive gender gains in South Africa are under threat. 'If you've got a President that really carries the flag seriously, and is committed (on gender), you are likely to go far', says Mtintso. 'But if the President himself is not driven on gender, no matter how well the organisation works, you are not likely to go far. The role of the President and those that are in leadership is critical. When we negotiated the constitution, the question of gender, especially the question of polygamy, was discussed. The compromise we [gender activists] accepted was that the constitution would protect the woman who is already in a polygamous relationship, who has no rights, especially when it comes to inheritance. There was never a thought that we would be *promoting* polygamy!'

Mtintso decries the muting of progressive gender voices within the ANC over the last few years, especially the ANC Women's League: 'Many of us, men and women in the ANC, are looking to the ANC and to government to give us employment which we call deployment. You cannot bite the hand that feeds you, and therefore we would not like as women in the ANC to be seen to be challenging the incumbent. The politics of the ANC are generally that incumbents are not usually challenged unless they themselves say "I'm not available". We don't have a culture of many people running for President. That is why up to this day we do not have a serious woman contender for President in the ANC'.

2.10 Lessons for the Commonwealth

The Commonwealth Plan of Action for Gender Equality 2005–2015 seeks to strengthen democracy among member countries, particularly through the promotion of the minimum 30 per cent target for women's participation and representation in government and decision-making processes. Very few countries have achieved this target. The few that have include Guyana, Mozambique, New Zealand, Rwanda Seychelles, South Africa and Tanzania – all (except for New Zealand) newer Commonwealth countries. This reflects the fact that older established democracies in the Commonwealth have much

to learn from the more recent democracies, such as South Africa. It is also interesting that of the seven countries that have achieved the 30 per cent target, three (Mozambique, Rwanda and South Africa) recently emerged from conflict. There is a strong correlation globally between post-conflict countries and higher levels of women's representation. While conflict can have devastating consequences, it also shatters the status quo and may open a new discourse on women's emancipation, as happened in the case of South Africa.

Of the 54 countries in the Commonwealth, 21 have a quota system of some kind while 33 countries do not have any quota systems. Table 2.7 shows that within the Commonwealth, quotas are not necessarily a precondition for the higher representation of women in politics. For example, Seychelles and New Zealand have more than 30 per cent women in parliament, but do not have quotas. These countries all have relatively small parliaments and strong matriarchal cultures or traditions around promoting gender equality. However, a high proportion of countries with very low representations of women among the 33 countries have no quota systems. Indeed, three countries in this category (and among Commonwealth member countries) have no women at all in their parliaments.

Table 2.8 provides an analysis of the countries in the Commonwealth that have a quota system according to electoral system. The analysis reflects a global truth: that the highest representations of women are in countries with a Proportional Representation (PR) electoral system, like South Africa, and where there is a legislated quota (like Rwanda, the only country in the Commonwealth to surpass the gender parity target).

The most important lesson emerging from South Africa for the rest of the Commonwealth is that the PR system and political will play a key role in advancing women's political participation. However, such an important pillar of democracy should not be left to chance.

2.11 Conclusions

Concerted action is needed if South Africa is to honour the commitment that it has made by signing the SADC Protocol on Gender and Development, which calls for gender parity at all levels and in all areas of decision-making by 2015. Despite the tremendous strides made over the last two decades, there are still gender gaps in almost all areas of political decision-making. These require deliberate measures, as outlined in the Gender Equality Bill, to ensure that gender equality is not left to the vicissitudes of politics and political leaders, but is raised to the level of importance that is called for by the constitution.

The protocol also outlines specific measures to ensure women's full participation, so that the end result is not just gender equality for a small elite of decision-makers, but for the whole nation. Following the 'who-feels-it-knows-it principle', experience to date shows that women are more likely to be sensitive and responsive to the needs of other women. However, this cannot be left to

Table 2.7 Commonwealth countries with no quota

Country	% women in national parliment
Seychelles	43.8
New Zealand	32.2
Trinidad and Tobago	28.6
Singapore	23.5
Malawi	22.3
Mauritius	18.8
St Vincent and the Grenadines	17.4
St Lucia	16.7
Swaziland	13.6
Grenada	13.3
The Bahamas	13.2
Sierra Leone	12.9
Jamaica	12.7
Zambia	11.5
Antigua and Barbuda	10.5
Malaysia	10.4
Barbados	10
Kiribati	8.7
Malta	8.7
The Gambia	7.5
Nigeria	6.8
St Kitts and Nevis	6.7
Tuvalu	6.7
Maldives	6.5
Sri Lanka	5.8
Tonga	3.6
Belize	3.1
Solomon Islands	2
Naura	0
Vanuatu	0
Brunei Darussalam	0
Fiji	0

Source: Inter-Parliamentary Union (2013)

chance or to individuals. Gender needs to be embedded in institutional culture and practice, including budgeting and the allocation of resources.

Ultimately, the test of whether gender equality has been achieved or not is whether men take up gender issues with equal ease. To quote the former speaker of the Swedish parliament: 'The most interesting aspect of the Swedish parliament is not that we have 45 per cent representation of women, but that the majority of women and men bring relevant social experience to the business of parliament. This is what makes the difference. Men bring with them experience of real life issues, of raising children, of running a home… And women are

Table 2.8 Types of quotas in Commonwealth countries

First-Past-the-Post		PR		Other (AV, Parallel)	
Country	**% Women**	**Country**	**% Women**	**Country**	**% Women**
Voluntary party quota					
Botswana	7.9	Cyprus	10.7	Australia	24.7
United Kingdom	22	Mozambique	39.2	Cameroon	13.9
Canada	24.7	South Africa	44.5		
		Namibia	24.4		
Legislated quotas					
Kenya	9.8	Rwanda	56.3	Pakistan	22.2
India	10.8	Dominican Republic	20.8	Lesotho	25.8
Bangladesh	18.6				
Uganda	34.9				
Tanzania	36				

Source: Inter-Parliamentary Union (2013)

allowed to be what we are, and to act according to our own unique personality. Neither men nor women have to conform to a traditional role' (quoted in Lowe Morna 2004, chapter 6). Against this measure, South Africa has come a long way, but it still has a long way to go!

Interviews

Phumzile Mlambo-Ngcuka, former Deputy President of South Africa

Thenjiwe Mtintso, Ambassador to Italy, former Chair of the Commission on Gender Equality and Deputy Secretary-General of the ANC

Lulu Xingwana, Minister of Women, Children and People with Disabilities

Maureen Magubane and Zandile Sibiya, officials of Women in Rural Development, KwaZulu-Natal

Notes

1 Baleka Mbete briefly served as Deputy President, from September 2008 through to May 2009, and following the fallout after the ANC's decision to recall former President Thabo Mbeki.
2 This case study draws on Albertyn 1999.

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Chapter 3

Impact of Women's Political Leadership on Democracy and Development in New Zealand

Margaret Wilson

Abstract

On 19 September 1893, New Zealand became the first self-governing country in the world in which all women had the right to vote in parliamentary elections, following the landmark Electoral Act. As a result, New Zealand's world leadership in women's suffrage became a central part and image of a 'social laboratory' for other democracies. This was achieved after many years of effort by suffrage campaigners, led by Kate Sheppard, through a series of massive petitions calling on parliament to grant the vote to women.

The 1990s was an outstanding period for women's appointment to new positions, particularly with the change of the electoral system to Mixed Member Proportionality (MMP), which opened up the political space for women. In modern New Zealand, the idea that women could not or should not vote is completely foreign to New Zealanders. In 2012, 32 per cent of Members of Parliament were female, compared with 13 per cent in 1984. In the early twenty-first century women have held each of the country's key constitutional positions: prime minister, governor-general, speaker of the House of Representatives, attorney-general and chief justice.

The chapter will therefore interrogate how the MMP system has impacted women's participation in politics. It will further examine the contribution, status and role of women after a period of extensive social and political change in New Zealand, and how this has translated into women's voting and representation, women's role in conflict and co-operation, participation and protest, equal access to power, institutional culture and feminism.

3.1 Introduction

In the early 2000s, New Zealand women occupied five of the country's top constitutional positions – that is, the offices of governor-general, prime minister, speaker of the parliament, chief justice and attorney-general – as a result of electoral reform from First-Past-the-Post to Mixed Member Proportionality (a combination of the simple majority and party list electoral systems) championed by the New Zealand Labour Party.

New Zealand women have worked for inclusion within public decision-making institutions since the 1880s, when the suffrage campaign led to women

in New Zealand, both Māori (indigenous people) and Pakeha (European), getting the right to vote in 1893. Although the level of women's political activism has peaked and ebbed since 1893, women have continued in a variety of ways to work within their communities and politically for recognition of the equality of women and their right to fully contribute to all aspects of the society in which they live. The key factors that provide women with agency to advance their interests in modern day New Zealand are: (1) the high level of education for women, (2) changes in the electoral laws, and (3) the political activism of women through community organisations and political parties. The main barriers to women's political leadership have been comparatively a lack of access to political institutions (the political parties and the parliament); limited legal rights; and economic dependence. The underlying commitment to the values of enlightenment brought to New Zealand by many colonists in the nineteenth century included a commitment to equality, the rule of law and democratic decision-making through an electoral process. The advancement of women's rights, in particular, has relied on the concept of equality to support women's claim to full inclusion and participation within political institutions.

This chapter will examine the historical, constitutional and cultural context within which women in New Zealand have struggled to achieve inclusion in and engagement with public decision-making through participation in political and public policy-making. The analysis will identify the factors that have been enabling or disenabling of women fully participating in the decision-making processes that affected their lives. The emphasis in the case study is on political institutions and the struggle of women to gain access to those institutions and work within them for the development of women's political inclusion. The study will focus on the last 40 years of women's engagement with the political process, with an emphasis on how women created and took advantage of opportunities to participate in public decision-making institutions. The primary objective of political women activists during this 40-year period has been inclusion within political decision-making institutions in order to affect law reform that recognised the rights of women and influenced the allocation of resources to address the needs of women.

Although changes in the law do not automatically translate to change in practice, the law provides legitimacy to the claims of women and was seen as a necessary first step for women to achieve equality. The study will track the successes and failures of various strategies and tactics during this period, and the impact women's political leadership has had on New Zealand's democracy and development. This period covers the rise of the second wave of feminism in New Zealand in the 1970s and 1980s; the transformation of women's political activism from outside to inside the political process and institutions; the decline of feminist activism during the height of neo-liberalism in the 1990s; and finally the emergence of women in political leadership roles in the 2000 to 2008 period.

3.2 Ideological and historical propellants of women's political advancement

The political thinking that informed New Zealand's early constitutional development owed much to the political theory and ideologies that were actively debated in Britain and the United States in the nineteenth century. The ideas of Enlightenment political philosophers such as Hobbs, Locke, Hume, Rousseau and Mills, together with the nineteenth century social and political activists in Britain, were all, in their different ways, exported with the early colonists to New Zealand. One of these ideas was equalitarianism, which has come to be identified as characteristic of New Zealand's constitutional norms. For example, Palmer (2007) identifies the key norms of New Zealand's constitutional arrangements as, '…authoritarianism, equalitarianism, and pragmatism' and the key constitutional institutions as, '… representative democracy; parliamentary sovereignty; and the constitution as unwritten and evolving'. These norms reflect the British constitutional heritage and the early settlers' aspirations and colonial experience. They also reflect the contradictions that lie within our constitutional arrangements. The people want certainty, but retain the right to change. They want their views represented in political decision-making, but accept the authority of the majority decision arrived at in parliament.

It was within this conceptual framework that the early feminists began to campaign for women's rights. They relied on the notion of equality to legitimise their claim for inclusion in political decision-making. Mary Ann Muller, who published under the nom de plume 'Femina', in 1869 expressed the views of many colonist women when she wrote:

> … the most perfect popular government was that 'where an injury done to the meanest subject is an insult upon the whole constitution'. What, therefore, can be said for a Government that deliberately inflicts upon a great mass of its intelligent and respectable subjects; that virtually ignores their existence in all that can contribute to their happiness as subjects; …How long are women to remain a wholly unrepresented body of the people? …Why has a women no power to vote, no right to vote when she happens to possess all the requisites which legally qualify a man for that right?

Thus the campaign for political inclusion in the nineteenth century was firmly rooted in the right of women to equality. It also demonstrated the capacity to organise politically. The National Council of Women, the peak women's non-governmental organisation (NGO), was formed out of the suffrage campaign in the 1890s and it is noted in its official history:

> The character of the early council was determined by the nature of the women's movement and the influences upon it. The movement was concerned with equal rights for women as citizens and with moral reform

> of society. The equal rights element had its origins in the European Enlightenment of the eighteenth century, when radical thinkers challenged the all-encompassing powers of the church and monarchy, to argue the innate equality of all men and thus their right to participate in government.
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> (Page 1996: 2)

It was not surprising that the second feminist movements of the 1970s embraced the concept of equality building on the history of the first feminist movement. Political feminists continued to advocate that equality was a societal value that included women. The aspirational importance of the concept and the use to which it was employed during the 1970s and early 1980s is best described by Sandra Coney, a noted feminist and activist of the time, who was editor of the influential feminist journal *Broadsheet*. She described the women's movement of the time as follows:

> The dominant ideology in the early years was for equality for women to be reached through equalizing women's opportunities and pay in the marketplace (towards which the provision of free child care was a platform), control of fertility (safe contraception and free, safe abortion), reform of the structure of the family and marriage, an end to sex stereotyping of children (freeing women from the exclusive burden of household work, and men from the breadwinning role), and an end to the depiction of women as sex objects. Women for Equality also demanded the right to work, alternatives to monogamy, and children's liberation. The key words were 'liberation' – a positive and relatively joyful word denoting freedom – and the articulation of 'demands' which would lead to 'the improvement of the position of women in our society'.
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> (Coney 1993: 51, 68)

It may be argued that New Zealand has made considerable progress towards formal equality, but the assertion of equalitarianism has not enabled equality. In reality there has been growing social and economic inequality of an underclass since the 1970s, which gave rise to the second feminist movement. It could be argued that New Zealand would benefit from adopting the approach of Amartya Sen in recognising the importance of including the capabilities and capacity of individuals in policy advice and delivery. While theory or ideology may provide a lodestar to guide political action, it is essential not to lose sight of the reality faced by women in their daily lives. For women to continue to make a contribution to New Zealand's development, they need to be present and represented where the decisions are made.

3.3 Emergence of constitutional context of women's inclusion in politics

The development of women's inclusion in the political life of the country has taken place within the constitutional institutions, processes and values that were established soon after the signing of the Treaty of Waitangi in 1840 by

Captain Hobson as Queen Victoria's representative and 500 Māori chiefs, including five Māori women. In brief, the treaty, which in 1987 was recognised by the New Zealand Court of Appeal as a foundation constitutional document,[1] gave the British settlers the right to settle and govern in New Zealand, the Māori people the right 'to unqualified exercise of their chiefainship over their lands, villages and all their treasures', and their equality with British subjects (Kawharu 1989). While the treaty is an important constitutional document, it does not represent the constitution of New Zealand. New Zealand, like the United Kingdom, has no constitution in the sense of one written document containing the processes and institutions for democratic decision-making and the relationship between those institutions and the individual citizen. There is also no fundamental document recognising the rights, responsibilities and values of individuals, although there is the New Zealand Bill of Rights Act 1990, which recognises civil and political rights but not as rights superior to other laws (Keith 2008: 1–6).

3.3.1 Flexibility of laws advantages women's entry into political process

New Zealand, then, has no written constitution but a series of statutory enactments, constitutional conventions and practices that combine to form what is more accurately termed 'constitutional arrangements' than a constitution. The term 'constitutional arrangements' better conveys the notion of flexibility, pragmatism and informality, which are defining characteristics of New Zealand's constitution (Constitutional Arrangements Committee 2005). The nature of New Zealand's constitutional arrangements has meant the vote for women was a fundamental entry point for inclusion in the political process.

General elections are held every three years,[2] in which all citizens and permanent residents who have lived in New Zealand for one year and who are 18 years of age or over are eligible to vote.[3] In the 1940s more than 90 per cent took advantage of this right; in the four elections held between 1999 and 2011 the percentage of voters has fallen to around 74 per cent. Between elections, New Zealand citizens exercise their democratic right to participate in government decision-making formally through select committee hearings, or informally through direct contact with their Member of Parliament, organised interest groups and/or through direct action such as demonstrations. Membership of a political party also enables access to power. However, voting remains the primary means for most women's political participation and the exercise of their rights.

The voting preferences of women were not accessible until the 1984 election, when polling companies began including women's voting preferences in their surveys. It was in that election that the women's vote was acknowledged. It was also in that election that the Labour Party included a comprehensive women's equality policy agenda (see Catt and McLeay 1993).

Voting is a first step to having an impact on political decision-making. Women need to be where the decisions are made, and that requires an understanding of the constitutional and political processes, and how political power is exercised both formally and informally. New Zealand has a fragile constitutional legal architecture. The Constitution Act 1986 describes the roles and function of the central constitutional institutions – the Head of State (the Queen of New Zealand and her representative, the governor-general); the House of Representatives; the executive, which must be appointed from elected Members of Parliament; the parliament, which comprises the House of Representatives and the Sovereign; and the judiciary. There is no upper chamber, with the Legislative Council voting for its own demise in 1950 after the government of the day perceived that it offered little value to the governance of New Zealand. The Constitution Act is not entrenched and can be amended or repealed by a simple majority in the House of Representatives.[4]

The same voting formula is used with the Bill of Rights Act, the Human Rights Act, and the Electoral Act, with the exception of specific provisions relating to elections that require a 75 per cent majority in parliament or a majority in a national referendum.[5] In theory the legal framework can be changed at any time, and the convention of parliaments not being bound by the decisions of previous parliaments provides the potential for instability. In practice, New Zealanders are reluctant to approve radical constitutional change, but are more accepting of radical swings in policy. A recent public values survey confirms the conservative approach to change, with two-thirds supporting a gradual approach to reform.[6]

3.3.2 Opportunities to effect change through constitutional arrangements and electoral reform

The above description of New Zealand's constitutional arrangements explains the context within which women had to work for change. The lack of formality provided opportunities and the space for change, but it also meant effecting change through the political process. If women were to have an impact on the political system, they needed to participate within the political parties that controlled the political process. Two main political parties since the mid-1930s, namely the Labour Party and the National Party, had managed New Zealand's political system between themselves. The Labour Party represented the interests of trade unions and working people, and what may be termed 'the intellectual left'. The National Party represented the farming and business communities, and conservative elements in the community – many of whom were women up until the mid-1980s. Elections were contested within the First-Past-the-Post (FPTP) electoral system. This system made it very difficult for other political parties to be represented in parliament.

For women to achieve political representation they needed to join one of the main political parties, and then work within that party to gain selection to stand in an electoral seat in which their party was likely to win. The difficulties

faced by women in achieving representation through this system is illustrated by the fact the most seats won by women was achieved in the 1993 election with 21 (21%) seats. Under a new Mixed Member Proportional (MMP) electoral system, 41 (34%) women were elected to parliament in the 2008 election. The electoral system has always been a major determinant of representation in parliament, and this fact was noted by women who realised that to achieve political representation there had to be a change in the electoral system.

Support for electoral reform came from third parties, women's organisations, community groups and the opposition Labour Party, which included in its election manifestos at the 1981 and 1984 elections a promise to 'establish a Royal Commission…to inquire into and report on (amongst other things) whether proportional representation or some other variant from the existing, First-Past-the-Post system should be introduced'.[7] Much of the activism of this period was driven by a post-war generation that challenged the traditional social and political institutions, which no longer reflected their needs and interests. The feminists of the 1970s and 1980s were among those groups campaigning for change. It was also during this time that feminists were increasing in number and influence within the Labour Party.

When elected in 1984, the Labour government established a Royal Commission on Electoral Reform with comprehensive terms of reference to review all aspects of the electoral system. When the Commission reported in 1986, it found that the electoral system was unfair in many respects, in particular to minor parties, women and Māori (pp 239–40), and included among its recommendations the adoption of a MMP electoral system similar to that used in Germany (pp 295–302). In 1992, an indicative referendum was held to determine if New Zealanders wanted to change the electoral system. This resulted in 84 per cent of those who voted voting to change the system to MMP. A binding referendum was held in 1993, with 53.9 per cent voting in support of a change to MMP; this decision was confirmed by another referendum in 2011, when 58 per cent voted to retain the MMP system.

For women this has proved to be an advantage to their parliamentary representation. The reasons for this include a realisation by political parties that there is a women's vote that they need to attract, both through a policy programme and positioning women in winnable electorates or high among the list members. Under MMP the elector has two votes: one for the constituency Member of Parliament and one for the party. The party determines the individuals who stand both in the constituency seats and on the list, and the order of names on the list. Therefore, for women to gain party preference they need to be represented within political party decision-making.

3.4 A case study of women's influence within a political party

The role of women within the New Zealand Labour Party (NZLP) provides some insight into the nature of the obstacles faced by party political women (Gordon 1989, Purdue 1975, Davies 1984). It has been during Labour

Table 3.1 Female Members of Parliament (MPs) compared with the total number of MPs from 1931 to 2012

Year	Female MPs	Total no. of MPs	% of women
1931–35	1	80	1.25
1935–38	0	80	0
1938–43	3	80	3.75
1943–46	2	80	2.5
1946–49	2	80	2.5
1949–51	3	80	3.75
1951–54	4	80	5
1954–57	4	80	5
1957–60	4	80	5
1960–63	4	80	5
1963–66	5	80	6.25
1966–69	6	80	7.5
1969–72	4	84	4.76
1972–75	4	87	4.59
1975–78	4	87	4.59
1978–81	4	92	4.34
1981–84	8	92	8.69
1984–87	12	95	12.63
1987–90	14	97	14.43
1990–93	16	97	16.49
1993–96	21	99	21.21
1996–99	35	120	29.16
1999–2002	37	120	30.83
2002–05	35	120	29.16
2005–08	39	121	32.23
2008–11	41	122	33.60
2012	39	121	32.23

Source: New Zealand History online, available at: http://www.nzhistory.net.nz/media/photo/women-mps-in-parliament (accessed 25 July 2013)

governments that much of the legislation and policy relating to the equality of women has been enacted. Women were present at the formation of the NZLP in 1916, with two women being elected to the executive. It was not until 1933, however, that the first woman was elected to parliament. Elizabeth McCombs had been a member of the first Labour Party executive and was elected to a parliamentary seat left vacant by the death of her husband. Only four other Labour women were elected to parliament during the period 1938 to 1967 (Table 3.1).

3.4.1 Ruling Labour Party champions the inclusion of women in politics

There was an obvious reluctance by the NZLP to promote women for parliamentary seats. This reflected the role of women in New Zealand at the time, and the control exercised over the party by its male leadership. It did

not mean that women were not politically active within the party, but their participation was confined to organisational tasks such as branch sectaries and fundraisers. These roles were frequently undervalued, even though without the support of women the organisation of the party would not have been sustained. Their role then mirrored the traditional subordinate role of women in the society.

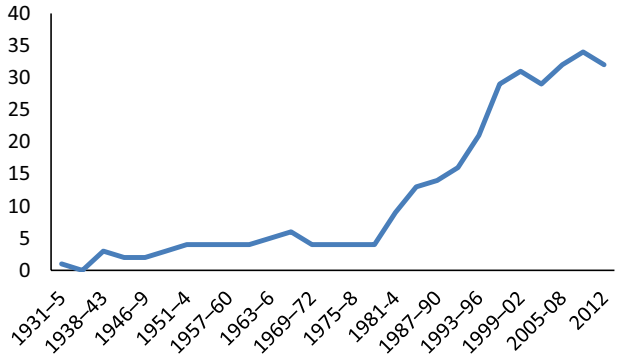
The aspirations of women to develop policy, political strategy and hold leadership roles were not realised until the impact of feminism in the 1970s and 1980s. A new generation of feminists combined with an elder generation of political women and challenged the NZLP to provide a space within the party for women to develop their own policy and promote their own candidates for office. Labour women had long sought to hold their own conferences and to develop their own policy. The party leadership, on the grounds of the need for unity, resisted this. However, the real reason may have been that the leadership needed to control votes at conferences and electoral selections.

The women's movement in the 1970s reignited the need for women to have a space of their own for political activity within the NZLP. The debate on modes of organisation had been vigorous among feminists, with the merits of separate or integrated models being advocated. While Labour women understood the merits of separate organisations, they also understood this was unlikely to lead to electoral success (Figure 3.1).

3.4.2 The feminist agenda in advancing women's political participation

The solution for Labour feminists was to challenge the NZLP leadership for the right to form their own representative organisation within the NZLP. The establishment of a Labour Women's Council was endorsed by the party conference in 1974 and formed in 1975. Its mandate included the promotion of women's representation within the party hierarchy and parliament, and to develop an equality policy for women that would be adopted by the party as a whole and included in the election manifestos. The 1975 election manifesto

Figure 3.1 Female Members of Parliament in New Zealand



included a specific women's policy for the first time. The policy reflected the recommendations of the *Select Committee Report on the Role of Women in New Zealand Society* (1975). National Party women also exerted their influence on their party, and the National Party also developed a women's policy for its 1975 election manifesto.[8] Both these initiatives took place in response to the growing strength of the women's movement in the community, as well as within the political parties.

Labour feminists had argued that if the party developed a policy relevant to women, then it would attract their votes. The common mythology of the time was that women voted conservatively, but it was not until the opinion polls started to develop and include women's voting preferences that an accurate assessment could be made of women's voting preferences. The 1984 election opinion polls noted a shift in more women voting for Labour. Labour's election manifesto included a coherent equality policy for women that covered economic, social, cultural, legal and political equality, as well as the commitment to establish a Ministry of Women's Affairs to ensure bureaucratic support for the implementation of the policy. This election also saw the election of 10 Labour women to parliament. This was a greater number than ever before, and was followed by two women being elected to the cabinet by the caucus. For the first time women had a foothold within parliament and the governing party to launch their policy. Labour women saw these events as a vindication of their strategy to take control of their own political organisation within the NZLP.

The organisational strategy of 'diversity within unity' was hard fought by women within the NZLP. Yet the power of working together proved effective in electing women to positions on the executive and policy council of the NZLP. The question of allocating resources to promote the women's activities was a difficult one, but eventually a women's organiser was appointed after the women's section of the party pledged its support for Jim Anderton as President. Women began to use their political leverage within the organisation to advance their policy issues, and also to ensure a fairer selection process that enabled women to be selected to stand for parliament. The ability to organise separate policy conferences and training sessions for prospective parliamentary candidates improved the capacity of women to argue their case in various party forums. The election of the first women as party president in 1984[9] was an opportunity to ensure that the influence of women would be felt at all levels of political activity.

There was an irony that women had just obtained some influence with the NZLP at the time the Labour government embraced the policies of neo-liberalism, which undermined the whole basis of the equality agenda for women. The fact that women were politically better positioned than ever before to influence policy meant that the policy struggles now took place within the caucus and the party forum. The ideological divisions within the fourth Labour government were soon apparent, and the women of the party

provided one of the centres of opposition to the withdrawal of the state in favour of the market as the primary allocator of resources.

3.4.3 Adoption of MMP increases women's representation in parliament

The most recent 2012 Census Report noted that 32 per cent of the Members of Parliament were women. This figure had remained the same following the 2011 election. As at 2013 there are 20 cabinet ministers, of whom 5 are women. However, women ministers do not hold any of the key economic portfolios, though the minister of justice is a woman and ranked at number five within the cabinet. A Māori woman is minister of education and ranked number seven.

The number of women Members of Parliament has increased over the period of time since women became politically active in the 1970s. In 1981 there were only eight women in parliament, which increased to 12 in 1984, 14 in 1987, 16 in 1990 and 21 in 1993. This number jumped to 35 in 1996, which was the first election under the new Mixed Member Proportionality (MMP) electoral system. It is this electoral system that has continued to increase women's political representation, with a peak in 2008 when 41 women were elected to parliament. For the last two elections, however, the number has declined to 39 (32%) and the question is being raised whether a new ceiling has been reached. While it may be too early to draw this conclusion, if the number does not increase after the next election, further measures may be required to ensure women are proportionately represented in parliament.

The picture in local government is not so good, however. New Zealand has yet to reach the Commonwealth target of 30 per cent representation, and has only 28.3 per cent representation. This represents a slight decline, from 29.4 per cent in the 2007 local body elections. In terms of leadership positions in local government, only 17.9 per cent of the mayors are women. This number may reflect the low voter turnout, which is less than 50 per cent (New Zealand Human Rights Commission 2012a). This in turn reflects the lack of importance attributed to local government in New Zealand. There is tendency to look to national government as the key decision-maker, which is understandable in a population of 4.24 million people. It may also reflect that women have focused on national political representation, because it is where the decisions are made.

3.4.4 Institutionalisation of a women's policy influences adoption of international laws

Although the fourth Labour government pursued a neo-liberal policy agenda from 1984 to 1990, it was strongly contested by women within the Labour Party and caucus – so some progress was made to implement the women's policy agenda. The presence of women in parliament and having an active, separate women's section in the Labour Party were essential in the maintenance of a focus on equality for women at a time when this concept stood in absolute contradiction to the emerging economic policy. The need to institutionalise a women's policy perspective was reinforced during this

period. The campaign to ratify the Convention to Eliminate of All Forms of Discrimination against Women (CEDAW) provided the impetus for the establishment of a Ministry of Women's Affairs. The process and outcome of ratification provides a case study of the influence of international conventions on national practice. The political women within the government also led the campaign for New Zealand to pursue a non-nuclear policy, and used their influence to get the government to deny United States ships entry to New Zealand because of its refusal to confirm or deny the ships were nuclear powered or had nuclear weapons.

Ratification of CEDAW was important in the long-term development of women's equality, because it required governments to report on progress implementing CEDAW obligations and therefore an opportunity was provided for formal accountability. In order to ensure the government reporting process incorporated a women's perspective, the establishment of the Ministry of Women's Affairs as a stand-alone ministry was seen as an essential element of government policy. It was also envisaged the ministry would give women a direct voice in government decision-making, especially within the bureaucracy during the formation of policy advice. Although attempts were made to incorporate the agency within the Prime Minister's Department, these were resisted as Labour feminists argued the ministry needed to be independent and accountable in its own right. The ministry was established in 1985 and was responsible to a Minister of Women's Affairs. One of the tasks of the ministry, apart from CEDAW reporting, was to develop a template for gender policy analysis. Both of these policies were designed to require transparency and accountability for policy relating to women (Wilson 1992: 35–49, Wilson 1989).

The NZLP women's organisation structure established in the 1970s survived the defeat of the Labour government in 1990. Two women were elected NZLP presidents in the 1990s, and Helen Clark was elected leader of the NZLP opposition. The re-election of a Labour-led government under the MMP system saw Helen Clark elected as the first woman Prime Minister of New Zealand in 1999; women also comprised a quarter of the cabinet.

The presence of feminists in the cabinet and caucus was influential in the resumption of the equality agenda, which was set out in the 1984 manifesto. The need for consistent and persistent political activism by women is demonstrated by the development of a legal equality framework over a 40-year period, a framework that is still incomplete.

3.5 Impact of women's political leadership on development and positions of authority

One assessment of the impact of women's political leadership looks at the number of leadership positions held by women, and the changes to the legal system that have occurred since women became politically active in the 1970s.

The New Zealand Census of Women's Participation in Public Life[10] provides a statistical analysis of the number of women in leadership position in New Zealand public life. The census is the product of work undertaken by the Human Rights Equal Employment Opportunities Commissioner, who was appointed after an amendment to the Human Rights Act in 2001. The 2012 Census is the fifth in a series that is intended to provide a benchmarking tool to 'describe and debate the position of New Zealand women from a factual vantage at a time when complacency and negativity about women's progress pervades public and media debate' (New Zealand Human Rights Commission 2008: 5).

The census reports follow in the tradition of the Society for Research on Women, which was established in 1966 and whose research played an important role in framing the feminist equality campaigns of the 1970s and 1980s. The fact that a state-funded body, the Human Rights Commission, is undertaking the research is an example of a move from outside to inside the political system. Academic women had found it difficult to maintain research without funding, and had sought inclusion of women-centred research from public funding. While there is always a risk for independence in such research, the reality in New Zealand is that there is not sufficient private funding. Also women contribute to public funding through their taxes, and have sought a return on their taxes through women-centred, evidence-based policy.

3.5.1 Women's contribution to economic and social development in New Zealand

In terms of women's economic development, the picture for women in leadership positions is not so good. Although women represent 62.6 per cent of the paid labour force, they comprise only 14.75 per cent of directors of the top 10 companies by market capitalisation; this contrasts with 41.1 per cent of women on state sector boards. The government has recently focused on increasing the number of private sector women directors, through encouraging the private sector to take responsibility and increase the number of appointments of women. The Institute of Directors has endorsed a scheme to mentor women for future appointment. Whether these voluntary measures will increase the number of women is a matter for the future.

Voluntary methods were advocated in the government's *Report of the Working Group on Equity in Employment* in the 1990s (Government of New Zealand 1991), but have produced little progress in the business sector. There has been a similar experience in other professional employment sectors. For example, women have represented more than 50 per cent of legal graduates since the 1980s, yet only 19 per cent of top legal firms have women partners and women represent only 27.68 per cent of the judiciary in New Zealand. It is interesting to note that in an area of law associated with women, family law, women represent 41.18 per cent of the Family Court judges. (New Zealand Human Rights Commission 2010, 2012a) Judicial appointments in New

Zealand are political in that they are made by the Governor-General on the recommendation of the Attorney-General. There has been only one woman Attorney-General in New Zealand to date, between 1999 and 2005. Given that the first women to be admitted to the practice of law was in 1897, the inclusion of women in the legal system has been slow. The small number of women in legal leadership positions raises the question of whether women are rejecting the traditional modes of legal practice and creating their own legal practices, which give women financial independence with more control over their working environment. More research is required in this area.

In the context of women in leadership positions, it is important to note that women achieve academically and are well qualified to undertake leadership positions. The Census Report 2012 records that women hold only 24.38 per cent of senior academic positions at universities. This represents an increase of 1.93 per cent since 2010. Since 2007, universities have supported a 'Women in Leadership' programme that has assisted 160 women, both academic and administrative, in a programme to promote their career development. As the international equality measures have demonstrated, New Zealand women achieve equality in access and achievement in education. A lack of educational qualifications is not a major factor in the development of women into leadership positions, though as previously noted, Māori and Pacific women still face challenges. Similarly, this cannot explain why women still do not receive equal pay to men for the same or similar work.

In the government Census Report 2006 the medium income from all sources for people aged over 15 was 31,500 New Zealand dollars (NZ$) for men and NZ$19,100 for women, a gap of 39 per cent; Māori women received NZ$17,800 and Pacific women NZ$17,400. In 2012, the average hourly earnings for women was NZ$24.91 compared with NZ$28.66 for men, which makes a 13 per cent difference.[11] The 2012 Census Report notes, however, the variation is the gender pay gap according to type of work undertaken in the public sector. For example, the gap is 22.6 per cent in the Treasury and 35 per cent in Education Ministries and 10.7 per cent in Social Development and 12 per cent in Māori Development Ministeries. In the context of this survey, the earnings of women are an important factor in the capacity of women to engage in political activity. The barriers to women receiving equal pay cannot include a lack of educational qualification. Although much research has been undertaken to explain the wage inequality gap, current policy relies on market forces to close the gap (Hyman 2010).[12] As the market is unlikely to revalue the work undertaken predominantly by women, it appears unlikely the market alone will be able to produce economic equality for women.

3.5.2 Analysing the status of Māori women in politics and society

While international data are important and relevant to identify the status of women in the national and international contexts, the data can mask inequalities within the general data. For example, in the New Zealand context

there is greater inequality among Māori, and Māori women in particular. Good data on the position of Māori and Pacific women are seldom collected, so it is difficult to accurately verify their position (New Zealand Human Rights Commission 2012a: 2). Although Māori women's overall participation rate in paid employment is only 61 per cent, compared with 63.9 per cent for European women, the gap is greater for Māori women under 25 years – being 15 per cent lower than for European women and 9 per cent lower in the aged group 25 to 44 years. Although Māori women's participation rate in education has been lower than for the overall population of women, Te Puni Kokiri (the Ministry of Māori Development) reports that there has been an increase in participation in tertiary education and that completions for Māori women increased 201 per cent between 1997 and 2003, compared with a 109 per cent increase for Māori men' (Te Puni Kōkiri 2006). The importance of educational qualifications is seen in the unemployment figures, with the rates being 18.9 per cent for Māori without qualifications and 11.8 per cent for Māori with post-school qualifications (New Zealand Human Rights Commission 2011: 12).

In terms of political participation, there are 21 Members of Parliament who have self-identified as being of Māori descent – 17 per cent of the total parliament. In the 2006 census, 18 per cent of the population identified as Māori. Of the 21 Māori Members of Parliament, six are Māori women. Although progress is being made in terms of Māori women's participation and development, the New Zealand Human Rights Commission in its report to the CEDAW Committee in 2011 noted that on almost all of the available indicators there was a gap between European and Māori and Pacific women. People of Pacific ethnicity comprise 7 per cent of the population. The closing of this gap is a major focus of current public policy that is pursued by governments.[13]

An understanding of the participation and development of women in New Zealand is a story of two peoples – Pakeha (European) and Māori. Increasingly, however, it is also a story of the growing diversity of New Zealand's population and the attempts recently to incorporate those different stories within a narrative. Since 2003, the Human Rights Commission has developed a strategy of inclusion of ethnic diversity under the leadership of the Human Rights Commissioner responsible for race relations. This chapter acknowledges that the dominant narrative reflects the experience of Pakeha women, because of their greater access to the political system. It will be noted, however, that the activism of feminists in the 1970s and 1980s contributed to growing awareness of the inequalities experienced by Māori women (Horsfield and Evans 1988). The social and political activism of this period included a renewal within Māoridom of their right to self-determination, which was guaranteed under the Treaty of Waitangi.

Māori women were an important part of the renaissance within Māori, and for many the position of Māori women was expressed as 'Justice for Māori women had to be understood in the context of the wider question of Māori

sovereignty' (Awatere 1984: 44). The reconstruction of the role of Māori men and women within Māori culture is a matter for Māori to determine, though Māori feminists have been contributing towards a partnership between Māori men and women that reflects the changing gender roles in the larger society but that are driven by and for Māori themselves. Māori women live within two worlds in which their role as women is seen differently.[14] The same is true for Pacific women and for women of the increasing number of different ethnic groups living in New Zealand. One of the major challenges for New Zealand as a whole is to accommodate and affirm cultural difference. The story of the struggle of Māori and Pacific women has yet to be fully recorded, but is likely to be an important part of the New Zealand narrative in the future.

3.6 Impact of women's political leadership on legal and public sector reform

Women have long been aware of the importance of the law and the legal system in determining their status, rights and responsibilities. The legal system encompasses not only the rules and principles, but also the institutions and people who make, enforce, interpret and administer the rules. If women were to have any influence within the legal system, they needed to not only be in parliament, or more specifically the government, but also appointed as judges to all levels of the court system, to act as lawyers, undertake employment as administrators and policy advisors within the legal bureaucracy, and work within the enforcement agencies, such as the police and prison service. New Zealand feminists in the nineteenth century recognised the need for women to have legal equality (Grimshaw 1972), and they campaigned not only for the right to vote but for legal recognition of their right to equality. Among other achievements, these campaigns resulted in women gaining access to primary education as of right in 1877, the right to attend and graduate from universities, with the first woman graduating in 1877, and the right to practise law, with the first women being admitted to practise law in 1897. Early feminists recognised it was the law that legitimised the values, behaviour and institutions of a society, and thus the role of women. It was essential, therefore, that women obtained recognition of their rights in law if they were to gain control over their lives.

On the surface there appeared to be few legal impediments for women to pursue whatever activity they wished, because the law did not specifically discriminate against women. *In reality, however, the apparent 'neutrality' of the law enabled discrimination against women who tried to step beyond the traditional role of women.* The lack of both a positive legal right to equality and a legal remedy to redress discriminatory behaviour reinforced the traditional role of women as wives and mothers dependent on a husband for economic and social status and support. It was the continuing lack of positive legal rights for women that dominated the feminist movement agenda during the 1970s and 1980s. Although it was acknowledged that law reform in itself would not

obtain the equality women sought, it was seen as a necessary step towards its achievement. The second wave of feminism, which demanded equal legal rights for women, addressed many of the same issues.

3.6.1 Women human rights-centred legal reforms in New Zealand

The rights for which women sought legal recognition during the 1970 to 1990 period are outlined below:

- They centred first on a woman's right to personal security and control over her own body, through legislation giving women greater protection from domestic violence. This resulted in the enactment of the Domestic Violence Act 1982 and greater protection to report rape and have the crime taken seriously by the police. The rape laws were changed, but women still risk character attacks if they bring prosecutions.
- Women also sought access to safe abortions and contraceptive advice. They were, however, unsuccessful in this campaign and the Contraception, Sterilization, and Abortion Act of 1977 that was enacted has remained an ambiguous piece of legislation, although it has been interpreted to enable most women access to safe abortions. Women now have access to contraceptives and receive advice on birth control.
- Women further sought the right to economic independence through such diverse legislation as: the Equal Pay Act 1972, which gave women the right to equal pay for equal work, but not work of equal value; the Human Rights Commission Act 1977, which provided a remedy for discrimination on the grounds of sex or marital status; the Matrimonial Property Act 1977, which recognised the financial contribution of women to marital property; the Maternity and Parental Leave Act 1980, which recognised that women had a right to unpaid leave after the birth of a child; the (now repealed) Employment Equity Act 1990, which gave legal recognition to the right to both equal pay for work of equal value and equal employment opportunities; and the Human Rights Act 1993, which extended the grounds of unlawful discrimination to include, among other grounds, family status.

While, with the exception of the Contraception, Sterilization, and Abortion Act, each of these acts were initiated and supported by women because they were intended to redress a wrong or create a right for women, they all failed in some respects to achieve the objectives of the women who campaigned for them. This does not mean that many women have not benefited from the provisions of these acts. However, there was still unfinished business for women to pursue in terms of this equality legal agenda when feminist women next achieved positions of political power between 1999 and 2008. The legal framework for women's equality of the 1980s was built on during the 1999 to 2008 period, not only with regard to specific policy issues, but also in an attempt to give better access to the legal system.

Other constitutional reforms championed by the woman-friendly government of New Zealand included the following:

- Constitutionally, the disestablishment of the Privy Council and *establishment of the Supreme Court in 2003* has enabled for the first time family and employment cases (which involve many women) to be determined by a final court of appeal in New Zealand.
- The *Human Rights Amendment Act 2001* restructured the Human Rights Commission to be more proactive in the advocacy of human rights. Importantly it has provided a more effective remedy against discrimination through a provision that requires a finding of discrimination to be reported to parliament, and a response from the minister responsible for the policy area.
- The *Paid Parental Leave Amendment Act 2002* built on the Maternity Leave and Employment Protection Act of 1980, with provision for 14 weeks paid parental leave.
- Similarly, the *Property Relationships Act of 2001* extended the *Matrimonial Property Act 1977* and provided for a 50 per cent division of property on the breakdown of a relationship, whether the relationship was in the nature of marriage or not. The act also applies to same-sex couples.

3.6.2 Women's leadership and public sector reform

Initiatives in the area of employment were also recommenced during the 1999 to 2008 period. They included pay equity audits of public sector jobs, which were subsequently disestablished after a change of government in 2008; work/like balance measures, including the right to request flexible working arrangements, which were continued after the change of government; and an Equal Employment Opportunities Commissioner (EEOC) appointed to the Human Rights Commission. This appointment enabled institutional support for equal employment opportunities to be pursued by a state institution.

A similar position had been disestablished in 1991, reflecting the public policy ideology of the time that the market was the primary vehicle for achieving equity. The value of the appointment of an EEOC has been seen through measures such as research on the appointment of women in public positions (New Zealand Human Rights Commission 2012a), a report on the position of care workers in rest homes (New Zealand Human Rights Commission 2012b) and a report on a conversation with 3,000 New Zealanders about their work experiences. This focus on measures to improve equal opportunities in the workplace included a draft *Pay Equality Bill* (New Zealand Human Rights Commission 2011). The Human Rights Commission has also sponsored a successful equal pay case to the Human Rights Tribunal.[15] Additionally, the commission has assumed greater responsibility in pursuing not only remedies against discrimination for women, but also through its research providing transparency on the position of women in society.

3.6.3 Strengthening policy for women's leadership positions

Apart from these specific statutory measures, the cabinet supported initiatives to institutionalise within the bureaucracy a more gender-equal approach to both policy advice and appointment to public positions. The cabinet supported a directive that required appointments to government boards to be diverse[16] and that all submissions to the Cabinet Social Equity Committee must include a gender analysis of the implications of the policy.[17] Although the Labour Party during this period had been elected on a platform that stated its commitment to the equality of women, the presence of women in cabinet, the government caucus and the party ensured that this policy was implemented. In addition, the fact that there was a clearly mandated women's policy agenda, which had appeared in some detail in every election manifesto since 1984, ensured the equality agenda could be pursued over a period of time whether or not the party was in government. The relative success of the agenda demonstrated the need for a long-term commitment and participation in the political process by feminist women.

3.6.4 Legal definition of equality to promote women

Although women have been actively involved in developing policies and reforming legislation to promote the equality of women, the reality has been that women still lack real equality. This fact was noted in the recent CEDAW report on New Zealand. The CEDAW Committee recommended:[18]

> The state party is urged to establish a legal definition of discrimination on the basis of sex in line with article 1 of the convention, and to extend state responsibility for acts of discrimination by both public and private actors in accordance with article 2 of the convention, with a view to achieving formal and substantive equality between women and men.

Reasons for the lack of equality can be attributed to many factors:

- ***Lack of resources***: The current global financial crisis (GFC) has contributed in reality and rhetoric to an argument that this is not the time to make changes, especially if they require an allocation of financial resources. It may be argued, however, that there is a more fundamental barrier to the legal and substantive equality of women. It is that policies and laws are designed to accommodate women within a system that was designed to protect and promote the male experience and their traditional role. While women may initiate the conditions for law reform, they do not have any control over that reform. This lack of control and even influence during the decision-making process is apparent when that process is analysed.
- ***The need for more women public servants as policy advisers***: Cabinet officials have considerable influence on the development of policy – in particular the Treasury, which comments on all policy. It is for this reason that it is essential that women are part of the public service that provides advice on policy. Currently 24.1 per cent of chief executives in the public

sector are women.[19] Although all legislation must be enacted by parliament after normally being examined by a Select Committee of parliament, the reality is that the government has the majority in the parliament and normally its legislation is enacted. As noted previously, New Zealand's constitutional arrangements accord considerable power to the executive government.

- ***Limited understanding of the political ideology to inform policy making***: All governments work within an ideological framework. Since the 1980s, neo-liberalism has provided the framework for policy making. This has meant all policy is assessed in terms of its financial cost and economic value. The primary mechanism for policy delivery is also assumed to be the market, whether social or economic policy is under consideration. This policy approach reflects existing relationships of power and reinforces those relationships. For women this approach presents a real barrier to gain recognition of policies to promote economic, social and political inclusion. The rationale for these policies is often grounded on notions of equality, and democratic process that are not always consistent with the ideology of neo-liberalism. This is why it is essential for women leaders to understand the ideas and ideologies that inform political decision-making.

3.7 International measures of women's current participation in public life

New Zealand has been considered by many, and considers itself to be, 'a leader in the field of gender equality'. This reputation is supported by several authoritative international measures. The Global Gender Gap Index (Hausmann et al. 2012), produced by the World Economic Forum, calculates gender equality in terms of economic participation and opportunity; educational attainment; health and survival; and political empowerment. New Zealand was placed sixth behind the Nordic countries and Ireland in 2011. It is interesting to note that women ranked first on the educational attainment measure, ninth on political empowerment and 15th on economic participation and opportunity.

The Human Development Reports from the United Nations Development Programme include two measures of gender equality. The Gender Empowerment Measure (GEM) combines indices such as: the participation of women in economic and political life; the representation of women in parliament, as senior officials and management, and as professional and technical workers; and the gender disparity in earned income. In 2009, New Zealand ranked tenth out of 109 countries (UNDP 2009). The Human Development Index (HDI) is a composite measure of three dimensions of human development: life expectancy; education; and standard of living. The Gender Development Index (GDI) captures inequalities between men and

women on these indicators. In terms of the ratio to the HDI, New Zealand ranks 69th out of 155 countries.

Although New Zealand scores well on the above indices, it is important to note that inequality is also increasing in New Zealand. The Organisation for Economic Co-operation and Development (OECD) report *Divided We Stand: Why Inequality Keeps Rising* (2011) notes that inequality in New Zealand has increased by more than 4 per cent using the Gini coefficient measure of inequality. In OECD comparative data for the period 2008–2009, New Zealand was ranked the 10th most unequal country in the OECD. This trend of growing inequality has been noted in many developed countries. Wilkinson and Pickett in their research published in *The Spirit Level* (2010) noted that New Zealand has one of the highest rates of income inequality among developed countries, ranking 17th out of 21 countries.

This research is important because it identifies the drivers of inequality, which enables an assessment to be made of the impact on women's development. For example, the OECD report identifies, among other factors driving inequality, regulatory and institutional changes that increased employment opportunities but increased wage inequality; at the same time these regulatory changes increased part-time work and atypical labour contracts that are associated with precarious work and a decline in working conditions. More women in New Zealand are employed in part-time employment, which affects their income and conditions of work (Dwyer and Ryan 2008). If their position is to be protected, it will require a regulatory framework that reflects the reality of women's working lives and economic position. The analysis of regulatory change in New Zealand over the past 40 years reflects a growing but incomplete awareness of the needs of women in paid employment, and that that awareness has been associated with the increased political representation of women.

3.8 Conclusion

New Zealand women have contributed much to the political leadership and development of the country. Their contribution has been effected through access to and participation in political decision-making, through political parties and governments. The achievement of the efforts of women is seen in changes to the legal system, which increasingly formally recognises the equality of women. Women have also increasingly gained economic independence, through participation in paid employment and fairer laws recognising their unpaid contribution to partnership property. In addition, women fully participate in their local and national communities and actively engage in the political process directly and through their NGOs. It is apparent, however, that these achievements have been gained through adapting to institutions that still reflect the male experience. It would be misleading to assume New Zealand women have achieved equality within the political system. The fact there is

still much to be done is recognised by CEDAW concluding observations and recommendations when they observed as follows:[20]

> The Committee notes with concern the number of challenges that continue to impede the full implementation of the Convention in the state party, including recourse to gender neutral language with respect to gender based violence, including domestic violence; pay inequality and pay equity; the status of vulnerable groups of women, including women with disabilities and minority women; the impact of the 2011 earthquake on women; the impact of policy changes such as financial cuts to legal aid schemes; adequacy of targets and benchmarks to advance women's rights; and the insufficient dissemination and promotion of the Convention.

An assessment of the continuing development of women in political leadership will be seen in the next country report on the implementation of the obligations in CEDAW.

Notes

1 *New Zealand Māori Council v Attorney-General* [1987] 1 NZLR 641.
2 Constitution Act 1986, s 17.
3 Electoral Act 1993, s 74.
4 Except for s 17 – Term of Parliament, which is subject to s 268 of the Electoral Act 1993 that specifies reserved provisions that require a 75 per cent majority in parliament or a majority at national referendum to change.
5 See Electoral Act 1993, s 268 for a list of the reserved provisions.
6 Supra No. 6, p 24.
7 See Harris and Levine (1992) and Levine and Roberts (1997) for a discussion of the factors that contributed to the MMP debate during this period.
8 Gustafson 1986: 266–87. In the 2011 National Party election manifesto only three women's policies were specifically identified – family friendly workplaces, violence against women and women on boards.
9 The author was elected the NZLP President in 1984.
10 See: www.neon.org.nz/census2010/
11 Department of Labour research available at: @dol.govt.nz
12 Also see Coalition for Equal Value Equal Pay (CEVEP) for bibliography of recent publications, available at: www.cevep.org.nz (accessed 20 November 2012).
13 See: www.parliament.nz/en-nz/parl-support/research-papers/00PLLaw2012021/final-results-for-the-2011-new-zealand-general-election (accessed 20 November 2012.)
14 See Irwin (1992)
15 *Talley Fisheries v Lewis & Edwards* [2007] 4NZELR 447.
16 *Government Appointments: Diversity of Boards Membership,* C O (02) 16, available at: www.dpmc.govt.govt.nz/Cabinet/Circulars (accessed 22 June 2012).
17 *Gender Analysis: Inclusion of Implications Statement in All Submissions to Cabinet Social Equity Committee,* CO (02) 6/3/2002, available at: www.dpmc.govt.govt.nz/Cabinet/Circulars (accessed 22 June 2012).
18 Committee on the Elimination of Discrimination Against Women, *Concluding observations of the Committee on the Elimination of Discrimination against Women*, CEDAW/C/NZL/CO/7, available at: www.un.org/womenwatch/daw/cedaw/39sess.htm (accessed 30 November 2012).
19 Supra n 28 at p 93.
20 Supra, n 47, available at: www.un.org/womenwatch/daw/cedaw/39sess.htm (accessed 30 November 2012).

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Chapter 4

Women's Participation in Local Governments in Bangladesh and India

Farah Deeba Chowdhury

Abstract

Women are beginning to stand for elections and have won seats or held political office at different tiers of government in India and Bangladesh, but the numbers are still very low. These two countries have excelled in mainstreaming women in local governance structures. Following constitutional amendments to reserve one-third of all local government seats for women in India after the 73rd and 74th Amendments to the Constitution in 1992, more than one million women were elected to local government positions. Similarly, institutional reforms to reserve seats for women's active participation in local governance in Bangladesh in 1997 resulted in many women councillors being elected. Despite various problems faced by women in both India and Bangladesh, reservation of seats for women in local bodies increased women's visibility in public life and provided them with social legitimacy. Reservation of seats for women in local bodies has shown that women are increasingly playing an important role in social, economic, environmental, dispute resolution, legal and political areas. These in turn have an impact on democracy and development, which is the crux of this research study.

4.1 Introduction

Democracy is a system of representational government in which the people exercise sovereign power directly or indirectly. In a democracy, ordinary citizens have a very important role to play in the state affairs (Shihata 1997: 635) and every citizen is considered to be autonomous and self-determining. Post argues, 'Democracy requires that persons be treated equally insofar as they are autonomous participants in the process of self-government' (2005: 147). Democracy can ensure development covers all forms of human progress including 'political rights under a form of government based on broad participation' (Shihata 1997: 635). Although democracy requires that all persons be treated equally and considered autonomous and self-determining, women in Bangladesh and India are lagging behind men in nearly all spheres of development and democracy. The Local Government (Union Parishads) (Second Amendment) Act, 1997 provides direct election for women in reserved seats. The 73rd and 74th Constitutional Amendment Act in India provides for one-third of the seats in rural and urban local governments respectively.

Are women members in Bangladesh and India able to participate effectively in local governments? What problems do they face in politics? Does their participation bring any changes to local people? These issues will be addressed in this chapter.

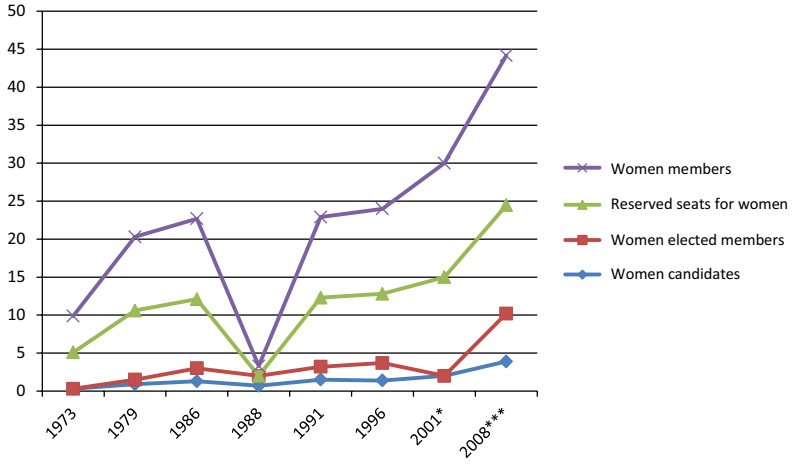
> 'Women candidates could not survive in the election politics of violence and money. Moreover, the popular belief is that nominating a woman for a seat is the other name of losing it.'
>
> Sheikh Hasina, Prime Minister of Bangladesh, 2001.

4.2 Bangladesh

4.2.1 Women in national politics

Bangladesh has had two women prime ministers in the last two decades, Khaleda Zia (1991–96 and 2001–06) and Sheikh Hasina (1996–2001 and 2009 to the present). Despite this, the percentage of women Members of Parliament (Jatiyo Sangsad) is low. Jatiyo Sangsad is a unicameral legislature, comprising 350 seats of which 50 are reserved for women. The members are elected from single territorial constituencies by direct election. In addition, 50 seats were reserved for women to be elected by the directly elected members of the parliament. This provision did not deprive women of their electoral right to contest the elections from general constituencies as independent or political party candidates. Despite this, women hold just 19.7 per cent of the seats in the current parliament, of which 13.37 per cent are reserved seats and 6.33 per cent are held by directly elected women members (Women in National Parliaments 2013). Only 11.76 per cent of cabinet ministers are women (National Web Portal of Bangladesh).

Figure 4.1 Percentage of women in the parliament of Bangladesh, 1973–2008



Source: Chowdhury (2013: 33)

In the electoral process political parties in Bangladesh prefer male candidates. Sheikh Hasina once remarked, 'Women candidates could not survive in the election politics of violence and money. Moreover, the popular belief is that nominating a woman for a seat is the other name of losing it' (Chowdhury 2009).

In order to ensure a minimum representation of women in parliament, the constitution of the People's Republic of Bangladesh, which came into effect on 16 December 1972, provided for 15 reserved seats. Ziaur Rahman, the seventh President of Bangladesh, enlarged the number of reserved seats for women to 30 in 1979. The members in the reserved seats acted as the 'vote bank' of the treasury bench. Women MPs in reserved seats were branded as '30 sets of ornaments' due to their low level of participation in the parliament. The provision of reserved seats encourages their dependence on their male colleagues (Choudhury and Hasanuzzaman 1997). Parliament passed the 14th Amendment Bill of the Constitution on 16 May 2004 and increased the number of reserved seats from 30 to 45 (Zaman and Ahsan 2004). The seats reserved for women were valid for 10 years and distributed among political parties proportionate to the number of seats they held. Accordingly, the Bangladesh Nationalist Party (BNP) was allocated 36; four went to the Jamaat-i-Islami Bangladesh, three to the Jatiya Party (Ershad), and one each to the Bangladesh Jatiya Party (BJP) and the Islami Oikya Jote (IOJ) (*The Daily Star* 2005). The Awami League, which was not allocated any of the reserved seats, demanded direct election.

In the ninth parliament (2008–2013) the Awami League has an absolute majority. Parliament passed the 15th Amendment Bill of the Constitution on 30 June 2011 and increased the number of seats for women from 45 to 50 (*Deccan Herald* 2013). If direct election in the reserved seats is introduced, then women members' dependency on their male colleagues will no longer exist and they will be accountable to the voters. That would help to ensure their effective representation in the parliament.

Why is women's participation in the parliament and cabinet low in a Muslim-majority country such as Bangladesh? Is religion the main factor hindering women's participation in politics? Ayesha Khanam, President of the Bangladesh Mahila Parishad said, 'Religion is not a factor here...If it was, those women who are in politics today and who have the support of [hundreds of thousands] of people and who work together with the religion-based parties, would not be here' (Islam 2007). Then what are the problems that women face in participating in politics? Why are Bangladeshi women not more prominent in politics, despite having two women leaders? In fact, male control of both the public and private spheres hinders women's political participation. In the public sphere, women have to contend with *mastan* culture (*mastan* culture refers to the killers, extortionists, looters, and perpetrators of violent crimes who operate under the supervision of so-called 'godfathers') (Rashiduzzaman 2001: 23) and availability of illegal arms, accessibility to black market money and fear of sexual harassment (Chowdhury 2009). In the private sphere,

Table 4.1 Percentage of women in the Parliament of Bangladesh, 1973–2008

Election year	Women candidates	Women elected members	Reserved seats for women	Women members
1973	0.3	0	4.8	4.8
1979	0.9	0.6	9.1	9.7
1986	1.3	1.7	9.1	10.6
1988	0.7	1.3	0	1.3
1991	1.5	1.7	9.1	10.6
1996	1.4	2.3	9.1	11.2
2001[a]	2.0	2.3[b]	13.0	15.0
2008[c]	3.9	6.3	14.28	19.7

[a] Different daily newspapers

[b] During the first four years of the eighth parliament, when there were no seats reserved for women, the representation of female members was 2.3 per cent

[c] Daily newspapers

Source: Chowdhury (2013: 33)

women have to cope with a lack of control over their own income, family involvement and non-co-operation of husbands.

Women in reserved seats lack political experience, and since they are indirectly elected they do not have the political strength to hold and exercise power. In 2013, the cabinet has six women lead important ministries, including defence, foreign affairs, energy, agriculture, labour and employment. In Bangladesh it is generally accepted that men will lead the important ministries, so the women appointed to these posts must be experienced, knowledgeable, competent and capable to avoid negative perceptions among the people about the quality of women's participation.

4.2.2 Women in local government: important contribution of women in local councils

Women representatives in local government in Bangladesh have awareness of social issues and have been able to prioritise the welfare of their communities with respect to housing, security, clean water, sanitation and education for the benefit of men, women, boys and girls. Further, these women have impacted on the social implications of policies with respect to health services, child care, poverty alleviation, dowry problems, violence against women and girls, and community development. Moreover, when planning for city development the women take into consideration the physical environment of communities and the quality of life, without excluding the art and culture of the various communities. By serving as positive role models to other women and mobilising male champions to support the cause of women, they have gradually improved the status of women to promote policies and funding of developmental projects that are beneficial for communities. In this way, these women encourage more women to participate in the political process.

Through this political engagement, women are accelerating change and gradually transforming the political environment of local governance to one that is more people friendly, consultative and transparent.

Bangladesh presently operates two types of local government institutions for the urban (Pourashavas and City Corporations) and rural areas (Zila [district] Parishad, Upazila Parishad and Union Parishad). The Union Parishad is headed by a chair, and consists of a further nine general members plus three reserved seats for women (Khan and Ara 2006). The women are voted in by direct election, and are able to contest the general seats and that of the chair.

During the Upazila Parishad elections in January 2009, 1,936 women candidates contested 480 seats across the country. A total of 475 women were elected. The additional post of vice-chairperson of the country's Upazila Parishads was created exclusively for female candidates. Candidates are elected by direct vote, even though the post is reserved for women (*The Daily Star* 2009). However, female vice-chairs of Upazila Parishads throughout the country could not start their jobs following the 2009 elections, as the government did not issue a circular regarding the newly created posts. There are no seating arrangements for the women at the Upazila Parishad offices, and they are rarely allowed to play a role in development activities in their area. The Upazila Parishad (Reintroduction of the Repealed Act and Amendment) Bill 2009 does not include any guidelines for the new posts. In the Union Parisad, proxy representation exists, which means male members of the family represent women Union Parishad (UP) members and many husbands help their wives with their work in the Union Parishads (Nazneen and Tasneem 2010).

Nonetheless, female Union Parishad members have been able to resolve family disputes. Many female members have participated in *shalish* (a social system for informal adjudication/justice) and many of them have presided over the shalish sessions. Various non-governmental organisations (NGOs) and women's organisations training programmes that focus on alternative dispute resolution and human rights, support creating space for women to participate in these shalish. Women in Bangladesh feel more comfortable discussing issues like marriage, divorce, domestic violence, dowry or polygamy with the female UP members. One female UP member said:

> 'Women were not a part of the shalish, we could not speak, could not decide but only spoke when we were asked questions. Now we are preferred by local people, particularly when it comes to women's issues, such as dowry, divorce etc.'
>
> (Nazneen and Tasneem 2010)

Khan et al. report that with respect to reserved seats for women in the local governments:

> …the reforms have opened up spaces for women and increased their visibility in formal political and 'male' spaces (i.e., local bazaars or markets, community

> spaces, administrative offices for campaigning and monitoring of public works). In fact, the majority of the women councillors surveyed reported a high rate of engagement with development project implementation, local dispute resolution, and programmes for creating social safety nets…There is a high level of acceptance and satisfaction among the community regarding women councillor's performance in implementing safety net-related programmes and development projects.
>
> (Khan et al. 2009)

4.2.3 Challenges experienced by women in Union Parishads

Union Parishads are the lowest tier of the local government structure in Bangladesh. There are 4,486 UPs and each has nine wards (Begum 2012). The Local Government Ordinance of 1976 provided for the reservation of two seats for women members in each Union Parishad. The Local Government (Union Parishads) Ordinance, 1983 increased the number of reserved seats to three. The Local Government (Union Parishads) (Second Amendment) Act, 1997 repealed the nomination provision and introduced direct election in the reserved seats. As a result, 14,030 women were elected to the Union Parishads in the 1997 elections. This number is much higher than the 1977 election, when only 863 women were elected (Begum 2012). However, the constitutional clause did not assign specific roles, power or responsibilities to the women, giving room for ambiguity.

The provision of direct election in the reserved seats does not ensure women's effective participation in the Union Parishads, because of the discriminatory attitudes of the male members of the Union Parishads and their composition. Each Union Parishad has 13 members: one chair, nine elected members from the general seats (mostly men) and three women members from reserved seats (The Local Government/Union Parishads Act, 2009, s. 10). As a majority vote (7 out of 13) is required for all decisions, women members do not have any significant role in the Union Parishads (Begum 2012). The constituencies of women members cover three wards, compared to one ward in the constituencies of their male counterparts. Although women members of Union Parishads represent larger constituencies, they receive the same remuneration as the general members. Women members have to spend their personal resources to maintain contact with their voters, and cannot maintain close linkages most of the time. The chairs of Union Parishads and officials of the Upazilas (subdivisions) give preference to the general ward members in the allotment of infrastructure development projects (Khan 2006). Shamim and Nasreen write about a Union Parishad member:

> Rokeya Sultana was elected member from Shikdar Para village under Cox's Bazar. Being a graduate and a daughter-in-law of a well-known family, Rokeya was encouraged to take part in Union Parishad elections. She was elected, but faced many hurdles created by the musclemen of opponents. The opposition tried to convince her through threat and other means to withdraw her candidature. However, she was not convinced.

> Disappointed opposition set fire at her house, which caused her a lot of troubles. She cried for justice from the community, but failed to achieve it. She was frustrated for not being able to take part in the welfare activities of the locality. She always felt insecure and was no more interested to compete in election. She opined that it was wise to involve women at the local government, [but they should be assured of] security and equal opportunity.
>
> (Shamim and Nasreen 2002)

Sexual harassment is a serious factor that may be preventing many women from taking up politics. Politics involves round-the-clock duty, travel and contact with strangers, while women may also face sexual harassment by their male colleagues. Courting arrest and facing police brutalities are more personally problematic for young women. If a woman political activist is raped or sexually harassed, it is not only personally devastating but can also damage her political career – though those with family political connections believe such a family background serves 'as a relative safeguard against sexual harassment' (Jahan 1987). According to a report in the *Daily Janakantha* (2009), four elected women members of a Union Parishad were raped within five months in 1999. Two women members accused the chairman and Union Parishad members of committing rape (Begum 2007). Women's security is very important during Union Parishad election campaigns. Frankl (2004) writes, 'It is especially dangerous for a woman to be out during the evenings when it is dark'.

Politics is monetised, so women also lack economic power to participate in party activities. Generally, women in Bangladesh work in low paid jobs and most do not have control over their income. That is why they cannot afford the expenses to run an election campaign, for meetings and other expenditure for political purposes (Panday 2006). Education is not a requirement to become a Union Parishad member, so many women who contest elections are illiterate and may not know about their rights and responsibilities. Often relatives or vested interest groups control them (Islam and Islam 2012). Nonetheless, NGOs play a highly effective role in creating consciousness among the voters. It was observed that there was a high turnout of women voters and a higher number of women candidates for Union Parishad elections in areas where NGOs were involved. Most of the candidates who won the elections were NGO group members, and they received financial and other support during election campaigns (Choudhury 2000).

The functions and roles of the women members in the reserved seats of Union Parishads are not specified, and it is not stated that they have the same duties and responsibilities as the members in the general seats (Khan 2009). Women members have complained of exclusion from responsibility by the Union Parishad chairs and male members, and that they were not given any specific duties, power or jurisdiction (Qadir 1999; Human Rights in Bangladesh 1998). Khaleda Begum, a Union Parishad member said, 'I am

not given any responsibility for development work in my area, although I was elected. Moreover, I assured my people that I would play a role to develop the constituency and in social safety net activities. If I cannot play my role, then what is the point of getting elected to Union Parishad?' (*New Age* 2012). A female Union Parishad member said, 'We are losing our popularity as the Union Councils do not allow us to work for the people who voted us to power' (Chowdhury 2009). Another woman member complained that the chair and other UP male members did not invite them to UP meetings, or if they were invited the meetings were scheduled at night so that female members could not take part (Shehabuddin 2008). One study finds:

> Women members are generally given assignments related to family planning, cottage crafts, education, and women's and children's welfare. They are also expected to deal with the women in the community, not the men. Most women had no committee assignment at all. Only about 20 per cent of women respondents who were on committees reported holding chair positions on UP committees. Men were more likely to propose new initiatives for local government, although women took a greater interest in such areas as women's development; men had proposed no initiatives for women's development.
>
> (Shefali et al. 2005)

Parliament passed the Local Government (Union Parishads) Amendment Bill, 2001 to increase the participation of women members of Union Parishads. The bill provides for raising the number of standing committees of the Union Parishads from 7 to 13. Various functions of the Union Parishad are executed through these standing committees, and women from reserved seats would head one-third of them. The bill also provides for the formation of the *Samaj Unnayan Committee* in every ward consisting of the member of the reserved seat, who shall also be its chair (The Local Government (Union Parishads) (Amendment) Act, 2001). In most Union Parishads, the male chairs and members are reluctant to give women members a significant role and they

Table 4.2 Women's participation in Union Parishad elections, 1973–2003

Elections	Year	Women candidates		Elected chair and members	
		Chair	Member	Chair	Member
1st	1973	–	–	1	–
2nd	1977	19	19	4	7
3rd	1984	–	–	6	–
4th	1988	79	863	1	–
5th	1992	115	1135	8	20
6th	1997	102	43969/456[a]	20 + 3	12882/110[a]
7th	2003	232	43764/617[a]	22	12684/79[a]

[a] Women contested and elected to the general seats

Source: Khan and Ara (2006)

do not often constitute the standing committees (Khan 2006). One female member of a Union Parishad reports:

> There are many barriers to work effectively as a Union Parishad member, and one of those is that we do not receive any government directives or circulars in time; also many times the chairman forges our signature to show the authority that we have been given the proper responsibility. They even do not notify us about monthly meetings, so we have no say in decision-making.
>
> (Sogra 2008)

Zarina Rahman Khan also observes that the UP female members are marginalised in shalish, law and order maintenance, infrastructure building, citizenship certification, and birth and death registration. Nor are they able to play an effective role in education, health, agriculture or any other sector. She also notes that they were excluded from decision-making processes (Khan 2009). Male members, meanwhile, complain that women members cannot take any decision independently. They always want their husbands to help in their decision-making. Sometimes women members even invite their husbands to attend Union Parishad meetings in order to make decisions. They also may sometimes insist on changing the recorded decisions, because that is what their husbands want (World Food Programme 1999).

Women members are dependent on their husbands due to their lack of knowledge and experience regarding Union Parishad activities. One study finds that the decision of a woman to contest elections was usually taken by their husband or father-in-law. In some cases, husbands attend UP meetings instead of their wives. In other instances it is the husbands who do not allow their wives to attend the shalish or control their wives in other ways due to patriarchy. Sometimes women are not interested in participating because they believe that men should deal with these disputes (Hossain 2012). The legal implications of true representation of women in local governance should be studied further. Examples such as these clearly undermine the contribution and impact women bring to the electoral process, and signal the slow pace of change in the local settings.

In the city corporation elections in April 2002, women contested reserved seats for the first time. In common with the Union Parishads, women commissioners covered three wards in the reserved seats (Chowdhury *2009*). However, the power and responsibilities of women commissioners from reserved seats were not specified, which frustrated them (*Prothom Alo* 2003). One study on women ward commissioners in Dhaka City Corporation and Narayanganj Municipality found they were all directly or indirectly affiliated to the major political parties. A large number of these women were related to other commissioners and most of them joined politics because of kinship (Zaman 2012). Women ward commissioners are unable to participate in the decision-making process due to the discriminatory attitudes of the male ward commissioners:

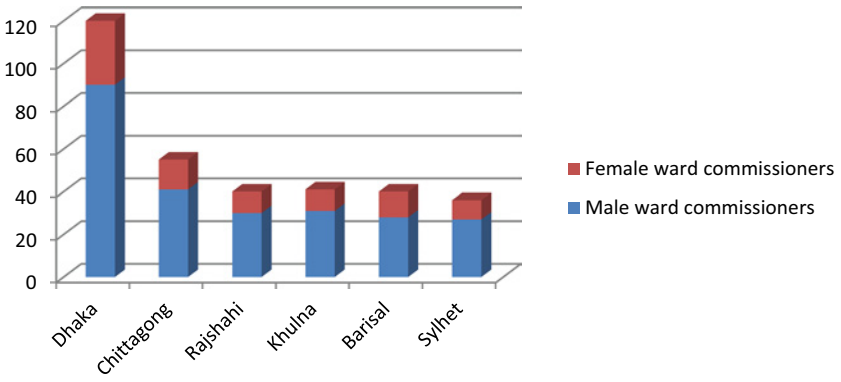
> Whenever female commissioners stood up to speak, they were subjected to laughter and ridicule by male commissioners. Male commissioners always obstructed women from participating in discussions, lest these women get all the funds for the major problems of their locality identified in those meetings. Male commissioners, on the other hand, preferred confidential meetings with the mayor to discuss their locality's problems…Female ward commissioners faced many problems, from the initial proposal through to approval of any local work.
>
> (Zaman 2012)

The government issued a circular on 23 September 2002, which said women commissioners were allowed to exercise 4 of the 16 powers and functions of the ward commissioners, but that this would apply only to those women elected to general seats. These functions were: issuing nationality certificates and character certificates, identifying successors of the deceased, birth and death certificates, and assisting the authority with censuses. The circular also provided that commissioners in general seats would be the chairs of the committees for law and order and that commissioners in reserved seats could only be advisers to the committee. Female ward commissioners filed a petition against the government circular in the High Court on 3 May 2003. The High Court issued an order on 16 August 2004, which stated that all the ward commissioners elected from general seats and reserved seats for women in city corporations were equal to their male counterparts, and should not be discriminated against or treated differently in any manner in respect of their powers and functions. The High Court also declared illegal and void four clauses of the circular that discriminated against the female commissioners elected to reserved seats in city corporations.

Despite the High Court order, the discrimination goes on. One female ward commissioner said that often they were not notified of committee meetings of which they were co-chairpersons or advisers. She said, 'But we sometimes find ourselves to be very important, which happens only when the UNICEF representatives or any representatives of donor agencies come to inspect our work. The guests go back with the notion that women ward commissioners are not discriminated against in any manner' (Chowdhury 2009). The result is that people cannot depend on female commissioners, so they go to the office of male commissioners to obtain a simple birth, death or nationality certificate. Women commissioners are unable to perform development activities, because of the interference of their male colleagues. Zaman writes about the experience of a female ward commissioner:

> …she got a fund of 30 lakh taka for infrastructure development from the corporation, but could not utilise the total amount in the way she felt appropriate. Directed by a male colleague, she had to give a contract of 16 lakh taka to a contractor whom she did not even know. Another colleague also threatened her for the contract of the remaining 14 lakh taka. She added that female ward commissioners were bound to give their funds

Figure 4.2 Number of male and female ward commissioners in six city corporations, 2012



Source: Zaman (2012: 85).

> for development work to their male colleagues as a sign of 'gratitude for helping them in their election campaign'.
>
> (Zaman 2012)

In the city corporation elections on 4 August 2008, not a single woman candidate competed for the mayoral posts in four city corporations and nine municipalities. Very few women contested the councillor posts in general seats. Yet women were in the forefront of election campaigns on behalf of their respective candidates and in casting their votes. In 2011, Selina Hayat Ivy was elected Mayor of Narayanganj City Corporation. Ivy is the daughter of Chunka, a popular labour leader who won the Narayanganj municipality chair election in 1974 without the support of his own party, the then ruling Awami League (AL). This time the AL gave its support to Shamim Osman in the Narayanganj City Corporation polls, despite Osman facing five criminal charges including murder and theft (Hasan et al. 2011). In contrast, for the previous eight years Ivy had administered the municipality with apparent honesty, integrity and transparency. Ivy did not get her party backing for the mayoral race, although she had earlier served as a mayor in the now defunct Narayanganj municipality. Rather, she became popular among the people for her development work in the city. The media also played an important role in this election. *The Daily Star,* a Bangladeshi English newspaper, reported:

> The win for Ivy is a win for the people and the media. From the moment Shamim Osman became a mayoral candidate, the media focused on his controversial past. The media took a clear stance that they would not back someone with a murky past, someone who controls the underworld in Narayanganj, someone whose cohorts control all kinds of illegal activities like extortion. On the other hand, the media projected the clear image of Ivy. A doctor who hails from a family of political heritage, who came back to the country after a stint in New Zealand, and who despite all the

> political pressure and threats would not budge from the polls naturally grabbed media attention.
>
> (*The Daily Star* 2011)

However, despite the various problems faced by Union Parishad female members, one study found that they became more critical and vocal about the problems they face because of the discriminatory attitudes of their male counterparts. Some women members do not consider themselves to be tokens, and object to being treated like dolls or showpieces (Nazneen and Tasneem 2010). Direct election to reserved seats in the Union Parishads has brought social legitimacy for women to represent women's issues and has thus strengthened their voice (Nazneen and Tasneem 2010). One women member said:

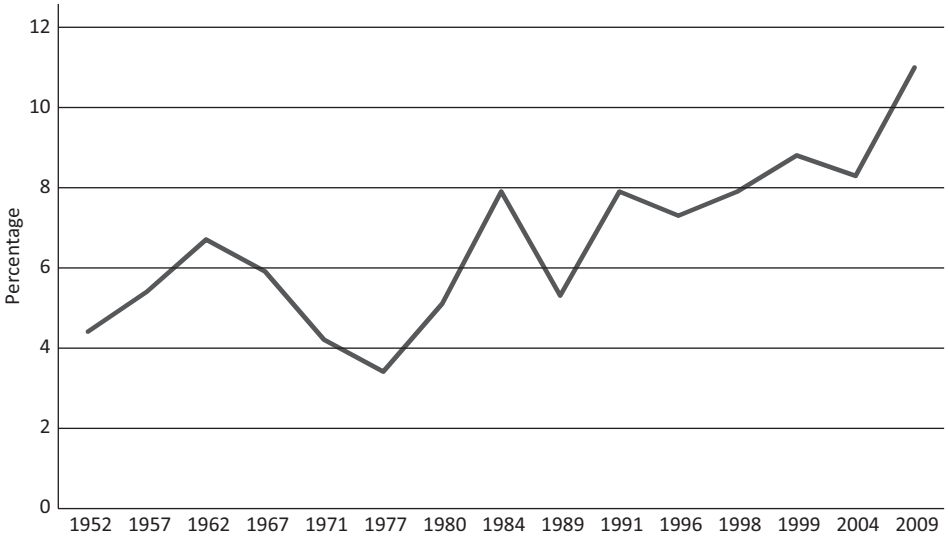
> 'Oh, they in the Parishad say, "Why does a poor woman have such a loud voice? Who is she?" And I remind them I was elected directly by people in three wards. I am there to represent their views. I have as much right to speak as they do.'
>
> (Nazneen and Tasneem 2010)

4.3 India

4.3.1 Women in national politics

Despite having a number of prominent and powerful female politicians, women's political participation is very low in India. As of 2013, the female participation in the Lok Sabha (the House of the People/Lower House of the India Parliament) was only 11 per cent and in the Rajya Sabha (the Upper House of the India Parliament) it was just 10.6 per cent (Women in National

Figure 4.3 Percentage of women in Lok Sabha, 1952–2009



Source: Chhibber (2002: 412); *Deccan Herald* 2013; Women in National Parliaments (2013)

Parliaments 2013). The Council of Ministers has ten women members, two cabinet ministers, two ministers of state with independent charge, and six ministers of state (*Zeenews* 2012). The Indian government introduced a bill in the parliament that provided for 33 per cent of seats to be reserved for women in the Lok Sabha and in state level assemblies in 1996, 1998, 2000 and 2003, but due to powerful protests the bill did not proceed (Randall 2006). However, despite strong resistance from some political parties, the Rajya Sabha passed the bill on 9 March 2010. At the time of writing it had yet to be tabled in the Lok Sabha. Many political leaders have worried that their male-dominated parties would lose seats in favour of those parties counting more women in their ranks. Money and muscle power are increasingly required to contest the elections in India (State of Women in Urban Local Government India). A report says, 'Though India has a number of prominent and powerful female politicians, measures to increase women's political participation at all levels have proved difficult to enforce. Male politicians disqualified from politics have often exploited anti-discrimination legislation to have wives or relatives elected' (Chowdhury 2009).

In 2004, 5 of the 22 members of the Congress Working Committee and 4 out of 13 members of the Central Election Committee were women. Only one woman was on the Political Affairs Committee, which is concerned with party strategy (Randall 2006). The Congress only provides space to women who have political connections (Randall 2006). The Bharatiya Janata Party (BJP) has even less commitment to the advancement of women. Randall reports:

> In 2004, thirteen out of seventy-eight members of its national executive, one out of ten members of its parliamentary board and one out of sixteen members of its central election committee were women…The BJP leadership initially declared its commitment to the women's reservation bill but, faced with rebellion in the party ranks and among its coalition partners, increasingly stressed the need for consensus.
>
> (Randall 2006)

4.3.2 Women in local government

As in Bangladesh, women in local government in India have had more success as they are readily accepted in city and community government, seen as an extension of their involvement and contribution to the communities. These women are recognised as transformative leaders – embracing the power to create change, defined by the issues they promote, their collaborative style of leadership, impact on equality and their ability to develop people and communities.

Table 4.3 Percentage of women in the Lok Sabha, 1952–2009

Year	1952	1957	1962	1967	1971	1977	1980	1984	1989	1991	1996	1998	1999	2004	2009
%	4.4	5.4	6.7	5.9	4.2	3.4	5.1	7.9	5.3	7.9	7.3	7.9	8.8	8.29	11

Source: Chhibber (2002: 412); *Deccan Herald* 2013; Women in National Parliaments (2013)

However, women's political participation at the local government level is also very low in India. The government of India introduced the 73rd and 74th Amendment Bills in December 1992 to provide one-third reservations for women in rural and urban local government respectively. The 73rd Constitutional Amendment provides for a three-tier structure of panchayats; village level, intermediate level (composed of a block of villages) and district level. At each level, one-third of the total seats are reserved for women and must be filled by direct election. Before the constitutional amendment, some states such as Maharastra, Karnataka and Kerala had some reserved seats for women in village councils, but women were appointed in many cases (Sekhon 2006). The 74th Constitutional Amendment provides for one-third reserve seats for women by direct election in the municipal corporations in large urban areas, municipal councils in smaller urban settlements and local councils where the areas are in transition from rural to urban status (Krook 2009). In 2013, India has more than 500 district panchayats, about 5,100 block panchayats and about 225,000 village panchayats, 90 municipal corporations, 1,500 municipal councils and 1,800 nagar panchayats (Sooryarmoorthy and Renjini 2000). More than one million women were elected in the local government of India (Krook 2009). Krook (2009) writes:

> Although the women elected to the municipal councils come mainly from higher castes and have higher levels of education and higher prestige professions, women in the rural panchayats frequently come from the lower castes, and are landless, illiterate, married and under the age of forty, with no prior political experience. These patterns indicate that … these characteristics have had a range of negative implications for women's impact on rural government, as men have taken advantage of women's ignorance and lower social standing in ways that largely reinforce the existing gender and class order.

Patriarchal norms and structures are the main factors hindering women's effective participation in politics. Women's lack of education, the extent of housework and child-rearing activities, economic dependency and corruption are other factors (Sekhon 2006). Most of the women who were elected in the panchayats were from the dominant castes and had little political experience, and the majority of them were illiterate. Most of them were married, which means they were less fearful about their reputation. Sekhon (2006) writes:

> …Many of the women were elected as proxies for their husbands or other male relatives who usually attended the panchayat meetings and made decisions. Many elected women never attended meetings, lacked knowledge of the new law and its provisions, and were often ignored or mistreated. They met with resistance particularly from upper-caste males, and were often subjected to violence, threats, bribery attempts, and charges of incompetence, no-confidence motions, and false rumors. Traditional political parties also reflect the hierarchical social structure of the villages and are reluctant to challenge it for fear of losing votes.

Non-governmental organisations play an important role in ensuring women's effective participation in local politics, especially at panchayati raj institutions. Panchayat raj is a system of governance in which gram panchayats are the basic units of administration. It has three levels: gram (village, though it can comprise more than one village), janpad (block) and zilla (district). NGOs provide education to raise awareness among the panchayat members, but one study found that women need more training from NGOs and that not all NGOs or all capacity-building strategies are equally effective in increasing the power of elected women. The study argues, 'Capacity building programmes for women are good, but it is also important that men get education about the importance of women in politics. Excluding men from these education programmes will never lead to complete change, as male attitudes contribute to the problem' (Giving Voice to the Voiceless).

Women's participation is low due to illiteracy, absences from panchayat meetings and lack of decision-making power. Moreover, their husbands work on their behalf (Vissandjee et al. 2005). One study on women councillors in Kerala found that husbands helped women to obtain party nominations to contest in elections. Their husbands interfere in their decision-making and limit their political freedom (Sooryarmoorthy and Renjini 2000). One panchayat member said, 'They [the government] enacted 30 per cent reservation for women. If a woman is Sarpanch [elected head of a panchayat], the actual work is done by her husband only because that much awareness is not there yet' (Vissandjee et al. 2005).

Female participants in a study on women's political participation in rural India stated that women are responsible for the household activities and might be capable of doing many things, but men have the real decision-making power. It is also believed that women have the responsibility of integrating the family and creating peace and harmony in the home. Bilkis et al. writes, 'The risk of bringing a bad name to one's household through even a single "inappropriate" action places an enormous amount of pressure upon women and necessarily limits their activities outside the household' (Vissandjee et al. 2005). Women's workload at home restricts their participation in politics. One women member said:

> 'My work has increased a lot. There are meetings every month, but I have only been twice. I told the secretary to come to my house and take my signature because I have so much to do in the house, looking after kids, household chores; if I have to attend meetings I will have to have someone to do my chores.'
>
> (Vissandjee et al. 2005)

In India, the workforce participation rate of women in the rural sector is 28.9 while that for males is 54.8. In the urban sector, it is 13.8 for females and 55.4 for males. The total employment of women in the organised sector was 19.5 per cent in 2007 (Women and Men in India 2011). Women work longer hours

than men, and mostly do household and community work that is unpaid and invisible. One study reports:

> …women spent about 2.1 hours per day on cooking food and about 1.1 hours on cleaning the household and utensils. Men's participation in these activities was nominal. Taking care of children was one of the major responsibilities of women, as they spent about 3.16 hours per week on these activities as compared to only 0.32 hours by males. There were far fewer women in the paid workforce than there were men. There were more unemployed women than there were unemployed men.
>
> (Women and Men in India 2011)

As in Bangladesh, women in India cannot afford the expenses required for election campaigns, meetings and other expenditure for political purposes (Panday 2006). Following the 73rd Constitutional Amendment, violence against women increased and they fear sexual harassment and being beaten if they participate in elections and panchayat meetings (Shamim and Kumari 2002). Jayal (2006) reports:

> Physical violence or the threat of it, as well as many shades of intimidation and outright coercion, are not uncommon. From Haryana in the north to Tamil Nadu in the south, women members of panchayats have faced threats of violence when they have expressed a desire to contest elections or, once elected, have insisted upon certain decisions. Sexual abuse is also not unknown. Other than rape and sexual abuse, it has also been found that women representatives who are efficient often attract slanderous allegations of sexual liaisons. In many states there have even been attempts to intimidate women into withdrawing from the election by insinuations of affairs with men. Violence against women representatives is, of course, generally worse when they also happen to be members of the scheduled castes or tribes. Gundiyabai Ahirwar, the dalit Sarpanch of Pipra village in Tikamgarh district of Madhya Pradesh, was prevented from performing a ceremonial duty – hoisting the national flag in her village on Independence Day – because the Yadav (a backward caste) majority in the village thought that a dalit would pollute the national flag by touching it.

Despite the various problems women councillors face, the policy of reserved seats has created many opportunities for women in India. Joti Sekhon (2006) writes:

> Several women have, however, emerged as assertive leaders and have become independent and effective as they have become better informed. They were more likely to be responsive to issues of drinking water, health, education, income generation, and pensions for widows, and in some cases, they have also taken up the issue of alcohol abuse. Gradually, many women have challenged limiting norms and practices.

Krook (2009) says the reservation policy has increased women's visibility in politics; many are becoming effective policy-makers and speaking out on issues such as education, health, domestic violence, child marriage and child labour. In many cases, rural women are able to discuss marital issues with women representatives but not with male representatives, and thus they inspire the women councillors to contest elections again (Krook 2009). Samarasinghe (2000) says of the 73rd Constitutional Amendment:

> An act of parliament cannot be expected to change centuries old traditions overnight. At best it could be a catalyst for future change. What the 73rd Amendment to the Constitution of India has attempted to do is to open up a space at a level where such changes could begin to happen…Elected women representatives have been focusing on issues of the reproductive sphere, such as health and sanitary issues, safe drinking water and public welfare distribution system. Hence, at the village level, female political participation would bring the issues of the private sphere into the public sphere of politics as open, legitimate issues in a process of democratic self-governance. Female representation in elected office at the local level, such as the panchayat, opens a space for women to elevate issues of the reproductive sphere to the legitimacy of the public sphere.

In urban local governments, women members lack training in urban development issues and municipal administration. They do not have enough knowledge of municipal acts and rules and regulations, and they lack prior experience of dealing with urban development issues. They get little support from their senior male or female colleagues and municipal officials do not co-operate with them. Women do not have the necessary resources to contest elections and they face discrimination in party-level decision-making, which leaves them feeling insecure about political corruption and the use of 'money power'. Moreover, they lack confidence in public speaking, and family responsibilities prevent them from participating effectively (State of Women in Urban Local Government India). One study reports:

> …women councillors perceive that big cities are becoming unsafe for women. They hesitate to perform public duties late at night when an emergency arises, or when violent situations like mob fighting or communal violence erupt in their ward. When there is no domestic or party support to assist them, most of them find it difficult to attend to such emergencies.
> (Ghosh and Lama-Rewal 2005)

Most of elected women members are from the middle- or high-income classes. As a result, they are keen to protect their class interests rather than gender interests (Ibid.). Still, the provision for reservations opened up a considerable political space for women as candidates, party workers, supporters and voters (Ibid.) Women are affected by problems related to water, sanitation and environmental pollution. Women councillors try to solve those problems and they are generally sympathetic to women's difficulties. They use their status

and power to mediate in cases of harassment of slum women by the police and problems related to dowry, domestic violence, marital disputes, widow pensions and the like (Ibid.). Women's election to urban local government has increased their social respectability and provided them with the ability to solve the problems of ordinary people (Ibid.). NGOs play a role in raising consciousness. One study finds:

> In Mumbai, several NGOs concerned with civic governance organised 'meet your candidate' meetings with local people, circulated information on the background of the candidates and highlighted the importance of the corporation in day-to-day life, so as to convince people to go and cast their vote. In Chennai, too, several Resident Welfare Associations concerned about the absence of educated middle-class citizen's in public life, fielded their members, including women, as candidates.
>
> (Ghosh and Lama-Rewal 2005)

4.4 Conclusion

Although democracy requires that everyone be treated equally and as autonomous and self-determining persons, women in Bangladesh and India are lagging behind men in all areas. Regardless of having a number of prominent and powerful female politicians, women's participation in politics in both countries is very low. Despite the provision for reservation of one-third of the seats in local governments, women members are not able to participate effectively. Male control of both the public and private spheres hinders women's political participation. Women also feel insecure about the criminalisation of politics and use of 'money power', and frequently face discrimination from their male colleagues. They are often illiterate and unaware of rules, regulations and rights, which further hinders effective participation. Many women members are dependent on their husbands due to their lack of knowledge and experience. Fear of sexual and physical violence, corruption, economic dependency and domestic responsibilities are other factors that prevent women members of local governments in both Bangladesh and India from participating effectively.

Despite the various problems faced by female Union Parishad members in Bangladesh, the introduction of direct election to reserved seats brought them social legitimacy to represent women's issues, and thus strengthened their voice. Female Union Parishad members have been able to resolve family disputes and many have also participated in shalish, with some of them presiding over the sessions. Various NGOs and women's organisations offering training programmes on alternative dispute resolution and human rights have expressed support for women's participation in these shalish. Women in Bangladesh feel more comfortable discussing issues like marriage, divorce, domestic violence, dowry and polygamy with female Union Parishad members. The provision for reservations has increased their visibility in formal political and 'male' spaces.

In India, too, despite the various problems women councillors face, the reservation policy has created opportunities for them. Their visibility in politics has increased and many are becoming effective policy-makers and speaking out on issues such as education, health, domestic violence, child marriage and child labour. In many cases, rural women are more able to discuss their marital problems with female representatives than with male representatives. The provision for reservations in India's urban local governments opened up a considerable political space for women as candidates, party workers, supporters and voters. Women's election onto urban local governments has increased their social respectability, and provided them with an ability to solve the problems of ordinary people.

Moreover, the positive outcomes of women's participation in local governance in Bangladesh and India have increased visibility for women, healthy competition between women during communal elections, and heightened sensitisation on electoral processes. For women to fully maximise the opportunity to participate effectively in decision-making, certain changes have to be realised. Patriarchal norms and culture should be steadily eliminated through wide sensitisation. In order to remove negative attitudes towards women, awareness-raising programmes should be created and training provided to both male and female members. It is only when women feel they have sufficient knowledge that they will become confident enough to play a more important role in changing the lives of local people, and thus increase their visibility in politics. In addition, steps must be taken to eradicate political corruption and criminalisation and, most importantly, to guarantee women's security. When all of these measures are put in place, women will be enabled to participate effectively in politics in Bangladesh and India and the provision for reservations can become an effective model for women in governance across the rest of Asia.

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Chapter 5

Conclusion: The Impact of Women as Transformative Leaders

In recent years there has been a growing recognition of the need to evaluate the impact of women on democracy and development. It is evident that with at least a 30 per cent majority of women involved in decision-making, a society's overall performance improves. For example, Global Gender Index reports have shown a correlation between the increased participation of women and the development of societies in the areas of health, education, family care, social welfare, the environment etc. By contrast, countries with a low participation of women have seen a fall in the quality of social-related services. Consequently, more efforts are still required to ensure that a critical mass of women are elected into positions of authority and at all levels of decision-making.

Much literature has focused on increasing the numbers of women represented in national and local governance. In order to have effective and competent women holding positions of leadership, the political space has to be opened up for more women to participate in politics. Hence it is crucial to deal with the systematic and endemic barriers that hinder the effective participation of women in politics. The case studies of selected countries presented in this book reveal that the introduction of quotas, reserved seats and affirmative action policies, through constitutional, legislative, electoral and party reforms, have resulted in an incremental rise in the participation of women in decision-making roles.

In New Zealand, the first woman elected into parliament was in 1931, even though women gained the vote in 1893. The number of female MPs remained at 10 per cent until electoral reform was introduced in the 1990s, which saw a steady rise of women in parliament. Dramatic changes in the laws that now favour different social groupings in New Zealand were realised from the 1980s, when more women joined parliament. Such transformative changes included the adoption of a women's policy, legal reforms to address women's human rights, public sector reform to strengthen women's leadership, ratification of international resolutions such as CEDAW, strengthening of women's leadership in politics to include Māori women, and mentoring women in the private sector for future appointment.

The South African liberal constitution laid the foundation for a *new* democratic society. The ruling party, the African National Congress, enabled the participation of women by institutionalising affirmative action policies within the party and its electoral manifestos. As a result, there has been a steady rise in the participation of women within political party structures, in parliament and cabinet. The impact of women's participation has been realised through

changes in policies and laws to attain gender equality for the empowerment of women, advancement of women's rights, recognition of customary marriage and inheritance for widows, and liberal abortion laws. In 2012, the Ministry of Gender championed the Gender Equity Bill to strengthen women's empowerment and achieve gender mainstreaming across sectors including corporate boards, the public sector, civil society and in local governance.

Constitutional amendments in India and Bangladesh to reserve a third of all local government seats for women have proved positive for women. This has made women more visible in local politics, strengthened healthy competition, built capacity and impacted on social policies, while at the same time the women also serve as role models for political aspirants. Wide sensitisation on gender issues has contributed to the steady elimination of patriarchal norms and cultures. At least 13 provinces in Bangladesh and 14 provinces in India have adopted the 30 per cent quota for women, while the remit of financial rewards to political parties who have achieved the quota has encouraged the increase of women to 50 per cent in some local government councils in India. Reflecting on the political architecture in local governance, the political space open for women is limited and the pace of change is slow and gradual, while politics is also heavily monetised with incidents of election-related violence. More efforts are needed to combat corruption, crime and provide security for women. Nonetheless, the women are gradually changing the political environment positively.

5.1 Positive attributes of the impact of women's leadership

Women are particularly adaptable to change and their approaches are distinct from their male counterparts. Their negotiation styles are more encompassing to include all the issues that affect men, women, girls and boys. Women have taken due advantage of political spaces to progress the interests of women and girls for political empowerment and socio-economic development. The following are some of the positive impacts of women's participation on democracy and development:

1. Women leaders tend to pressurise for amendments and the initiation of national laws and local policies for improved infrastructure, constitutional and legislative reforms to abrogate repugnant laws, and ratification of international resolutions for women's rights. They also mobilise for electoral and party reforms for women's active participation in leadership and decision-making roles.
2. The leading presence of women has seen changes to the political environment in terms of language and user-friendly approaches that are inclusive and gender neutral.
3. Women's involvement results in improved consultation and participation with key stakeholders to develop a culture of co-operation and collaboration.
4. Strengthened capacity of women and men for competent leadership.

5. Increased development through funding of projects and programmes, e.g. urban economic programmes to attract investors for national and community infrastructure, environmental conservation, and provision of facilities and services.
6. Women decision-makers sensitise on the effective allocation of budgetary resources to include social development, the green economy, security, the environment, sanitation, capacity building, human rights and legal protection for victims of gender-based violence.
7. Heightened awareness on social, cultural and traditional practices offensive to women and girls such as genital mutilation/cutting, forced and unlawful marriages, child pornography, child sex abuse, domestic abuse, human trafficking and sexual violence.

5.2 Way forward

Overwhelming, there is support for women in politics in the case study countries, but for women to fully maximise these opportunities certain changes have to be achieved. The Rt Hon. Rebecca Kadaga, first woman Speaker of the Ugandan Parliament, also agrees that there is a need to focus beyond increasing the number of women in government to increasing their effectiveness in political positions and their impact on decision-making at all levels. The following are some strategies that have proved successful at increasing women's representation in decision-making across the Commonwealth.

1. ***Endorsement of political parties*** – After studying the political processes in the selected countries, the incremental rise of women in these countries can be directly attributed to the political parties – especially the ruling party – taking a firm decision to institutionalise mechanisms favourable to women's access into power and positions of authority in party and governance structures at all levels of decision-making. This serves as a key lesson for Commonwealth countries, indicating that despite constitutional, legislative and/or electoral reforms, political parties have to endorse these reforms and implement the required changes before women can actively participate in politics, leadership and decision-making roles. Recognising the resistance to change in specific political architectures has resulted in the imposition of fines and rewards by legislation on political parties to ensure implementation.
2. ***Capacity building initiatives*** – Gender awareness training programmes should be established within educational and political institutions, and provided to women candidates to connect political aspirants to opportunities for leadership. Further, MPs should expand their skills to strengthen functions in political office.
3. ***Representation of women by male relatives*** – The representation of women in reserved seats is important and should not be eroded by their spouses

or male relatives. Even though the representation of male relatives in local government meetings signals a sign of acceptability by the family, it does not necessary strengthen the voice of women in decision-making. The election of women into reserved seats is for women to build capacity and become competent to hold higher levels of political authority at the provincial and national levels. Moreover, reserve seats on local councils should have the same status as general seats, with clear mandates and roles gazetted for all decision-makers and with equal access to resources and funding.

4. ***Financial resources*** – Many women are limited by financial resources, which further inhibit their effective participation in politics. A dedicated fund should be set aside through state or party mandates to support women's advocacy and political campaigns. Women entrepreneurs can also serve as donors to support women's electoral campaigns.

5. ***Strategise to increase the number of women in decision-making*** – Apart from legal or electoral reforms, a mass mobilisation of women can lobby political parties to mainstream women in party manifestos and electoral campaigns. Women are known to be the highest number of voters in any election, and can exchange their votes for positive action. Further, civil society can target accomplished, competent and qualified women leaders and groom them for political leadership. These women have established families with reduced family responsibilities, wide experience, a loyal constituency and are financially stable. These women can also be mentored by other women in political authority. Appointing women leaders into positions of authority has proved effective in many Commonwealth countries.

6. ***Redrawing of voting districts*** – Research has shown women win more open seats (new constituencies) than well-established constituencies. The creation of new districts or local councils can be drawn based on increased population.

7. ***Involving male champions*** – Practically, it is important to partner with men who have long-standing control of power, and sensitise them to understand gender equity, equality and mainstreaming. In this way male champions can serve as agents for change for the inclusion and effective participation of women at all levels, and across all sectors including the home.

8. ***Regional support networks*** – Regional and international initiatives on women's empowerment can lead to a drive for change in member countries, such as observing regional targets and compliance with regional obligations. International NGOs such as the National Democratic Institute and The Carter Center, to name a few, have established precedents in advocating for women's issues on government agendas and cementing change. International and regional conferences, workshops, seminars and

networks have provided opportunities for learning, exchange of good practices, and sharing of comparative research to develop new ideas, strategies and tools to effect change. Furthermore, consistent changes in the region can have a substantial impact on member countries, thereby encouraging similar patterns to avoid being isolated in their obligations to women's empowerment. For example, it is not coincidental that in 2013, Bangladesh appointed its first woman Speaker of the *Jatiyo Sangsad*, following trends of the first woman Speaker appointed in India's *Lok Sabha* in 2009, and the first woman Speaker in Pakistan's National Assembly in 2002.

9. ***Timeframe for Affirmative Action*** – Top performers in terms of women's representation in the Commonwealth can be attributed to the adoption and practice of a variety of affirmative action policies. Article 78(1) of the Ugandan Constitution reserved one woman representative for every district, totalling 112 districts out of 378 seats in parliament. The current Speaker of the Uganda Parliament, Rt Hon. Rebecca Kadaga, joined parliament through reserved constituencies introduced by the Museveni government in 1995. She serves as a credible example of women's effective and competent leadership. However, there are mixed views and negative perceptions on the implementation of reserved seats and quotas from well-developed democracies. In specific contexts, women are seen as tokens and 'ornamental' representation without the required skills for leadership. Yet the study of Australia indicates that without a variation of affirmative action policy, specific leadership positions would not be occupied by women. Some political architectures have mobilised the participation of women with the support of civil society organisations, without institutionalising affirmative action policies – for example, in Trinidad and Tobago. Alternatively, Ugandan parliamentarians renegotiate the reservation of constituencies every five years: this serves as a credible practice than can be emulated across member countries.

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