



## **The Arab Quota Report: Selected Case Studies** *Quota Report Series*

### **In collaboration with:**

UNDP Cairo



UNIFEM Arab States



National Council for Women in Egypt



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## Introduction

The level of political representation of women in different legislative bodies around the world varies greatly, standing at 16.9 percent in the world's legislatures in 2006 on average. The uneven political playing field on which women and men compete has led to a number of reforms—primarily quotas or other positive action strategies—designed to safeguard the presence of women in parliament. Governments and political parties have experimented with different types of quotas, with mixed results. Electoral quotas may be constitutionally or legislatively mandated or they may be adopted voluntarily by political parties. They usually set a target or minimum threshold for women, and may apply to the number of women candidates proposed by a party for election, or they may take the form of reserved seats in the legislature.

International IDEA has convened a series of regional workshops to gather qualitative data. Researchers and practitioners were brought together to allow country- and region-specific information on quota implementation and enforcement to be collated, and a network of researchers and experts working in this field has developed.

The first workshop in this series examined Asian experiences of quotas, and was held in Jakarta, Indonesia, in September 2002. The second, on Latin American experiences of quotas, was held in Lima, Peru, in February 2003. A meeting on the use of quotas in Africa was held in November 2003 as the third in the series, followed by the workshop on European experiences of quotas, which was held in Budapest, Hungary, in October 2004.

The fifth and final workshop was held in Cairo, Egypt, in December 2004, and reviewed the experiences of quotas in the Arab world. The workshop was organized and held jointly with United Nations Development Programme (UNDP) Cairo, United Nations Development Fund for Women (UNIFEM) Arab States, and the National Council for Women in Egypt. This publication is a selection of the case studies presented at the Arab region workshop. They include comparative experiences with quotas, address the cultural challenges to women's representation in the Arab world, and point to the opportunities that could be seized in order to meet those challenges.

Since the workshop in 2004, a lot has happened in the Arab region. Women in Kuwait were given the right to vote for the first time in 2005. In the parliamentary elections in Bahrain in 2006, 18 female candidates stood; one woman entered parliament. Progress can be seen in the Arab region with increased women's representation and increased awareness of the need for women to participate in politics, but there is still a long way to go.

Increasing the level of female representation and participation in decision-making bodies requires well-developed strategies and information on which measures have worked successfully in different countries with different political systems. The International Institute for Democracy and Electoral Assistance (International IDEA) is committed to providing further comparative information on how to advance gender and democracy issues in general, and how to promote the participation and representation of women in political life in particular. Since 2003 IDEA has participated in a global research project in collaboration with the Department of Political Science, Stockholm University, that has led to the generation of comparative practical knowledge on electoral quotas for women. The 'Global Database of Quotas for Women' website was created, providing an overview of the use of electoral quotas for women worldwide (<<http://www.quotaproject.org>>). It provides information on the various types of quotas in existence today, detailing percentages and targets in countries where they are applicable. Data are presented for over 90 countries, including various Arab states.

More information and research about quotas and women's participation in politics is needed, especially regarding the Arab region. International IDEA hopes that this publication of selected case studies will enhance the information on quotas currently available and encourage policy makers to continue their efforts to support steps to achieve equal representation of women and men in their societies.

*For more information about International IDEA's projects and publications, visit the web page, <<http://www.idea.int>>.*

***Rita Taphorn***

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## Acronyms and Abbreviations

ADFM	Association Démocratique des Femmes Marocaines (Democratic Association of Moroccan Women)
AGCD	African Center for Gender and Development
ANC	African National Congress
APU	Arab Inter-Parliamentary Union
AU	African Union
AWCPD	African Women's Committee on Peace and Development
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women (1979)
CPA	Comprehensive Peace Agreements (Sudan)
CSO	civil society organization
EPLF	Eritrean People's Liberation Front
FAS	Femmes Africa Solidarité
FDC	Foundation for Community Development
FEMNET	African Women's Development and Communication Network
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
IDEA	International Institute for Democracy and Electoral Assistance
IPU	Inter-Parliamentary Union
MP	member of parliament
NGO	non-governmental organization
OAU	Organization of African Unity
PR	proportional representation
SDGEA	Solemn Declaration on Gender Equality in Africa
SPLA	Sudanese People's Liberation Army
SLM	Sudanese People's Liberation Movement
SNTV	Single Non-Transferable Vote
SWU	Sudanese Women's Union
UN	United Nations
UNDP	United Nations Development Programme
UNIFEM	United Nations Development Fund for Women
WiLDAF	Women in Law and Development in Africa

# **1. Quota Systems: An Overview of Global Trends and Regional Analysis**

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# **Overview of Women's Political Representation in the Arab Region: Opportunities and Challenges**

Amal Sabbagh

## **Introduction**

Debates on women's issues and gender relations in the Arab region have been going on for some time now. Such matters are often the most difficult to resolve and, in this age of economic and cultural globalization, they continue to create the same paradoxical situations as they did during the colonial era more than a century ago. To complicate things further, these debates frequently lead to accusations and counter-accusations about cultural authenticity and the degree to which attempts to improve the status of women are indigenous or foreign. Within this environment, Arab women, sometimes assisted by their governments and leaderships, have been trying to pave the way for their political participation.

This paper first summarizes the socio-political and economic situation in the region. It then moves on to a discussion of the political status of Arab women, highlighting their representation in legislatures. The third section looks at the key challenges that confront Arab women who wish to enter the political domain, and the final section focuses on some of the opportunities on offer and the mechanisms that have been employed successfully to enhance women's political participation.

## **Overview of the region**

Currently, the Arab region can be characterized as in transition from traditionalism to modernism. Despite the different economic set-ups and histories of the different Arab states, the challenges that this transition process is posing are quite similar. For women in particular, the traditional factors that seem to inhibit their political participation are also analogous, in spite of the differences between the situations of their countries.

### *Political factors*

The challenges presented by the Arab-Israeli conflict, dating back more than half a century, still form the main backdrop to many of the political, economic and social issues in the Arab world. The three wars on the eastern border of the Arab region have also taken their toll on the area. While these conflicts have affected each Arab country differently, in many ways regional conflicts have seemingly shaped the policies of each Arab nation and had an impact on citizens' daily lives.

Systems of governance in the region have been criticized for being undemocratic, although, again, there are variations among countries. Freedom House, which ranks political rights and civil liberties in the countries of the world, does not classify any Arab country as 'free'.<sup>1</sup> Similarly, the first *Arab Human Development Report* made the 'Arab freedom and democracy deficit'<sup>2</sup> a very popular term in much of the political literature on the Arab world.

The situation has not improved since 11 September 2001, with writers noting that many countries in the region are witnessing greater state control of their citizens and a general regression in human rights and political conditions.<sup>3</sup>

Whatever ails Arab systems of governance and makes them undemocratic seems to have diffused into Arab political parties as well. There is evidence from some countries

that the internal structures of political parties tend to be traditional and undemocratic and that their internal processes need to be made more transparent.<sup>4</sup>

### *Socio-economic factors*

While the volatile political situation has had ramifications for the economies of the Arab countries, the political leaderships and the different governments have taken serious steps towards meeting their international obligations. Certainly, Arab governments' unequivocal commitment to the different international conventions pertaining to human rights in general and to women's rights in particular has been a key indicator of their efforts towards achieving better standards of living for their citizens.

The Arab countries are usually perceived as rentier states. Yet international indicators illustrate that most of their economies are not embedded in industrial modes of production, varying as they do between oil-rich countries, human-resource-rich countries and very poor countries. Nevertheless, economic trends in the region have passed through a set of phases, which have influenced the policies of governments and popular attitudes towards women's economic participation. As research shows, past state policies promoted women's economic participation, especially during the 1970s, when most of the male labour force was working in oil-rich countries and state bureaucracies were in dire need of educated females. However, things changed dramatically during the economic crisis of the 1980s, when sometimes explicit government measures were introduced to marginalize the female labour force in favour of the male one.<sup>5</sup>

Poverty has not been properly researched in the Arab world, and only a few countries have officially established national poverty lines.<sup>6</sup> However, several countries have had to undergo structural adjustment programmes—with all that they entail in terms of subsidy cuts and the curtailment of services in countries characterized as having heavily state-controlled economies—while there was no 'alternative, capable and dynamic private sector. Hence, the withdrawal of the state in many countries created a vacuum'.<sup>7</sup> This has been further aggravated by globalization and its direct influence on national economies, including the privatization of public sector services.

On a more positive note, the socio-economic situation of Arab states has improved over the past few decades. Certainly, as many observers have noted,<sup>8</sup> Arab states' efforts to achieve the United Nations (UN) Millennium Development Goals, particularly in the areas of education and health care, have been impressive. Moreover, as national indicators again demonstrate, Arab states have nearly closed the gender gap in terms of access to health care and education. Similarly, Arab women's economic participation, while remaining very low in comparison to that in other regions, has seen some improvement.

While these factors indicate progress, they also increase the pressure on Arab states to use their human resources effectively and to engage women in their state-building processes, be it in the economic or the political spheres.

### **The political status of Arab women**

Although there are differences between the countries, the Arab region in general is noted for the low participation of women in politics. Universal suffrage has become common in most countries, but there are still some Arab women who are denied such rights.

Whether at local or national level, women wishing to stand for office confront many obstacles along the way. The number of women in appointed political positions has been increasing at a much steadier rate than that of women in elected positions—except where special measures have been adopted, which would automatically reflect a marked rise in the number of elected women.

Although 'state feminism' is often criticized for trying to co-opt the women's movements,<sup>9</sup> it cannot be denied that it has been at the forefront of most attempts to increase women's political participation in the Arab world. Regardless of the reasons behind state benevolence towards women, the benefits that women have reaped from such policies far outweigh the losses.

There are very few studies on electoral trends vis-à-vis women in the Arab world. From those available, it can be discerned that the participation of women in voting is gradually improving. One study shows that, while educational and income levels do not have a direct impact on voting, they tend to enhance the participation of women in campaign organizations and in the memberships of non-governmental organizations (NGOs).<sup>10</sup>

Let us review Arab women's participation in legislatures.<sup>11</sup> The rate of female participation is the lowest in the world. The global average in January 2005 stood at 15.7 percent, yet in the Arab world it is only 6.7 percent. In contrast to most other regions of the world, in the Arab countries women have generally been better represented in the upper houses of national parliaments than in the lower houses.<sup>12</sup> This could be explained by the fact that 'state feminism' has been generous to women and given them a larger share of upper house seats, since most upper houses in the Arab region are appointed.

It is evident from table 1 that the percentage of women in Arab legislatures has not yet reached the recommended critical mass of 25–35 percent, with the exception of Iraq, which only reached it in March 2005. This makes it difficult for those women who are present to effect any changes in legislation to benefit women, even if they wanted to. According to the Inter-Parliamentary Union's ranking of countries in terms of women's representation, illustrated in table 1, the Arab countries do not fare well, with the exception of Iraq at 31.6 percent and Tunisia at 22.8 percent. Syria has 12 percent and Djibouti and Morocco 10.8 percent women, followed by Algeria and Jordan, while the Gulf states of Bahrain, Kuwait, Saudi Arabia and the United Arab Emirates share the lowest rank, i.e. 0 percent women.

Two issues need to be highlighted. First, despite certain positive amendments to legislation in various Arab countries, legal discrimination still remains a significant obstacle to women's advancement. The linkage between such discrimination and the low participation of women in legislatures, even in countries that have given women full suffrage, has not been fully researched or recorded.<sup>13</sup>

The second issue concerns the electoral processes within each country. Although this paper does not aim to review electoral processes exhaustively, but focuses more on various types of barrier that hinder women's political participation, the electoral processes in place in the Arab region do seem to possess certain characteristics that discriminate against women.

**Table 1: Women's representation in Arab legislatures**

Country	Lower house/Unicameral parliament				Upper house of bicameral parliament				IPU rank (1)
	Election year	Total	No. of women	% women	Last elections	Total	No. of women	% women	
Algeria	2002	389*	24	6.2	2003	144*	4	2.8	105
Bahrain	2002	40*	0	0	2002	40***	6	15	126
Comoros	2004	33	1	3.0					119
Djibouti	2003	65*	7	10.8					78
Egypt (2)	2000	454	11	2.9	2001	264**	18	6.8	120
Iraq	2005	275	87	31.6					15
Jordan	2003	110*	6	5.5	2003	55***	7	12.7	109
Kuwait	2003	65*	0	0					126
Lebanon	2000	128*	3	2.3					122
Libya	1997	760**							
Mauritania	2001	81*	3	3.7	2002	56**	3	5.4	117
Morocco	2002	325*	35	10.8	2003	270**	3	1.1	78
Oman	2003	38*	2	2.4	2001	58***	9	15.5	121
Occupied Palestinian Territories (OPT)	1996	85*	5	5.9					
Qatar	2002	35***	0	0					
Saudi Arabia	2001	120***	0	0					126
Somalia									
Sudan (3)	2000	360	35	9.7					85
Syria	2003	250*	30	12.0					71
Tunisia	2004	182*	21	22.8					27
United Arab Emirates (UAE)	1996	40***	0	0					126
Yemen	2003	301*	1	0.3					126

*Notes:*

(1) Rank classified by descending order of the percentage of women in the lower/single house in 183 countries.

(2) 444 members are elected, 10 appointed by the head of state.

(3) 270 are directly elected, 35 representatives of women, 26 representatives of university graduates and 29 representatives of trade unions.

\* Members elected through direct elections.

\*\* Members elected through indirect elections.

\*\*\* Members appointed by the head of state.

*Sources:* Compiled from information available on the Inter-Parliamentary Union (IPU) website, 'Women in National Parliaments', <<http://www.ipu.org>> (updated since the conference using data from 31 January 2005) for all countries except Iraq, Oman and Qatar, for which information was taken from the Arab Inter-Parliamentary Union (AIPU) website, <<http://www.arab-ipu.org/>>. Information on the OPT is available at the Palestinian Legislative Council website, <<http://www.pal-plc.org>>.

Electoral processes also seem to shift constantly and change within each country in response to internal and/or regional developments. There are also instances of electoral laws being passed as provisional laws, thus not allowing for public or parliamentary debate of the legislation. This does not permit adequate planning or lobbying to overcome any gender discrimination inherent to such legislation. It is, though, worth questioning here whether electoral processes and legislation could be gender-sensitized in non-democratic settings, or at best, in nascent democracies.

## **Key challenges**

The challenges Arab women face with respect to political participation are numerous and are often interconnected. The list is endless. Many of these obstacles stem from the patriarchal nature of society, which has permeated into formal and informal organizations—in addition to being the major force within family structures. Although there are myriad differences between the Arab countries in the political and economic realms, patriarchy seems to be a common feature. The hierarchical social relations intrinsic to any patriarchal system have resulted in women's social identities becoming dependent on their relationship with a man, as a father or husband.<sup>14</sup> Such relationships have encouraged the view that the oppression of women is the cornerstone of such systems and that their liberation is an essential condition for overcoming it.<sup>15</sup>

Aside from this all-pervasive force of patriarchy, other variables that have an impact on women's political participation can be categorized as factors that operate in the private or public spheres to hinder women's advancement.

### *Factors within the private sphere*

Factors operating within the private sphere can be either personal or related to the family. In many instances, family factors shape and mould personal factors, but in the final analysis they are viewed as characterizing the person.

#### **Personal factors**

The literature on women's participation in the labour force or in public life is full of the personal factors that can facilitate or hinder such participation. The first point to note is that women's daily lives and practices are reinforcing patriarchy, whether in relation to the way they are brought up or in relation to the way they later bring up their children. This seems to be true even of women who campaign for women's rights.<sup>16</sup>

Illiteracy has also deterred women from full participation, prompting the adoption of certain measures in electoral systems to ameliorate its impact.<sup>17</sup> Illiteracy with regard to the law is still one factor to be contended with.<sup>18</sup>

Women have been charged with lacking confidence in their own abilities to enter the political domain. In addition to socialization processes, other potential reasons for this could be a lack of finances, of family and societal support, and of negotiation skills.<sup>19</sup> Women might also lack other skills necessary for operating within the political domain, even though they could otherwise be efficient.<sup>20</sup>

In the 1990s, there was debate about women's attitudes towards participation in the labour force. One argument centred on whether women had a deep enough commitment to a career and whether they did not stay at home from their own choice. The counter-argument highlighted patriarchal systems and male social control as the major barriers to women advancing their careers.<sup>21</sup> In the same vein, women's low rates of political participation could be said to be down to choice. This conclusion, though, is drawn independently of the situation women actually find themselves in. People's attitudes cannot be viewed in isolation.

Freedom of movement is also regularly cited as a major obstacle to women's engagement and advancement in the public sphere.<sup>22</sup> A study of women's electoral behaviour in one Arab country has shown that the more freedom of movement a woman enjoys, the more likely she is to vote. It has also been demonstrated that women with better levels of education and women in older age brackets enjoy greater freedom of movement.<sup>23</sup>

### **Family factors**

The family is very significant in Arab life, serving as the main unit of society and offering security to its members. The importance of the family in providing both men and women, as well as children, with social security and protection is fully recognized. More recently, though, the viability of the current patriarchal family model has been questioned. This is because various demographic and social trends are placing growing numbers of women outside the safe space that is supposed to be created by the family.<sup>24</sup>

Of course, the double burden of balancing family and career puts too much pressure on many women. Some believe that this is the major reason why women opt not to venture into the public sphere.<sup>25</sup> Yet it has also been shown that women who have advanced their careers did not do so at the expense of their families. Rather, they had their own innovative strategies that helped them to balance both responsibilities and enjoy them.<sup>26</sup>

The World Bank explains that gender roles and dynamics within Arab households are shaped by a traditional gender paradigm that presumes that the most important contribution women make to the family and society is as homemakers and mothers. This could explain women's low participation rates in both the labour force and the political sphere.<sup>27</sup>

Patriarchy still looms large in Arab family settings. In many instances, women do not have the independence to vote for their preferred candidate, backing instead the person that the family supports. The patriarchal setting also results in the 'political legacy' of a family being bequeathed to the son rather than to the daughter. Additionally, some Arab countries require that a wife follow her husband with regard to residence and sectarian affiliation. A woman who decides to stand for election has to do so in her husband's electoral district or compete for a seat allocated to his sect. Unless she already belongs to the same sect or district, therefore, she has to start from scratch, socially and politically.<sup>28</sup>

With such patriarchal forces restricting women's participation, one may wonder whether female members of female-headed households stand a better chance than women in male-headed households. Research suggests not: members of female-headed households are less likely to participate in the political domain.<sup>29</sup> While no explanations are offered of this surprising phenomenon, it might be that poverty, often associated with female-headed households, prevents family members from participating.

### *Factors associated with the public sphere*

Once women venture into the public sphere they confront other, external factors that might also hinder their political participation and representation. There are three categories of such external factors. They may be prevalent within society; they could be political factors within the country whose impact is felt by women; and they can be the factors women face in their working environment, that is, in their political positions once they attain them.

### **Societal factors**

Patriarchal systems, be they social, intellectual or political, are not conducive to removing the gender or structural imbalances inherent to a patriarchal society. At the social level, patriarchy manifests itself through the tribal system which governs social relations in several Arab countries. In some cases, tribes have become strong political actors. In one country, the failure of a bid by women to take part in parliamentary elections was attributed to tribalism, its value system and its view of women. In

another country, tribalism co-opted the quota system for women. The tribe fielded women candidates to ensure that it would win a parliamentary seat.<sup>30</sup>

Where tribalism does not exist, the socio-political scene is governed by other factors that resonate in a similar way, such as a sectarian, family-based system that dominates political life. This system has often been criticized for having a negative impact on women's political participation.<sup>31</sup>

Arab civil society has been criticized for allowing the pervasive patriarchal order to permeate its structures and to hold up women's political participation as a major force for social change. The Arab women's movement itself has also been censured for not advancing the status of women more rapidly. In some cases, it has adopted the patron-client form of leadership, emulating the patriarchal patterns found in the societies at large.<sup>32</sup> The women's movement is also said to be weak and lacking a feminist ideology that could permit women to progress faster.<sup>33</sup>

Although the women's movement has been operating for some time now in several countries in the region, and has succeeded in reaping certain benefits for women, it has been noted that coordination and cooperation between women's movements and women parliamentarians, which is usually very high in well-established democracies, is still minimal in certain countries in the Arab world. Hence, women parliamentarians have not been able to reflect the demands of such movements in their legislative work.<sup>34</sup>

#### **Political factors**

Researchers, as well as women parliamentary candidates, have often cited the political environment within each country as a major challenge to women who aspire to office.<sup>35</sup> Within this group of factors, we could highlight state policies vis-à-vis women's political participation; the political parties; and the electoral systems.

First, where state policies are concerned, so far, and in most instances, explicit leadership or government policies have facilitated the increase in women's political participation in Arab countries. This has been achieved either through the drafting of new constitutions that do not discriminate against women or by adopting different positive measures to encourage women's participation. Yet other initiatives needed to enable women to enjoy their full rights as citizens in other domains have not always accompanied these positive steps. As a recent United Nations Development Fund for Women (UNIFEM) publication points out: 'on paper in many states, women are declared to be citizens, but there are many social rights and benefits that remain inaccessible to women except through the medium of the family'.<sup>36</sup>

Despite the fact that women have acquired their full political rights as citizens in many Arab countries, so long as women are unable to receive their entitlements except through intermediaries and until they can enjoy their full social and economic rights, their practice of citizenship will remain curtailed.

The last major challenge in the sphere of the state concerns the branding of attempts to empower women as a 'Western agenda'. Such criticism has been reinforced by the announcement by the USA of the Greater Middle East Initiative. This relates to the question whether such efforts are indigenous or foreign, as mentioned in the introduction to this paper. One cannot, though, underestimate the commitment of Arab heads of state, entered into at their Tunis Summit in May 2004, to promote the role of women and to consolidate their rights. Analysts view this as an endeavour by Arab leaders to prove that reforms should come from within rather than be imposed by external forces.<sup>37</sup>

Second, where the political parties are concerned, parties in the Arab countries—with very few exceptions—have been criticized for not offering a proper framework for the adoption of women's issues.<sup>38</sup> Even liberal and leftist parties are said to neglect women's issues and to marginalize the role of women within the party.<sup>39</sup> A gender analysis of political party platforms in one country revealed that parties' general commitment to advancing women's issues is of a token nature only. None grasp the magnitude of such issues and all address major challenges, such as poverty, unemployment, health and education, in a gender-blind fashion.<sup>40</sup>

The situation of women who are enlisted in political parties is not favourable. They are often confined to women's wings or committees within the party, carrying out social or clerical tasks. Thus their roles are traditional, restricted 'by choice or by force'. Frequently they face 'patriarchal discrimination' when they seek to advance through the party ranks.<sup>41</sup>

A case study of three Arab countries found that, in one country, women refrain from acquiring party membership for personal reasons or because they feel that they are not given serious jobs to do, except for mobilizing other women during election campaigns. In a second country, women who were members of political parties questioned the internal democracy of the parties and said that there was an obvious division of labour based on sex.<sup>42</sup>

The third political factor to be reviewed here is the 'gender-friendliness' of electoral systems and the question how responsive they are to women's needs and circumstances. One study that looked into why women do not register to vote discovered that registration procedures are the greatest barrier. Women who cited this reason said that they were not aware of the time of registration and the conditions. The venue was also a decisive variable, as women refused to go to a police station to register. They also emphasized that procedures involved 'too much red tape'. Some said that they did not even have identity cards—a prerequisite for receiving voting cards. Rural women highlighted such hindrances much more than urban women.<sup>43</sup>

The level of democratization is a highly charged issue not only in its absolute sense but also in so far as it reflects on women's political participation. Political liberalization in some countries of Latin America and Eastern Europe has not always been conducive to an improvement in the plight of women or their level of political participation. A case study of three Arab countries that embarked on political liberalization over the past two decades reveals that, in those countries, the democratic processes adopted gave way to more traditional forces in the competition to win parliamentary elections. The legislation passed by such parliaments did not always facilitate women's advancement, since 'such groups entered the political fray with a part of their program aimed at instituting more conservative social policies, among them some which threatened to constrain women's activities and rights'.<sup>44</sup>

Nevertheless, one could counter with the argument that further democratization cannot help but provide women with certain opportunities that were not previously open to them. This is because political liberalization brings to the fore an open debate on several issues, such as full citizenship rights and the participation of all social groups, especially the more marginalized ones. In addition, more liberal media can air the views of all segments of society. This in no way belittles the dangers associated with more traditional forces controlling legislatures.

#### **Factors within the working environment**

Men's domination of the political arena and the predominance of male norms and values with respect to political life and models have resulted in women rejecting politics altogether or rejecting male-style politics, leading to only small numbers of



women venturing into the political realm. Such male-dominated patterns are said to be reflected in parliamentary life, 'which is often characterized by lack of supportive structures for working mothers in general and for women MPs in particular. Women are overstretched and overworked, since in addition to their party and constituency work, they have to serve on various committees and network with women ... Presently, most parliamentary programmes and sitting times are not adjusted to take into consideration this dual burden that women carry. Many women MPs struggle to balance family life with the demands of work that often involve late hours, travel and few facilities'.<sup>45</sup>

Furthermore, many Arab women members of parliament (MPs) also have to cope with the fact that 'service MPs' are still very much in demand and highly valued in several Arab countries, especially where the state cannot offer full social services. This preference for service MPs has impacted negatively on women's involvement in legislatures.<sup>46</sup>

In one Arab country, for instance, women MPs are under more pressure to work as service MPs because they lack the financial resources available to men, which is important sometimes to help an MP's constituents. Hence, women's role as an intermediary between their constituents and the state becomes more urgent in order to overcome the lack of financial resources. The pervading political culture that is sceptical of women's political abilities puts even more pressure on women MPs to prove themselves. Women in parliament also face internal institutional obstacles that need to be overcome, in addition to internal parliamentary procedures.<sup>47</sup>

## **Opportunities**

Considerable effort is required to surmount the combination of obstacles discussed above. However, there are various opportunities that could be seized to lessen the negative impact of such factors. Important as the factors within the private sphere are, this paper will only discuss possible opportunities in the public sphere, in line with the theme of this workshop. Some of the measures suggested here are taken from the actual experience of Arab countries, or are recommended in the light of the general situation in the Arab region.

### *The societal level*

The role of the women's movements in this domain is critical not only in terms of encouraging women to increase their political participation and to lobby for the adoption of such policies, but also in relation to ensuring that women parliamentarians are aware of the movements' needs and demands and capable of integrating them into the legislative process. Undoubtedly, this should be a two-way process, and women parliamentarians need to set aside time and energy in order to respond to the concerns voiced by the women's movement. Obviously, there is no blueprint for how to promote collaboration between women's movements and women parliamentarians. However, given the successful institutionalization of gender equality policies in countries where networking between women's interest groups and women politicians has occurred, such a measure seems imperative.<sup>48</sup>

### *The political level*

Although views differ on the impact of further democratization on women's rights, several windows of opportunity could open when more democratic systems are in place. Given the commitment to such an endeavour entered into by the Arab heads of state at the Tunis Summit in May 2004, women's movements and other political actors

need to work out how to speed up the implementation of such obligations, taking into consideration each country's specificities.

The lack of full citizenship rights for women in Arab countries needs to be addressed. Pledges of further democratization, as well as the fact that 17 out of 22 Arab countries have acceded to or ratified the 1979 Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), offers a golden opportunity to amend legislation in order to align it with the provisions of CEDAW, especially the article dealing with special positive measures.

Electoral systems can also become more gender-sensitized. Notably, the adoption of quotas or reserved seats for women in a few Arab countries has proved successful, at least in eradicating the psychological barrier among the population at large regarding women's political participation. Various methods of applying quotas need to be reviewed to discern what is most appropriate for each country.

Simple as it may seem, gender-segregated statistics on electoral processes seem to be lacking in several Arab countries. Having all kinds of statistics related to the electoral process available allows different trends to be examined and weaknesses to be identified and worked on.

Pre-electoral measures, such as gender-sensitive voter education and civic education, are rather rudimentary and sporadic in several Arab states.<sup>49</sup> The financial resources of governments and civil society in these countries might not permit better coverage. This is probably one area where international organizations can offer their support.

Skills training and individual consultations with women candidates and their campaign managers have proved successful to varying degrees. Evaluating and improving on such programmes could help future women candidates address their limited political exposure and gain more experience.<sup>50</sup>

Several Arab countries have not yet had women representatives on their electoral commissions. This is one demand that women's movements need to take up. The experiences of other countries show that women's representation on such electoral management bodies has led to more gender-sensitive electoral processes.

Political parties in different countries have had different experiences and their role in the political arena has varied greatly. In general, though, most of them have not adopted women's issues seriously and women's representation within them seems to be of a token nature—much more so than is the case in state institutions. Gender issues need to be identified with respect to the parties' political platforms, institutional set-ups and internal procedures.<sup>51</sup>

### *The work environment*

Having overcome the various challenges to standing in and winning elections, women parliamentarians are presented with a new set of challenges. A proposed model suggests that women parliamentarians need first to learn both the written and the unwritten rules in their new working environments. Next, they must use these rules to their advantage, so that finally they can change the rules as they see fit.<sup>52</sup>

The model can be employed in four areas of parliamentary work:

- institutional/procedural—to make the institution more women-friendly;
- representation—to facilitate women's access to legislative bodies and to allow them to occupy higher positions;

- discourse—resulting in a shift in public attitudes; and
- influence on output, or impact—leading to legislation and concomitant policies that take greater account of women’s perspectives, concerns and recommendations.

The application of this model by women parliamentarians in any Arab country would definitely provide other Arab women parliamentarians with a worthwhile lesson on overcoming the challenges confronted in their new working environments.

## Notes

<sup>1</sup> According to Freedom House, the ‘partly free’ countries are Bahrain, Comoros, Djibouti, Kuwait, Jordan, Morocco and Yemen. The category of ‘not free’ includes Algeria, Egypt, Iraq, Lebanon, Libya, Mauritania, Oman, the Occupied Palestinian Territories (both Israeli- and Palestinian Authority-administered), Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia and the United Arab Emirates.

<sup>2</sup> United Nations Development Programme (UNDP), 2002. *Arab Human Development Report: Creating Opportunities for Future Generations*. New York: UNDP.

<sup>3</sup> Khouri, Rami. ‘Politics and Perceptions in the Middle East after September 11’, available at <<http://conconflicts.ssrc.org/mideast/khouri/pf/>>. Accessed 26 October 2004.

<sup>4</sup> Helou, Margaret, 2000. ‘Women and Parliamentary Elections in Lebanon’, in Hussein Abu Rumman (ed.), *Arab Women and Political Participation*. Amman: al-Urdon al-Jadid Research Centre.

<sup>5</sup> World Bank, 2003. *Gender and Development in the Middle East and North Africa: Women in the Public Sphere*. Washington, DC: World Bank.

<sup>6</sup> Karam, Azza, 1999. ‘Strengthening the Role of Women Parliamentarians in the Arab Region: Challenges and Options’, available at <<http://www.pogar.org/publications/gender/karaml/karama.pdf>>. Accessed 10 January 2004.

<sup>7</sup> Ibid.

<sup>8</sup> World Bank, op. cit.

<sup>9</sup> Brand, Laurie, 1998. *Women the State, and Political Liberalization: Middle Eastern and North African Experiences*. New York: Columbia University Press.

<sup>10</sup> Tiltnes, Uga, 2000. ‘Women and Political Participation in Jordan’, in Hussein Abu Rumman (ed.), *Arab Women and Political Participation*. Amman: al-Urdon al-Jadid Research Centre.

<sup>11</sup> This discussion on Arab women’s participation in legislatures is taken from Sabbagh, Amal, 2005. ‘Case Study: The Arab States’, in International IDEA, *Women in Parliament: Beyond Numbers. A Revised Edition*. Stockholm: International Institute for Democracy and Electoral Assistance (IDEA).

<sup>12</sup> Inter-Parliamentary Union (IPU), 2005. ‘Women in National Parliaments: Situation as of 31 January 2005’, available at <<http://www.ipu.org>>.

<sup>13</sup> Linkages between legislation (covering various areas such as family law and social security) and labour force participation are discussed in World Bank, op. cit. One can draw comparisons between constraints pertaining to labour force participation and those pertaining to political participation.

<sup>14</sup> Helou, op. cit., p. 257.

<sup>15</sup> Sharabi, Hisham, 1988. *Neopatriarchy: A Theory of Distorted Change in Arab Society*. New York: Oxford University Press.

<sup>16</sup> Helou, op. cit., p. 259.

<sup>17</sup> Sabbagh 2005, op. cit.

<sup>18</sup> Tell, Suheir and Walid Hammad, 2000. ‘Jordanian Women’s Political Participation and Decision-making’, in Hussein Abu Rumman (ed.), *Arab Women and Political Participation*. Amman: al-Urdon al-Jadid Research Centre.

<sup>19</sup> Ibid., p. 220; and Helou, op. cit.

<sup>20</sup> Helou, op. cit., p. 259.

<sup>21</sup> Sabbagh, Amal, 1997. ‘Women’s Work and Achievement in the Jordanian Civil Service’. Unpublished thesis. University of Nottingham.

<sup>22</sup> An example of limited freedom of movement hindering women from standing in parliamentary elections was when women candidates in one Arab country were not able to get signatures in support of their candidacies from 300 people in their constituency. See Sabbagh 1997, op. cit.

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- <sup>23</sup> Tiltnes, op. cit., p. 185.
- <sup>24</sup> United Nations Development Fund for Women (UNIFEM), 2004. *Progress of Arab Women 2004*. Amman: UNIFEM Arab States Regional Office, p. 123.
- <sup>25</sup> Helou, op. cit., p. 256.
- <sup>26</sup> Sabbagh 1997, op. cit.
- <sup>27</sup> World Bank, op. cit., pp. 8–9.
- <sup>28</sup> Helou, op. cit., pp. 257–8.
- <sup>29</sup> Tiltnes, op. cit., p. 185.
- <sup>30</sup> Sabbagh 2005, op. cit.
- <sup>31</sup> Ibid.
- <sup>32</sup> Suad, Joseph, 1997. 'The Reproduction of Political Process Among Women Activists in Lebanon: "Shopkeepers" and Feminists', in Dawn Chatty and Annika Rabo (eds), *Organizing Women*. Oxford: Berg.
- <sup>33</sup> Tell and Walid Hammad, op. cit., p. 219.
- <sup>34</sup> Sabbagh, Amal, 2004. 'Cooperation between Elected Women and Women Leaderships in Jordan'. Paper submitted to the Noor Al-Hussein Foundation Fourth National Forum for Rural Women, 7 October.
- <sup>35</sup> Tell and Walid Hammad, op. cit.; Juma, Salwa, 2000. 'Values and Political Positions of Egyptian Women', in Hussein Abu Rumman (ed.), *Arab Women and Political Participation*. Amman: al-Urdon al-Jadid Research Centre; Helou, op. cit.; and Asfour, Saba, 2002. 'From an Electoral Experience'. *Intlaqat al-mar'a*. 2, pp. 2–3.
- <sup>36</sup> UNIFEM, op. cit., p. 126.
- <sup>37</sup> Sabbagh 2005, op. cit.
- <sup>38</sup> Musaddaq, Ruqua'ia, 2000. 'Moroccan Women and Legislative Elections', in Hussein Abu Rumman (ed.), *Arab Women and Political Participation*. Amman: al-Urdon al-Jadid Research Centre, p. 244.
- <sup>39</sup> Tell and Walid Hammad, op. cit., p. 219.
- <sup>40</sup> Sabbagh 2005, op. cit.
- <sup>41</sup> Helou, op. cit., p. 253.
- <sup>42</sup> Sabbagh 2005, op. cit.
- <sup>43</sup> Juma, op. cit., pp. 295–6.
- <sup>44</sup> Brand, op. cit.
- <sup>45</sup> Shvedova, Nadezdha, 2002 update. 'Obstacles to Women's Participation in Parliament', in *Women in Parliament: Beyond Numbers*, available at <<http://www.idea.int/women/parl/ch2a.htm>>. Accessed 26 September 2004.
- <sup>46</sup> Helou, op. cit., p. 261.
- <sup>47</sup> Sabbagh 2004, op. cit.
- <sup>48</sup> Karam, op. cit.
- <sup>49</sup> Sabbagh 2005, op. cit.
- <sup>50</sup> Ibid.
- <sup>51</sup> Ibid.
- <sup>52</sup> Karam, op. cit.; and Karam, Azza and Joni Lovenduski, 'Women in Parliament: Making a Difference', chapter 5 in International IDEA, op. cit. Lack of space makes it impossible to provide a full description of this model. Those interested should read the reference in full, since this model offers very relevant approaches for women parliamentarians.

# Gender Balance in Politics: Goals and Strategies in a Global Perspective

Drude Dahlerup

## Why gender balance in politics?

Important changes of discourse can be identified in recent discussions on women in politics. Arguments for women's equal participation in decision making are shifting, and so, too, are perceptions as to why women are under-represented in political institutions. Consequently, goals and strategies are being modified.

1. There has been a change in the arguments employed to support the demand for more women in politics. Previously, the main arguments were:

- the justice argument: women comprise 50 percent of the population and should therefore have 50 percent of seats in decision-making assemblies;
- the experience argument: that women's experiences should be integrated into politics—which is important as long as the lives of women and men are so segregated; and
- the interest argument: that, on some fundamental issues, conflicts exist between the interests of women and men, or between the interests of specific groups of women and men. Thus, men cannot represent women.

All three arguments are still valid and widely used. Today, though, it is emphasized how the very processes of development and democratization will benefit from women's full participation. Equality for women is no longer viewed as something that will eventually emerge after democratization. Instead, stress is put on women's participation in the processes of development and democratization. The exclusion of women from major parts of social and public life, as well as the degradation of their actual contribution, hinders the development of society, in Arab countries and the rest of the world.<sup>1</sup>

2. Increasingly, the goal is presented as 'gender balance' rather than the previous, more modest demand for 'more women in political decision making'. If women's full participation is seen not just as 'a gift' to appease women's movements and to silence their critique, but as a prerequisite for development and for a transition to democracy, then nothing short of real gender balance is relevant.

3. A shift can be seen in the way women's under-representation is explained. As in the 1995 Beijing Platform for Action, the lack of women in decision-making processes globally is seen as being caused by 'discriminatory attitudes and practices' and 'unequal power relations'. In this discourse of exclusion, the focus has moved away from women's (lack of) resources and (lack of) will to participate. Now it centres on those mechanisms that exclude women from political institutions and prevent women all over the world from obtaining an equal share of political positions, as the unbalanced representation figures show.

4. These ways of framing the problem of women's under-representation have important consequences for what strategies to choose. If the problem is perceived as a lack of resources, then increasing women's resources is most important. If, however, exclusion mechanisms are seen as the main problem, then the burden of change is placed on the institutions and parties that reproduce discriminatory practices. To introduce quotas for women is a strategic response to the de facto

exclusion of women. Quotas imply that those who nominate and select are forced to start recruiting women and giving women a chance.

### **Gender quotas: A new trend in the world today**

In recent years, electoral gender quotas have been introduced in a remarkable number of countries (see <<http://www.quotaproject.org>>). Today, one may even talk about a 'quota fever'. In Africa, the Balkans, Latin America and South Asia, many different types of quota regimes have been introduced. In Western Europe, quotas mainly take the form of voluntary party quotas—Belgium and France being the exceptions. In Central and Eastern Europe, very few parties have approved quota regulations and no legal gender quota regulations for parliament are in place. In the Arab world, quotas for various groups (religious, ethnic and clan) are well know, and very recently a number of countries have included 'women' as a group in parliament, for whom certain seats should be reserved.

Because of gender quotas, a dramatic change has taken place in the global ranking of countries' level of female political representation. Rwanda, Costa Rica, Argentina, Mozambique and South Africa are now placed very high in the world league table of the Inter-Parliamentary Union (IPU) (<<http://www.ipu.org>>). The five Nordic states, Denmark, Finland, Iceland, Norway and Sweden, which for a long time were virtually alone at the top of the table, are now being challenged. Although controversial, the electoral gender quota has proved to be a highly effective instrument, provided that it is implemented properly.

Analyses of quota discourses reveals that resistance to quotas in many countries derives from a belief that quotas are in conflict with the concept of liberal democracy and the principle of merit ('let the best man [sic!] win'). In Central and Eastern Europe, moreover, strong resistance to quota provisions derives from the understanding that quota regulations were a phenomenon of the Soviet past, an example of that period's 'forced emancipation'.

#### *Regional differences*

While only 15.6 percent of members of parliament (MPs) around the world are women, significant differences exist between regions (see table 1). The Nordic countries have the highest number of women parliamentarians (39.7 percent), while the Arab states have the lowest (6 percent). Sub-Saharan Africa comes close to the world average (14.9 percent), although there are considerable variations between countries within each region.

**Table 1: Women in national parliaments (lower houses): regional differences**

Nordic countries	39.7%
Americas	18.5%
Europe/member states of the Organization for Security and Co-operation in Europe (OSCE) (excluding the Nordic countries)	16.25%
Asia	15.1%
Sub-Saharan Africa	14.6%
Pacific	11.1%
Arab states	6.0%

Source: Inter-Parliamentary Union, <<http://www.ipu.org>>, 30 September 2004.

### *The need for cross-country analyses*

Throughout the world, women's organizations and political parties are searching for ways of ending the male dominance of politics. In principle, most people and governments support the idea of gender balance in political life. Today, the introduction of quota provisions in politics is considered a legitimate equal opportunity measure in many countries, even if resistance remains strong in others.

What happens when electoral gender quotas are introduced in political environments as dissimilar as those of Argentina, France, India, Pakistan, South Africa, Sweden and Uganda? Under what conditions do quotas contribute to the empowerment of women? When do gender quotas lead to unintended negative consequences like stigmatization and marginalization? These are crucial questions that need to be addressed by feminist researchers, as well as by international institutions and non-governmental organizations (NGOs).

Now that data have been gathered on the employment of quotas globally, it is time to formulate a new research agenda to compare these different quota systems.<sup>2</sup> Such cross-national research should examine the discourse that is taking place, decision-making and implementation processes, and the effects of quotas.

While electoral statistics can provide information on the number of women elected, many countries, unfortunately, do not have available data on the sex of nominated candidates, which must be obtained through other channels, such as the parties themselves. However, quotas should also be assessed from a qualitative perspective, that is, by looking at the intended and unintended ramifications, including the real empowerment of women or specific groups of women in the light of the possibility of stigmatization and the 'glass ceiling' phenomenon that prevents the number of women exceeding the quota requirement.

With some exceptions, until now, research on quotas has primarily been limited to one country. It is essential to widen the analysis and to conduct research that compares quota discourse and implementation processes and results under different electoral systems, different political cultures and different gender regimes. Existing single-country studies seem to come up with quite different conclusions about the ability of quota systems to empower women. These differences, though, might be due to the approach chosen rather than to actual differences between countries.

### **The theoretical foundation of quota demands**

Analyses of quota discourses reveal interesting variations between different countries and different regions. Quotas are highly controversial in some countries, whereas quota proposals have passed with only little discussion in others. Yet the debate is often confused, and is only comprehensible if hidden assumptions about women and the position of women are scrutinized. Hence, some consider quotas to be a form of discrimination and a violation of the principle of fairness, while others view them as compensation for structural barriers that prevent fair competition. Quotas are sometimes perceived as violating other principles, such as fairness, competence and individualism. Nonetheless, quotas are also seen as an efficient way of attaining 'real' equality, namely 'equality of results'.<sup>3</sup>

If we take the actual exclusion of women as the starting point, that is, if we recognize that many barriers exist that prevent women from entering the realm of politics, then quotas are seen not as discriminating (against men) but instead as compensation for all the obstacles that women confront. When all these impediments are removed, it is argued that quotas will no longer be necessary. In this respect, quotas are a

temporary measure. It may take decades, though, before all social, cultural and political barriers preventing equal female representation are eradicated. Today, the very concept of constant historical progress towards ever greater gender equality is challenged by actual experience of backlash and standstill.

The gatekeepers to the political scene are the political parties because of their control over the nomination process. The role of voters is often not as decisive as one would think. The political parties' nomination committees frequently decide who will be elected—they select the candidates and place them in 'good' or 'bad' constituencies vis-à-vis election prospects. Prior to the polls, the political parties usually know which seats are 'safe'. In all systems, it is important to examine who actually exercises control over the nomination process. In countries with a high level of female representation, women's organizations have consistently asked: who controls the nomination process? In the Scandinavian countries, women's organizations have changed their demand from the more vague 'more women in politics' to 50 percent of seats on nomination committees and within the party leadership, in order to influence the process.

The decision whether or not to introduce a quota is increasingly influenced by the recommendations of international organizations which are 'translated' into national discourses. Electoral gender quotas are being introduced today in countries where women have been almost entirely excluded from politics, as well as in countries that have a long history of female involvement in the labour market and in political life, as in the Scandinavian countries. Electoral quotas were not introduced in the latter until the 1980s, when women's parliamentary representation already exceeded 25 percent.

The introduction of effective quota systems represents a shift in approach, from 'equal opportunity' to 'equality of results'. However, since most quota systems specify the number of women and men to be presented to voters on parties' candidate lists, and not the gender distribution in parliament, one might prefer to see electoral gender quotas as an example of 'real equal opportunity'. Women and men have an equal chance to present themselves to voters, and in open list proportional representation (PR) systems, as well as in majority systems, voters have the choice of voting for a female or male candidate. In general, a quota system represents a break with the widespread gradualism of equality policies. Viewed from this perspective, the Scandinavian countries can no longer be considered the only model for ensuring equal political representation around the globe.

#### *Why Scandinavia is no longer the model*

For many years, feminist organizations worldwide have looked to the five Nordic countries as a model for achieving equality for women. A key factor has been the very high level of representation of women in parliament and on the local councils, especially since the 1970s. In parliament women have 45.3 percent of the seats in Sweden (election 2002), 38 percent in Denmark (2001), 37.5 percent in Finland (2002), 36.4 percent in Norway and 30.2 percent in Iceland.

How did women in Scandinavia come this far? What can we learn from the Scandinavian experience? As Nordic researchers we have tried to answer these questions by pointing to structural changes within these states, such as secularization, the strength of social democratic parties and the development of an extended welfare state, women's entry into the labour market in large numbers in the 1960s, the education boom of the 1960s, and the electoral system (PR). Strategic factors are also seen as important, especially the various approaches employed by women's organizations to raise the level of female political representation.



The international research community has paid considerable attention to the results of Nordic research. The extraordinarily high rate of female representation in the region since the 1970s, by international standards, has sometimes been attributed to the introduction of quotas.<sup>4</sup> However, this is not an accurate assessment: in fact women's position in the political party organizations slowly increased and women used this new power to consolidate the position of women by working for the introduction of quotas in their respective political party organizations, and later on the electoral lists. Quotas were never introduced by law in the Nordic countries, only as a result of internal party decisions. And not all Nordic political parties use quotas. Those that do are mostly to be found in the centre and on the left of the political spectrum. The few Danish parties that employed quotas abolished them after just a few years. Finally, the Swedish principle of 'every second a women' is not even considered a quota system by the general public, even if, in fact, it is a radical quota system, demanding, and in most cases leading to, a 50 percent gender balance.

The Scandinavian experience cannot be considered a model for the 21st century because it took 80 years to get that far. Today, the women of the world are not willing to wait that long. Electoral quotas are a symbol of the impatience of modern women. A very good example is South Africa, where the introduction of quotas in the 1994 election by the African National Congress (ANC) resulted in women's representation in this new democracy reaching 27 percent in the very first democratic election.<sup>5</sup>

### **Different quota systems**

Even if amendments to the constitution and new electoral laws providing for gender quotas—that is, legal quotas—may seem more commanding, it is not at all evident that these methods are more efficient than voluntary party quotas when it comes to implementation. It all depends on the actual rules and the possible sanctions for non-compliance, as well as on the general opportunities that exist for quotas within the country. The crucial issue is whether there are any regulations concerning the rank-ordering on the list of the, say, 40 percent of required women. Are the nominated women placed in a position with a real chance of election?

'Reserved seats' are a different kind of quota, whereby a specific number of seats are set aside for women—as in Uganda, where a number of regional seats, one for each district, are reserved for women. The differences between the various systems should not be exaggerated. In a closed list system, quotas, in reality, determine which of the candidates will be elected, but the number of seats to be awarded to each party is still in the hands of the electorate.

Formerly, reserved seat systems were seen, more or less, as one single category. However, since many new kinds of reserved seat systems are being introduced, it is very important to study how the different types of reserved seat systems work. It seems important to make a distinction between (a) reserved seats with some kind of public election, as in Bangladesh (local elections), India (local elections), Jordan and Uganda, and (b) reserved seat systems without election, as in Morocco. Quotas may be introduced in democratic political systems, as well as in systems with limited democratic freedoms, or even in non-democratic or authoritarian political systems. This may be a contested statement, but even in countries without democratic elections, one may argue that it is an improvement if women are becoming part of the political leadership.

Examples of gender quotas mandated by the constitution are found in Burkina Faso, Nepal, the Philippines and Uganda. Electoral law quotas are found in many parts of Latin America, as well as, for example, in Belgium, Bosnia and Herzegovina, Egypt (1979–86), Jordan, Serbia and Sudan. Voluntary party quotas are found in countries

like Algeria, Bolivia, Ecuador, Germany, Italy, Norway, Tunisia and Sweden, where a number of political parties have some type of quota. In many other countries, only one or two parties have opted to use quotas. However, if the leading party in a country uses a quota, as the ANC does in South Africa, this may have a significant impact on the overall rate of female representation. Yet most of the world's political parties do not employ any kind of quota at all.

In some countries, quotas pertain to minorities defined in regional, ethnic, linguistic or religious terms. Almost all political systems use some kind of geographical quota to ensure a minimum level of representation for a densely populated area, such as an island. That type of quota is usually not considered as controversial as a gender quota.

Quotas work differently under different electoral systems. They are most easily introduced in PR and other multi-list systems. But, even in a PR system, because few of their candidates are elected, small parties and parties in small constituencies experience difficulties in implementing quotas without interference from the central party organization.

### **The troublesome implementation of quotas**

Quotas have often stimulated vehement political debate. To date, research on quotas has tended to concentrate on these debates and on the decision-making process. While these discursive controversies are an essential part of my present research project, emphasis is also being placed on the frequently neglected and troublesome matter of the implementation of quotas and on the consequences of introducing quotas. From single-country studies, we know, for instance, that the introduction of a requirement demanding a minimum of 30 percent of each gender on an electoral list does not automatically result in women acquiring 30 percent of seats. Thus, by comparing the use of quotas in many similar (and different) political systems, it is possible to determine whether quotas are an equitable policy measure, contributing to the stated goal of equal political citizenship for women.

An unclear debate and lack of legitimacy with regard to the claim often leads to problems at the implementation stage. In a survey of political parties in the Nordic countries, and of women's organizations in the same parties, the Norwegian Labour Party reported that it takes three elections to implement a quota. Why? Because the party is not prepared to throw out an incumbent male MP in order to include a woman.

The results of past single-country studies vary to a considerable extent. They demonstrate, among other things:

- the partial failure of the attempt to introduce women's shortlists in a single-member district plurality/majority electoral system, like that of the United Kingdom, which nevertheless showed some positive results;<sup>6</sup>
- the success of the Scottish 'twinning system';
- political parties' often 'minimalist' compliance with the rules, resulting in small and uneven gains in women's representation in Latin America—Argentina and Costa Rica serving as outstanding positive examples;<sup>7</sup> and
- the somewhat stigmatic consequences of the system of reserved seats for women in Uganda.<sup>8</sup>

The 30 percent quota provision for local councils in Bangladesh, India and Pakistan amounts to a sort of revolution in the gender regime in this area. Research has shown, though, that the quota system requires that women's organizations develop capacity-building programmes for nominated and elected female candidates. If quotas are to lead to the empowerment of women, elected women must have the capacity to

fulfil their new responsibilities and, especially in a strong patriarchal society, capacity building for women politicians is essential. At the same time, we may conclude that properly implemented quotas might contribute to a more gender-balanced society.

The Jordanian quota system, introduced in the election of June 2003, is yet another kind of quota system, combining the reserved seat system with the usual quota system. According to the law, six of the 110 seats in the lower house of parliament are reserved for women. During discussions regarding quotas in Jordan, this was labelled a 'quota system'. There are no provisions to secure for women a minimum share of candidacies for election, as is the case with most other quota systems, but there is a quota for the number of seats reserved for women in the parliament. In the Jordanian political system, the government exercises a certain amount of control over the nomination process. Based on individual votes received (compulsory preferential voting in a multi-member plurality/majority system), the six women who received the highest percentage of the total number of votes cast in their respective constituencies were elected to parliament. The women selected in this way received between 5 and 10 per cent of votes in their respective constituencies. It was a great disappointment to women's organizations that this system resulted in no women from the capital being elected to parliament. Women's organizations in Jordan have demanded a larger number of reserved seats, 12 or more. The quota provisions in Jordan are temporary (for one parliamentary period only), which is very unusual in a global perspective.

### **International 'translation'**

I argue that a new international discourse on gender balance in institutional politics is an important factor behind the recent introduction of quotas all over the world. Today, we see male-dominated parliaments passing quota laws. However, the fact that some countries have opened up to quotas, while others have not, and the fact that specific types of quota system seem to manifest themselves in regional clusters, all point to the need for context-based research on the 'translation' of this international discourse so that it is applicable in different individual and regional contexts. The women's movement appears to have a vital role to play in this process.

### **Note**

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<sup>1</sup> United National Development Programme (UNDP), 2003. *Human Development Report*, available at <<http://hdr.undp.org/reports/global/2003>>.

<sup>2</sup> See International IDEA and Stockholm University. *Global Database of Quotas for Women*, >. [www.quotaproject.org](http://www.quotaproject.org) available at <[http://](http://www.quotaproject.org)

<sup>3</sup> Dahlerup, Drude, 1998. 'Using Quotas to Increase Women's Political Representation', in Azza Karam (ed.), *Women in Parliament: Beyond Numbers*. Stockholm: International IDEA, available >. <http://www.idea.int/publications/wip/index.cfm> <

<sup>4</sup> Phillips, Anne, 1995. *The Politics of Presence*. Oxford: Clarendon Press.

<sup>5</sup> Ballington, Julie, 1998. 'Women's Parliamentary Representation: The Effects of List PR'. *Politikon: South African Journal of Political Studies*. 25(2), pp. 77-93; and Ballington, Julie, 2000. 'Representation of Women in Political Parties'. *South African Local Government Elections 2000*. No. 6. Johannesburg: Electoral Institute of Southern Africa (EISA).

<sup>6</sup> Squires, Judith, 1996. 'Quotas for Women: Fair Representation?', in Joni Lovenduski and Pippa Norris (eds), *Women and Politics*. Oxford: Oxford University Press, pp. 73-90.

<sup>7</sup> Pechard, Jacqueline, 2003. 'The Quota System in Latin America: General Overview'. Paper presented at the IDEA workshop on the Implementation of Quotas: Latin American Experiences, held in Lima, Peru, 23-24 February 2003; and Htun, Mala N. and Mark Jones, 2002.

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<sup>8</sup> Christensen, Trine Grønberg, 1999. 'A Woman's Place is in the House—State House!'. Dissertation, Department of Political Science, University of Aarhus; and Tripp, Aili Mari, 2000. *Women and Politics in Uganda*. Madison: University of Wisconsin Press.

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*In 2006 Women, Quotas and Politics, edited by Drude Dahlerup, was published by Routledge. This is the first worldwide analysis of the use of electoral gender quotas in all major regions of the world. The book includes a chapter by Gihan Abou-Zeid on the Arab region.*

## **2. Implementing Legislated Quotas for Women**

# **Women's Participation and Special Measures in Djibouti**

Hawa Ahmed Youssouf

## **Introduction**

Djibouti is located in East Africa, in an area tormented by the region's conflicts. However, the country has been a haven of peace since gaining independence in 1977. Of the total population, 52 percent is female. Its economy is service-based.

The largest communities are the Afars and the nomadic pastoral peoples. There is also a large Arabic community of Yemenite origin. The population is 99 percent Muslim. The official languages are French and Arabic; the local languages most commonly spoken are Somali and Afar.

Djiboutian tradition dictates that the man is the head of the family. According to African Muslim society, he is in charge of the family, and has an obligation to feed and educate his family and to decide what is best for them. In addition, he is at the centre of the tribe, which turns to him when compensation must be paid as the result of an accident. The man has always taken decisions on matters like the children's education, whether the family should move and payment of alimony. Yet the role of women is increasingly important. Women have taken greater initiative in running the family since the adoption of the Family Code in 2002.

The constitution has been in place since 1992, and it enshrines equality of rights and obligations between men and women in all areas. Djibouti ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1998, without reservations, as well as numerous other international accords focused on protecting women's rights. Djibouti is a democratic nation, with several political parties.

## **The genesis of the law on quotas**

### *The inspiration*

The young republic has seen considerable progress with respect to the promotion of women since the election of President Ismaël Omar Guelleh, with the creation of the Ministry for Women's Promotion and the adoption of the Strategy for Women's Integration: the latter became law on 7 July 2002. Djiboutian women have had the right to vote since 1946. However, even though the constitution grants them the right of election, they have historically never had the opportunity to participate in elections. The first women took their seats in parliament as late as 2003.

The idea of having women participate in the National Assembly emerged after the adoption of a National Action Plan, providing for the participation of women in decision making. The move was vital, especially considering that, according to the statistics kept by the Inter-Parliamentary Union (IPU), Djibouti was among the countries where women's participation in parliament was zero (prior to the January 2003 elections). When the question how to remedy this problem was raised publicly, some people said 'you mustn't dream', while others found it impossible to imagine a woman representing the people. That was the situation in 2002.

In New York in October 2002, a great woman sheikh from the Middle East told me that the authorities had granted women in her country the opportunity to participate in elections. However, due to a lack of preparation and failure to generate greater

awareness among the population, they could not ensure their election. In a meeting with Christine Pintat, former assistant secretary general of the IPU, she provided me with information about the quota system, which was being used in some African countries. After mulling it over for several days, I decided to propose to the president the language for a quota bill in parliament to give women a chance of being elected in Djibouti.

### *The struggle*

On reading the language, then President Guelleh encouraged me to submit the bill to the Council of Ministers for approval. It came up against all sorts of challenges. Some, failing to understand the basis for the proposed law, continued to oppose it simply because they 'felt threatened'. Others argued that those tribes that favour the predominance of men in decision making would not accept the new provision. Still others considered it premature to present a bill when society was not prepared for it. How, though, does one prepare a society in which the majority finds it 'abnormal' to be represented by women? The bill had to be adopted first.

The law was eventually approved after a stormy five-hour debate in the Council of Ministers in 2002. Unforgettably, President Guelleh stated on 11 October 2002 that a society that 'half-thinks, half-acts, half-analyzes, wouldn't be able to get ahead, and that this bill is a great breakthrough in the annals of the demands of Djiboutian citizens, and the clearest expression of the entry of women on the national scene, and in view of women's major role as a historical subject'.

The bill still had to pass through the National Assembly, where difficulties continued. On studying the bill, legislators became fearful, on more than one count. After a meticulous examination of each article, legislators adopted the bill, most grudgingly (and it would ultimately result in seven of them losing their seats). Scrutinizing its entire contents, they did not find any legal error that would justify sending it back or rejecting it.

### **The law on quotas**

The law on quotas that was passed requires women to hold 10 percent of the seats in parliament. It establishes that 'the minimum number of either women or men candidates in each political party's list must be equivalent to 10 percent of the seats to be filled'.<sup>1</sup>

Djibouti uses a Party Block Vote (PBV) electoral system. This is a 'plurality/majority system using multi-member districts in which voters cast a single party-centred vote for a party of choice, and do not choose between candidates. The party with most votes will win every seat in the electoral district'.<sup>2</sup> For this reason, the law obliges all political parties to include women on the lists they present in elections so as to ensure that women obtain 10 percent of the seats in the National Assembly.

### **Implementation of the law**

Several difficulties were experienced in the implementation of the law, both by the president of the republic and the prime minister and by the political parties, especially in forming the lists of candidates for elections.

### *Meeting with the tribes*

None of the tribes wanted to have a woman representative on their candidate lists. After much bargaining and endless discussion right up until the midnight deadline for

the lists to be presented to the electoral management body, the tribes had problems with meeting the requirements of the quota law.

Strong in his conviction, President Guelleh pushed for a change in mindset. Disregarding resistance from the tribes, seven women candidates were placed on the common Presidential Majority Union (UMP) list. This was the first time in the country's history that women were placed on a party's list. It included representatives of the Association of Young Djiboutian Women and women artists. Four women came from the capital, and the list was headed by the woman minister, Mme Hawa, who had advocated the change.

With the support of the IPU, potential women candidates were prepared to contest the legislative elections. A two-day workshop was held at the Palais du Peuple to motivate them, as well as to train them in public speaking. International organizations with a presence in Djibouti, non-governmental organizations (NGOs), national associations, religious leaders and authorities and the presidents of the Constitutional Council and the National Assembly were invited, to raise the awareness of the Djiboutian community.

#### *A law disliked by the opposition*

The Djiboutian opposition found this new measure disturbing. It was not consistent with the beliefs of many communities or with ancestral ideology. The opposition spared no effort in seeking to present a false image of the law to the population. The late opposition leader, Ahmed Dini, declared on television on 11 October 2002 that it was 'exported from abroad'. Determined not to respect the measure, he stressed that 'it was incompatible with cultural and traditional values'. Ultimately, though, overwhelmed by the associations that had mobilized to fight for women's rights, he was forced to change his position and respect the clauses of the law.

Despite the negative attitude towards women's participation, the opposition finally accepted having seven women on its list, out of fear of the list being viewed as unlawful and hence rejected by the electoral authorities.

The law first applied to the parliamentary elections in January 2003, which were held in a calm and transparent environment, and international organizations were present as observers. The political parties adhered to the law on quotas, and this resulted in the election of seven women, or 10.8 percent of the seats in parliament.

#### **Conclusion**

The case of Djibouti demonstrates the importance of political will. Thanks to the political will of President Guelleh and the law establishing a quota of 10 percent, the women of Djibouti were able to participate in legislative elections for the first time.

Women have brought new energy to the legislative process in the National Assembly. They have also proved capable of giving the population confidence, helping to resolve disputes between associations and aiding the most underprivileged.

Participation in political life and the exercise of political power by women should be encouraged and facilitated by awareness-raising, including civic and political education. This would enable women to learn about their rights and to become fully conscious of their capacity to become direct protagonists in political life. The government, legislature, parties and political organizations, trade unions, international organizations and the media can contribute to this process.



## Notes

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<sup>1</sup> See Inter-Parliamentary Union (IPU), 2002. *The World of Parliaments*. Issue 8, December, available at <<http://www.ipu.org/news-e/8-3.htm>>.

<sup>2</sup> See International IDEA, 2005. 'Table of Electoral Systems Worldwide', available at <<http://www.idea.int/esd/world.cfm>>.

# **Women's Political Participation: Legislated Quotas and Special Measures in Sudan**

Niemat Kuku

## **Historical background**

The involvement of Sudanese women in public life dates back to before the First World War period, when a notable number engaged in religious education and cultural events. The first expert for women's education was appointed in 1920, and by then the issue of education for girls had been raised publicly and a dialogue had been initiated between supporters and opponents of educating women (all men). Accordingly, five elementary schools for girls were opened, together with a teachers' training school, in 1921. The first intermediate school opened in 1939 and the first secondary school in 1949. The first woman ever to enter high school did so in 1945, followed by another four in 1955. At independence, in 1956, there were 563 elementary schools (of which 173, or 31 percent, were for girls), 59 intermediate schools (17 percent of them for girls) and 25 secondary schools (8 percent of them for girls).

The late 1940s and early 1950s witnessed the rise and fall of different organizations, generally aimed at improving the quality of life of Sudanese women. They focused, among other things, on teaching nursing, sewing, home economics and health issues. Emphasis was later placed on education as a strategy for women's emancipation. The most famous organization was the Rabitate el-Nisa el-Sudaniat (League of Sudanese Women). By the 1950s, with the intensification of the nationalist movement, it was believed that a new organization for women was needed that would better address women's concerns and promote their social participation.

In 1952, a group of educated women founded the Sudanese Women's Union (SWU). They were mainly teachers, government officials, students, nurses and so on. The SWU campaigned for equal pay for equal work, longer paid maternity leave and equal employment opportunities. It also demanded political rights, the right to vote (granted in 1955) and the right to stand for election (granted in 1965). By 1965, women in Sudan had gained the constitutional right to representation in all public institutions. The SWU, through its branches all over the country, had managed to advocate for women's issues, chief among them literacy and political participation. The first Sudanese woman parliamentarian took her seat in 1965.

Following the 1969 coup, the military regime that came to power dismantled all popular and civil society organizations, including the SWU. It then created its own organization for women, the Union of Sudan's Women. This union, whose members were nominated, was largely a political organization for the ruling party. It had attractive slogans promoting women's participation and engagement, but it was largely detached from women's concerns and issues. The SWU continued to function, however, under different guises, especially at the household level and in the workplace.

Women faced a major setback in 1983 with the introduction of sharia law, whereby, for the first time in history, Sudanese women were discriminated against on the basis of their religion. The democratic regime that emerged following the popular uprising of 1985 was afraid to abolish sharia law, despite the best efforts of the SWU, which had started to operate publicly again. In 1989, the country found itself under the rule of another Islamic regime. The 1990s saw alarming developments vis-à-vis the treatment of women, including imprisonment, torture and harassment.

In general, Sudanese women have a long history of participating with men in all aspects of life, yet not enjoying the same rights. At this point, one should note that the advancement of women in Sudan is closely related to the type of governance in existence. Authoritarian and military governments tend to suppress women and reduce their participation to token representation.

Since 1965, Sudanese women have succeeded in making practical strides in the areas of political and economic rights. Nevertheless, factors such as political destabilization, the absence of development plans that view women as essential participants, the dominance of sharia law and the absence of democracy have all served to lower the status of Sudanese women.

Recently, in 2005, the Sudanese government (in the north of the country) and the Sudanese People's Liberation Army (SPLA) (in the south) signed an agreement on six peace protocols (the Naivasha protocols) to end 40 years of conflict and civil war. These peace protocols represent an instrument for the political and social movement in Sudan that aims to reform conditions in Sudan by shaping new understandings that establish the ground for a new social power, as an isolated force or a number of social forces in new alliances and fronts. All this is taking place in the shadow of changing international factors and pressure. At the forefront of these international factors is the domination a single power, the United States, the decline of the nation state and the collapse of national sovereignty and national boundaries. Simultaneously with the ascent of a new power that has cut a path of human rights and democracy, this international pressure played a crucial role in the drafting and design of the Naivasha protocols.

This paper will reflect the status of women's participation in general and draw attention to the challenges that prevent genuine participation and political action by women in Sudan. The statistics presented here reveal the need for the increased participation of women in politics. A strategic assessment of these issues leads to the conclusion that women's participation in decision making necessitates a political commitment to raising their political and social consciousness. Concern with education and literacy at all levels, the alleviation of poverty, advocacy to eliminate forms of discrimination, constitutional rights and legal guarantees are all necessary to address the obstacles that women face.

When society reaches a certain level of social justice and equality, then women and society will be able to achieve effective participation without political, economic and cultural constraints. Once this is accomplished, quotas will no longer be necessary.

### **Why quotas for women?**

The introduction of quotas was one of the mechanisms proposed at the Fourth World Conference on Women, held in Beijing, China, in 1995 to address the under-representation of women in political life. Quotas are seen as a means of putting women in decision-making positions; addressing historical discrimination; and forcing governments to commit themselves to procedures that benefit women, by ensuring that they enjoy representation in public life, often of not less than 30 percent. This bold step, reflecting the importance of women's political and legislative rights, facilitated women's entry into the realm of decision making in Sudan, such that 'political rights' have come to be grounded in reality.

Quotas contribute to social balance and the fulfilment of the principle of equality in societies that are replete with patriarchal institutions. Various examples from around the world (e.g. in Belgium, Germany, India, Norway and Sweden) have highlighted the positive aspects of quotas, whereby women have managed to secure parliamentary

representation and government office as a provisional step towards creating the conditions needed for free competition. It is important to mention, though, that these countries have institutionalized democratic systems that encourage equality for all and constitutions that embody women's rights. Nonetheless, they have the option of implementing quota systems to ensure the political participation of women.

### **The experience of Sudan**

The participation of women in the economic, social and political affairs of Sudan is crucial for building peace and sustainable development. Women, after all, constitute almost one-half of the country's human resource base and their education and legal rights, for instance, are important social development indicators.

Today, the international community no longer tolerates discrimination against women. Women's participation in education, the economy and political movements has become a central issue and sometimes a prerequisite for international aid and engagement.

International apprehension about the rights of women, which has been integrated into broader concern about human rights generally, has led to greater willingness to make the commitment to women-related issues. Women's political participation is seen as a key issue in Sudan at present, and will acquire greater significance in the years to come.

### **Women's political participation**

Statistics reveal that the gender gap with respect to women's political participation remains great, despite the constitutional and legal rights that women have gained. Although women were granted the right to vote in 1955, and the right to stand for election in 1965, the number who have entered parliament is negligible.

Political participation here focuses on:

- the proportion of women in parliament, at the national level;
- the proportion of women in the central and state governments;
- the proportion of women in decision-making positions; and
- the proportion of women in the leaderships of political parties.

Tables 1, 2 and 3 show the extent of women's political participation.

It should be noted that, from 1973 to 1984, under the second military regime, women gained additional seats in parliament (the People's Assembly). Table 1 also shows the increase in the participation of women at the level of the legislature in 1982-3. This is attributable to the authoritarian nature of the regime in power at that time.

Women do, however, play a greater part in election work than their parliamentary representation would suggest. Women participate in party meetings, serve on political committees within parties, participate in women's caucuses within parties, sit on executive committees and are members of decision-making structures. Additionally, they have represented parties in negotiations (within and outside Sudan), they have been members of underground political cells and they have taken up arms with the political opposition located outside Sudan. Women in both northern and southern political parties and organizations in the Nuba Mountains have undertaken such activities.

**Table 1: Women's parliamentary representation in Sudan, 1958–2005**

Year	Total no. of seats	No. of women elected	No. of women appointed	Total no. of women	Percentage of women
1958	95	–	–	–	–
1960–4	–	–	–	–	–
1965	223	1	–	1	0.4
1968	223	0	–	0	0
1972–3	255	10	4	14	5.5
1974–7	250	–	–	12	4.8
1978–80	4	–	–	18	5.9
1980–1	368	–	–	18	4.9
1982–3	153	–	–	14	9.2
1986	272	2	–	2	0.7
1992–4	301	–	24	24	8.0
1996	400	1	21	21	5.3
2000	350	35*	–	35	10.0
2004	360	35	–	35	10.0
2005*	450	0	60	60	13

\* National Transitional Council appointed after the signing of the Comprehensive Peace Agreements (January 2005).

Source: Gender Centre for Research and Training, 'Sudan Gender Profile' (2005).

**Table 2: The proportion of women in the central and state governments in Sudan, 2005**

Gender	Federal ministers	Federal/state ministers	State ministers
Males	27	54	147
Females	2	6	20
<b>Total</b>	<b>29</b>	<b>60</b>	<b>167</b>
%	7	10	12

Source: Gender Centre for Research and Training, 'Sudan Gender Profile' (2005).

Table 2 reflects the general participation of women at different levels of government following the signing of the Comprehensive Peace Agreements (CPA) of January 2005.

**Table 3: Women's participation in political parties, up to 2005**

Name of party	Highest ranks (no.)	Females (no.)	% of women
Democratic Unionist Party	114	5	6
National Omaa	100	17	17
Sudan People's Liberation Movement (SPLM)	33	4	10
Popular National Congress	30	3	10
Sudanese National (Nuba Mountains)	27	7	25
Sudanese Communist Party	24	2	8
National Congress	40	9	22

Source: Gender Centre for Research and Training, 'Sudan Gender Profile' (2005).

The percentage of women in leadership positions and in senior posts within the political parties remains low and shows no correlation with their abilities and theoretical contribution (see table 3). This is attributable to the patriarchal systems within parties, to the absence of internal party democracy, and more generally to the prevailing patriarchal nature of the society. While women contributed and participated in the conflict arena, in negotiations on a resolution of the conflict, in peacemaking and in building confidence between the two parties (the Sudan People's Liberation Movement (SPLM) and the government), what they have gained is even greater marginalization and neglect, particularly at the level of decision-making positions.

## **Challenges to women's political participation**

### *1. The role of the state*

The general role of the state reflects the nature of social/class interests and the forces that control it. It is therefore a determining factor with regard to women's participation in public life and social action.

State policy arises out of its class ideology and is implemented by various social institutions. Whether political, social, legal or economic, these institutions have a direct impact on support for women's rights. A state that promotes women's rights and issues can open the door to their effective and active participation in political life through legislation and positive action policies that aim to achieve gender equality through different institutions that influence gender relations. This is the strategic concept of equality and social justice.

Any state that is committed to international conventions but does not create national mechanisms to support the principle of equality between men and women is engaging in a cosmetic exercise and not addressing the root causes of discrimination against women. Political commitment to equality through change (gender relations) requires comprehensive national policies that incorporate a gender perspective dedicated to eliminating all forms of discrimination against women.

### *2. Democracy*

Among the vast majority of people, there exists a legitimate desire for political, economic and social change and a legitimate demand for a better future. This being so, democracy should act as the automatic guarantor of women's rights.

However, democratic regimes alone cannot provide opportunities for women to participate in decision making. Mechanisms to erase the historical discrimination against women also need to be in evidence. In acknowledgement of this, the United Nations (UN) has set a representation benchmark of 30 percent of women in order to help women gain positions on elected legislatures.

The absence of democracy in most developing countries, and particularly in the Arab countries, is the fundamental barrier to political participation by the majority, male and female. The emphasis of the women's movement must therefore be on engaging the masses to promote democratization, especially in the economic and social spheres.

### *3. The legislative framework*

Historically, the first Sudanese constitution of 1954 called for full equality with respect to political rights and the right to be nominated and stand for election. Mechanisms to cultivate these rights were established in law. Yet, tragically, regimes based on special interests (social and class) continue to deprive these historic constitutional and legal

rights of all content. The 1993 constitution placed all women-related issues in the preamble, without a specific article whereby they would receive protection under the constitution.

Recently, the preamble to the CPA signed in January 2005 has acknowledged equal rights for men and women and considered them a must for establishing a pluralist democratic system.

In similar vein, among the principal challenges to women's active participation are the contradictions between the provisions of the constitution and the existing laws. The latter are designed to hamper women's freedom of movement and to limit their participation in public life: for example, the articles providing for general rights are usually followed by a qualifying paragraph. We have rich experience with this practice. Such contradictions can only be resolved by drafting a national constitution that establishes a civil state based on laws that demand full equality of all citizens, male and female. Such laws should establish mechanisms that allow for the genuine participation of women at all levels of the legislature and the executive branch.

With regard to the south of Sudan, legislation is to be based on people's consensus, religion, belief and customary practices. This is a system that is semi-religious and permits the domination of traditions and customs instead of the international conventions.

#### *4. Sources of legislation*

According to the approved interim national constitution (2005), Article 2-2-2, the sources of legislation are sharia law and community consensus, without reference to the international conventions. It is clear from this agreement that the national legal system and proposed laws that lay the groundwork for sharia law will form the legal regime based on the 1998 constitution. There have been criticisms and studies critical of this constitution by the northern Sudanese women's movement, as it does not provide for any women's rights, except for a mention of women under a general paragraph which is non-binding constitutionally.

Outside southern Sudan, in the north, the east and the west, the interim constitution states: '3/2/2. Nationally enacted legislation having effect only in respect of states outside Southern Sudan shall have as its source of legislation Sharia and the consensus of the people'. 'Consensus of the people' here means 'those in power'. All this means that sharia will be imposed on all parts of Sudan except the south as a superior law that takes precedence over local and national laws, and the south will be governed by local legislation built on the consensus of people (which may also mean those in power or sharia).

For the southern states, the interim constitution states: '3-2-3. Nationally enacted legislation applicable to the Southern states and /or region shall have as its source of legislation popular consensus, the values and the traditions and religious beliefs having regard to Sudan's diversity, in case of legislation on religious source or traditions'.

This clearly means that there will be two systems of legislation—one in the south, and the other for the north, east and west—without any reference to international conventions. From a gender perspective, the sources of legislation should be the international agreements on human rights and the prohibition of the exploitation of religion in politics.

## *5. The civil state*

The term 'civil state' prevailed in the Sudanese political life, with the exception of the Islamic Front. The Alliance forces, in their Preparatory Conference (August 1995), called for the formation of a 'united, democratic civil state'. This state was defined as non-military, non-dictatorial and non-religious or dogmatic.

The civil state with its rational and democratic form gives women more rights and empowerment, and guarantees women all the rights embodied in international and regional instruments.

But we have to stress here that constitutional guarantees are not enough to ensure the empowerment of women. We need more capacities and qualifications, and that means training and capacity building. Only in this way can we embody international human rights in the daily life of women.

## *6. Economic and social factors*

Differences between men and women are more acute in class-stratified societies. Women have suffered a great deal because of social/class distinctions and economic policies that place the means of social production in the hands of a minority and widen the gender gaps within marginalized social sectors. The lower number of women (relative to men) in the labour market, due to a fall in their educational standards and a lack of skills, has led to their being over-represented in menial work and in the so-called informal sectors, and their contributions to the national income to go unrecognized.

Women will therefore remain excluded from decision making and political participation if they are not integrated into society and until they have the same rights in social production.

## *7. Cultural factors*

The prevailing culture reflects the socio-economic structure that led to the emergence of dominance and hegemony. For example, male culture and norms produced a variety of roles for women. This dominant patriarchy in all its aspects construes women's participation as unimportant and sees decision making as the preserve of men, particularly where political activity requires sectarian and tribal support, as it does in Arab societies. Election campaigns that receive funds from tribal interests naturally do not support the nomination of women and representation of the people. These factors are among a whole host of obstacles to women's political participation.

Usually, cultural values take a long time to change. There is no guarantee that a radical change will occur to open up opportunities for the representation of women. It is critical, therefore, to overcome this challenge through policy making and decision making and by focusing on women-related issues.

## *8. Political parties*

Given the changes that are going on internationally and the social movements that exist in the world today, women's issues have become part of the programmes of all political parties, left and right, secular and religious. If political parties and their organs do not reflect a commitment to women's issues, their platforms will be detrimental to women's participation.



Political parties set an example for society and their position is therefore of primary importance. Parties play an agenda-setting role in society, especially if they nominate women and place them in positions of leadership within their structures. However, in practice, women are often not nominated in large numbers, nor do they hold leadership positions, within political parties. Parties remain the gatekeepers to women's participation in politics.

## **Opportunities for positive change**

### *1. Peace building*

Sudan is witnessing rapid political change due to domestic and external pressure for peace agreements to be concluded and then sustained to end the 40-year conflict between the north and the south. The peace agreement will broaden women's opportunities to participate in political life through various organizations—political, civil society, non-governmental and trade unions. It is important for the women's movement to reach consensus on basic needs and strategies. This agenda must be placed on the negotiating table at which Sudan's future will take shape. The women's movement must coordinate its efforts with those of different pressure groups to ensure the greatest possible participation in shaping the new reality.

### *2. Constitutional and legal reform*

The coming transitional period presents the opportunity for women to lay the groundwork for greater inclusion, to participate in the framing of a new future for Sudan by bridging the gender gaps, and to play a part in drawing up the Sudanese constitution, reforming the legal system and ensuring women's participation. This cannot be achieved without drawing on international instruments and conventions as sources of legislation and a broad grass-roots base. Support to women must come through legislating seriously for legal guarantees to ensure their social, political and economic inclusion.

### *3. Democratic transformation*

In the transitional period, women must pay attention to establishing their rights and eradicating the basic religious ideology that has guided Sudan since 1983. This ideology led to legislation such as the Khartoum Governor's Decree, banning women from working in public places such as hotels and restaurants.

This period offers the chance to create a civil state with ruling institutions based on democracy, political pluralism, respect for the constitution and the protection of human rights. In particular, freedom of assembly and expression presents an opportunity for women from all social classes to organize and put forward their interests, particularly working women and small farmers who suffer from social oppression and class exploitation.

### *4. National unity and diversity*

Sudan is extremely diverse from the religious, cultural and ethnic points of view. If this fact is acknowledged in the constitution and legislation of Sudan, there is a real prospect of a civil democratic state being created, of ensuring that Sudan remains a single country, of its maintaining sovereignty over its territory, and of the basic rights of all of its citizens being respected and developed.

The opportunity for women to participate in politics will contribute to reinforcing the norms of equality and social justice. Women will be the prime beneficiaries of a commitment to religious and ethnic diversity.

Unity of the women's movement in both the south and the north is therefore the most important condition for combating marginalization and economic backwardness. This means that the unity of Sudan is a strategic option and goal in the transitional period. This is a new burden, but at the same time it is a vital part of the reconstruction of the country and of rearranging women's work for the struggle against the domination of men and of patriarchal institutions.

#### *5. Sustainable development*

Development is fundamental to the social change that is required if equality and social justice are to be achieved. Economic indicators continue to highlight asymmetrical economic growth. The political and economic policies of the state reflect a class ideological framework and a monopoly of particular social forces. Hence, it is essential that women have an impact on political and economic policy prescriptions, which may appear to be technical and neutral matters but which in reality echo specific social interests and forms of bias.

#### *6. International solidarity*

All political and social groups in Sudan depend on international support and solidarity to engage in peace building. This process puts in place the building blocks for a civil state that protects citizens' rights.

International pressure, particularly by human rights groups, has made a vital contribution to efforts to introduce democratic and human rights principles. These efforts have led to the dismantling of the one-party state and to the eradication of its exclusion policy. This support, direct and indirect, has clear implications for securing women's participation, reflecting the diverse nature of Sudanese society.

### **Recommendations**

There is a critical need for a review of all the Naivasha peace protocols from a gender perspective, such that new policies can be devised for practical and strategic gender needs.

1. I see the need for a national campaign based on solidarity with all women's groups, starting with participation in the Constitutional Review Commission up to the review of the security agreements, in such a way that these groups represent a pressure group at all levels. We have long experience of this, for example, in the national Committee to Defend Women's Rights (1965).
2. The Sudanese women's movement must come up with a strategic vision that is tailored to the dynamics of this historic transitional period and identifies the challenges, priorities and opportunities open for activism to achieve a democratic transformation that would open the doors to participation, from the grass-roots level up to the national level, based on a women's minimum common agenda.
3. International efforts will contribute to the rebuilding of a new Sudan within the framework of the peace process by insisting on the ratification and implementation of international conventions related to women's rights.

4. Gender issues must be addressed at the national level in order to design the policies and programmes that would target mainstreaming gender policies, particularly at the structural level within legislative and institutional bodies.

5. The creation of a special fund for the needs of women and children is of prime importance: a set percentage of the budget would be allocated and directed to the practical needs of women, in particular literacy programmes, training and capacity building, and support to reproductive health services.

A 'new Sudan' requires, necessarily, a system of state and government in which all political and social forces participate and that is based on democracy, the rights of citizenship, political, cultural, ethnic and religious pluralism, respect for diversity and the peaceful coexistence of all groups of society. This will not be achieved without respect for *all human rights and the international conventions and instruments*. Only on this basis can Sudanese women find their historic chance to emerge from poverty and socio-political marginalization and take the opportunity for full participation in reshaping Sudan.

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\* International IDEA apologizes for any details that could be missing in the references.

## **The Women's Quota in Jordan: Crowning Three Decades of Support for Female Political Participation**

Hussein Abu Rumman

Jordanian and Arab women suffer from the accumulated effect of historical social discrimination. Closing this gap demands modern, tried and tested types of positive action to support the interests of women. Within this framework, in order to empower women by enabling them to exercise their equal rights and actively contribute to promoting and improving their socio-economic conditions, boosting political participation by women is a top priority. This positive action will be reflected along two lines of action, one international and one local.

In Jordan, where the regime is characterized by liberalism and openness to the world, the struggle by women for freedom and equality has found strong support from the democratic forces in society as well as the royal family, whose support for female political participation has taken various forms. In general, the orientations of Jordan's state and civil society are in harmony with the international agenda on women's affairs.

### **Milestones of political participation by women**

An important milestone in the course of the international community's support for women's issues and equality took place in 1975, when the United Nations convened the first United Nations' Women's Conference in Mexico City. This conference approved a UN Decade for Women, from 1976 to 1985. Perhaps the most important achievement during this period was the passing of the international Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in December 1979. The convention entered into force in September 1981 after it was ratified at the Second International Conference on Women in Copenhagen in 1980, halfway through the UN Decade for Women.

In the mid-1970s, Jordan's official institutions interacted early on with the international climate of opinion in support of improving the conditions of women. In 1974, shortly before the Mexico City conference, the king granted Jordanian women the right to vote and stand in general elections. However, this act only became effective during the parliamentary elections of 1989 and later, in the 1995 elections and afterwards.

Jordan has expressed its official position of support for boosting women's political participation with rapid and practical steps in the following principal areas.

#### *The National Consultative Council*

The National Consultative Council was established to compensate in part for the absence of parliamentary life between 1975 and 1984; the last election had taken place in the spring of 1967, two months before the June War of that year. It met for only three sessions, in 1978, 1980 and 1982. There were three to four women in this 60-member body, or between 5 and 6.7 percent of the total membership.

#### *The executive branch of government*

The first appointment of a woman member to a Jordanian government came in 1979, when In'am al-Mufti was appointed minister of social development, followed by Layla Sharaf as minister of information in 1984. During the period 1993–2000, there were one or two women Cabinet members. The government of Faysal al-Fayiz achieved

progress with the appointment of three women in a relatively small Cabinet formed in October 2003. The number rose to four during a Cabinet reshuffle a year later, when a number of ministers were added.

#### *The Council of Notables (Majlis al-'A'yan)*

This is another arm of the legislative branch of government; the king appoints its members, and the number of members is not more than half the number of members of the parliament (the Majlis al-Nuwwab). When parliamentary life returned in 1989 with the first full election since 1967, one woman was appointed to the Council of Notables. There were then two or three women members in the period 1993–2003. Of the 20 council members appointed in November 2003, a record seven women were named, out of 55 (or 12.7 percent of the membership).

#### **Female participation in parliamentary elections, 1989–97**

These early appointments provided a strong push for Jordanian women to compete to achieve a guaranteed presence in the Jordanian parliament. Twelve women stood for office in 1989, although none was successful. In 1993, three women stood and one, Tujan Faysal, won office in the capital, Amman, for a seat set aside for the Chechen and Circassian communities. The number of women candidates rose to 17 in the 1997 election, but none was successful. Although these results are discouraging, they provided an incentive to search for solutions to the problem of guaranteeing political participation by women. These solutions range from appointment, which has been implemented in municipal councils since 1995, to setting aside a quota of seats for women in the parliament elected in 2003.

#### **Appointment to municipal councils**

Credit for identifying the opportunity for women to participate through appointment to municipal councils goes to Princess Basma, who took advantage of a directive adopted in 1995 for elections to be held in all the kingdom's municipalities on one day. She took the initiative to call for the appointment of 99 women out of all the committees formed by the government to prepare for the polls.

This bore fruit when 19 women were motivated to stand in the local elections in 1995, for the first time in the kingdom's history. Nine women won office, one of whom gained the post of mayor. The Municipalities Law allowed the Cabinet to appoint two additional members in each municipal council, and it responded to Princess Basma's request by appointing 23 women to various municipalities.

In the 1999 municipal elections, the number of women candidates rose to 43; eight of them won office and 25 others were appointed to various councils.

The elections of July 2003 were unsatisfactory because families were unable to vote for the entire council that would represent them—the voting was for single seats, instead of the entire council. Parliamentary elections took place simultaneously. The chances of success of female candidates were also reduced (the number of seats to be contested had dropped considerably, from 300 to 99 municipal councils). Yet five women won office in the governorates of Irbid, al-Balqa and Ajlun.

Ninety-nine women were appointed to local office—three in Greater Amman and 95 others in 95 municipalities, while the final woman was appointed mayor of a municipality. Given that appointment remains a component of the municipal election law, and that women make up such a large proportion (21 percent) of the total membership, it can no longer be said that there is no preferential treatment for them

(except that, if Princess Basma had not taken the initiative regarding the appointment of women to municipal councils, perhaps the presence of women would have been ignored or only a symbolic number would have been appointed to office).

### **The quota for women in parliament**

The women's quota, introduced in 2003, has been vital as a transitional measure to boost female political participation. Without the quota, there is little chance that women would have won office under the prevailing conditions. This has been confirmed by four parliamentary elections since 1989, one of which was held under the quota system.

Tujan Faysal is the only woman to have won a seat in three different elections, and her seat was one of those allocated for the Chechens and Circassians. Faysal won in the 1993 elections, picking up 1,885 votes. However, even when this figure rose to 4,227 in the 1997 elections—an increase of almost 125 percent—Faysal lost the seat to another candidate. Under a quota system that allows women to compete for the same seats as men, in 2003 Dr Hayat al-Musaymi obtained 7,133 votes in District 1 in the Governorate of al-Zarqa but lost the election to a competitor who picked up 55 more votes.

al-Musaymi's election results are quite significant and indicate that a victory by a woman, however good her chances of success, is due to coincidence. A male candidate who has tribal, political or financial influence can work to eliminate a woman candidate's chances. In the short term, there is no hope other than retaining the quota for women and increasing their share of representation in parliament.

The process by which the women's quota was adopted took ten years and had several defining moments, the most important being the formation in 1992 of the Jordanian National Commission for Women, an official body concerned with drafting a strategy on Jordanian women's causes. The strategy was adopted at the end of October 1993, only a week before the parliamentary elections of that year. There was therefore no time for the National Commission to take any direct action regarding the polls.

Under these conditions, the Al-Urdon al-Jadid Research Center came on to the scene in July 1993, organizing a seminar on Jordanian Women and Political Action to shed light on the importance of setting aside a share of seats for women in parliament. This was especially important because the election law was amended that year, abandoning the open list system in favour of the 'one vote for one MP' system—a change that was considered as reducing women's chances of success. The seminar revealed that support for a quota for women was very modest.

In June 1995, the Al-Urdon al-Jadid Research Center convened a seminar on Election Legislation: The Cornerstone of an Electoral System. At the time, I carried out an opinion poll on the positions of political parties on the election law and proposed amendments. The poll showed that only five out of 20 parties that answered the questionnaire supported the idea of a women's quota and 13 rejected the notion. Nonetheless, the seminar paid special attention to searching for methods that would guarantee the participation of women in parliament. In its final statement the seminar noted the consensus by participants over the need to support women, boost their role in political life and parliamentary participation, and search for appropriate mechanisms to address the issue.

In February 1996 the Al-Urdon al-Jadid Research Center held a seminar on Jordanian Women and the Election Law, which featured comments by participants outlining the experience of women's representation in a number of the world's parliaments and the

importance of positive action for women, which was stipulated by CEDAW. The discussions revealed growing support for the idea of a quota for women. The seminar formed a 'women's alliance' as a pressure group for the adoption of a fair share of seats for women in parliament—20 percent in the 1997 election.

In the year prior to that election, women's organizations took part enthusiastically in activities calling for better political participation by women, especially those organized by the Jordanian National Commission for Women and other groups. Women's groups had been positively influenced by the experience of drawing up the Beijing Declaration in 1995.

In 1997, 17 women candidates stood for office but not one was elected, despite the distinguished efforts of the National Commission to support women's candidacies for the 1997 parliamentary elections and the participation of other bodies in these efforts, particularly in training women to run election campaigns. This failure was frustrating. Perhaps the experience convinced new social groups of the need to adopt a quota for women. Under these conditions, the National Commission produced a demand that at least 20 percent of parliamentary seats be set aside for women. It sought to broaden support for this demand through mass activities and by addressing the relevant authorities with memorandums. Within this framework, a coordinating committee of women's non-governmental organizations (NGOs) gathered more than 15,000 signatures on a petition calling for the introduction of the quota.

Although decision makers were now more supportive of the quota, no decisive step in this regard was taken until 2003.

### **The Jordanian quota: Its scope and implementation**

Jordan made a positive move regarding the quota during the government of Ali Abu Ragheb in early 2003. It formed a committee of 16 prominent figures and tasked them with studying the quota issue and submitting a programme outlining its views to the government. After this report, the government submitted a draft to amend the 2001 Election Law with Law no. 11 of 2003; the amendment made provision for a quota of women's seats to be set aside. It was as follows.

1. Six seats were set aside for women and not restricted to a specific geographical area or specific electoral districts. Instead, the seats were based on the percentages of votes in a district gained by women candidates. The winners of the six highest percentages would gain seats.
2. The seats allocated are the minimum guaranteed by the law to represent women in parliament. In addition, women can compete for all seats in the legislature, and the seats that they win in competition against men are not counted towards the quota. Thus, women are not assigned to the quota seats until after the election and vote tabulation for all candidates, so that seats won by women are not deducted from the quota. This is also done in order to compare the relative electoral weight of all women candidates, in order to designate the winners of the six quota seats.

If a seat designated for women becomes vacant, a by-election is held from among candidates who are eligible to stand in the electoral district.

In order to understand the foundations of this quota, we should acquaint ourselves with the most important special features of the Jordanian electoral system.

**Box 1: The women's parliamentary seat quota law**

*(Unofficial translation)*

Temporary Law no. 11 of 2003, Amending the Election Law for Parliament:

(.....)

**Paragraph C-1**

A decision by the interior minister shall form a Special Committee in the Ministry chaired by an administrative official and made up of a judge named by the Minister of Justice, and a state official of at least Grade 2 rank. The Special Committee's task shall be to follow up the issue of assigning seats to victorious women candidates, as defined by the statutes of the system for dividing and allocating seats to various districts, according to paragraph C of article 45 of this law. The interior minister may issue instructions he sees necessary to define any tasks required by the Special Committee's work.

**Paragraph C-2**

Special Committee members shall be sworn in by the interior minister according to provision 1 of paragraph D of this article.

**Article 4**

Article 45 of the original law is amended regarding paragraph A and adding paragraphs B, C, D, E and F, as follows:

**B:** After the Central Election Committee has completed the vote tabulation, announced the final election results in all electoral districts and relayed these results to the interior minister, according to article 44 of this law, the Interior Minister relays the record of these results to the Special Committee, which reviews the number of votes received by women candidates who did not win any seats allocated to electoral districts.

**C-1:** The Special Committee determines the names of the winners of the extra seats allocated for women on the basis of the percentage of votes obtained by each candidate out of the total number of the votes of the electoral district in which she is a candidate. After comparison of the totals, the winning candidates are those who received the highest percentages in all of the districts, regardless of whether the candidates are Muslim, Christian, Chechen or Circassian or from a Bedouin district.

**C-2:** In the event of a tie, the winner will be decided by lot.

**D:** The chairman of the Special Committee declares the names of the winning candidates for women's quota seats openly, in front of the candidates or their delegates.

**E:** If a seat designated for women in parliament becomes vacant, a by-election is held in the particular electoral district, according to the statutes of this law and during not more than 60 days from the date on which parliament was informed of the seat's vacancy. Candidacies shall be limited to those women who are eligible to stand in the district.



## Special features of the Jordanian electoral system

The Jordanian electoral system is characterized by its complexity and by a failure to adopt unified criteria in determining the size of electoral districts based on size of population or number of electors. Electoral districts vary in size from a single seat to five seats, and there are already quotas for Christian minorities (nine seats in eight districts), Chechens and Circassians (three seats in three districts each), and Bedouin (nine seats in three districts). These quotas go back to the first election law, issued in the Emirate of Transjordan in 1928. The law forbids groups that benefit from a minority quota to stand outside the designated districts.

The system is a single-member district one in which the candidate who wins the largest number of votes in a district, even if it is not an absolute majority, wins office.

Electoral districts were distributed as follows in 2005. There are 12 governorates in Jordan, in three electoral subdivisions (*aqalim*): Northern, Southern and Central, with an average of four governorates in each district. Northern Jordan is made up of the governorates of Irbid, Jarash, Ajlun and Mafraq and has 14 electoral districts, with 31 seats. Central Jordan has the biggest population. It is made up of the governorates of the capital, al-Zarqa, al-Balqa and Ma'daba. There are 18 districts with 50 seats. Southern Jordan is the largest district in terms of area and the smallest in terms of population. It is made up of the governorates of al-Karak, al-Tufayla, Ma'an, and Aqaba. There are 13 electoral districts with 23 seats.

## The results of the women's quota in the 2003 elections

The adoption of the quota certainly encouraged more women to stand for office, as 54 stood in 27 districts. Table 1 gives the names of the 20 most successful women candidates and their results.

**Table 1: Names of the 20 most successful women candidates in Jordan, by percentage of the vote won, 2003 parliamentary elections**

	Name	District	No. of votes received	No. of voters participating	Percentage of votes won
1	Dr Hayat al-Musaymi	al-Zarqa 1	7,133	68,206	10.5
2	Dr Falak al-Jum'ani	Ma'daba 2	1,048	13,139	8.0
3	Nariman al-Rusan	Irbid 5	1,684	27,969	6.0
4	Insaf al-Khawalida	al-Tufayla 2	365	6,903	5.3
5	Zakiya al-Shamayila	al-Karak 1	1,336	26,048	5.1
6	Adab al-Sa'ud	al-Tufayla 1	1,132	22,097	5.1
7	Suhayla Abu Darwish	Ma'an 1	615	12,308	5.00
8	Rifqa Dudin	al-Karak 1	1,159	26,048	4.5
9	Fatima al-Badur	Ma'an 2	184	5,080	3.6
10	Siham	Jarash	1,404	47,462	3.0

	Saleh				
11	Fatima al-Khatib	al-Zarqa 1	1,924	68,206	2.8
12	Amina Khasawina	Irbid 1	2,224	97,041	2.3
13	Fayiza a-Zu'bi	Irbid 1	1,942	97,041	2.0
14	Jalila al-Samadi	Jarash	945	47,462	2.0
15	Ajaib Hadris	al-Balqa 3	344	17,349	2.00
16	Muna Tuqan	Aqaba	289	14,888	2.00
17	Wujdan al-Sakit	Amman 3	1,211	67,974	1.8
18	Nadia Bashnaq	al-Zarqa 1	1,171	68,206	1.7
19	Najah Abu Hazim	al-Balqa 1	1,017	61,641	1.7
20	Hadiya al-Khashman	Ma'an 2	80	5,080	1.6

### **The benefits and drawbacks of the Jordanian quota for women**

#### *Benefits*

The quota system is positive in that it is an 'open quota' on three levels.

The first is that six seats are allocated for women as a minimum; to these are added the seats that women can win in open competition with men, in all the country's electoral districts.

The second is that women are not restricted to certain seats, unlike the 'closed' quotas, such as those for the Christians, Bedouin, Chechens and Circassians.

The third is that the women's quota is independent of the other quotas. For example, the law specifies nine seats for Christians, but the women's quota is not restricted in this way; and it can cut across the other quotas. If a Christian, Chechen, Circassian or Bedouin woman candidate wins, she takes an additional seat, without this being counted as one of the minorities' seats. Unlike the minorities' quotas, which impose certain constraints, the women's quota deals equally with all women candidates.

#### *Drawbacks*

There are also problems with the quota system. The most important are the following.

The main problem is the limited number of quota seats, namely six (or just 5.5 percent of total seats in parliament). The 104 competitive seats are distributed over 45 electoral districts in 12 governorates. This number of seats does not provide balanced representation for women in terms of the electoral weight of women candidates and their geographical distribution. This has led to additional problems in implementing the quota system, such as the poor chances of women candidates in electoral districts with large numbers of electors or residents, especially in Amman, Irbid and al-Zarqa.

The second problem is connected to the small number of quota seats for women. Since the number of quota seats is one-half the number of governorates (12), at least one governorate can have more than one woman member of parliament (MP). The

governorate of al-Tufyala won two quota seats in the 2003 election, although it has the smallest population after Aqaba.

Third, although the method of selecting the winners of the quota seats is fair in principle, the low number of seats robs it of all meaning since it disadvantages women candidates in large electoral districts. This reflects the country's prevailing political conditions. Under a proportional party list system, the larger the electoral district, the more votes a candidate can win. Under the current electoral system of Jordan, in which party or political options are not the decisive element for voters, this flexibility is lacking.

One woman candidate took fourth place among the six allocated seats even though the absolute number of votes for her—365—was quite low. Perhaps this is attributable to the method of calculation, which is not wide enough in scope to include a minimum level of guarantees. It would be worthwhile to consider setting a condition such as a 500-vote minimum level to win election for a quota seat.

### **Conclusion: Political development working plan for women in Jordan**

The results of the 2003 elections, with all that they implied for the quota system and the need to improve the quota for better female representation in parliament, coincided with the formation of a new government by Faysal al-Fayiz. It pledged to make political development one of its top priorities and to ensure genuine and active participation by women. When the government drafted its political development plan and strategy, it made guaranteeing women's rights, and particularly political rights, one of its most prominent goals. It affirmed that it would cooperate with the Jordanian National Commission for Women to review laws that discriminate against women.

This provided a strong impetus for the National Commission to organize a general national conference, from 3 July to 1 August 2004, entitled Political Development and Jordanian Women: The Foundations of Discourse and Mechanisms of Practice, under the slogan 'We are all partners in political development: Our rights and responsibilities'. Prior to the conference, three big discussion sessions were held, in the north, south and centre of the kingdom. Forty-three people representing all civil and government sectors concerned with the issue, including the academic, research and media domains, organized the conference. There was wide-ranging national consensus about the topics covered, which produced a work plan for Jordanian women and political development. This covered six main areas: the legislation framing the political process; women's political capacities; good governance and mechanisms of transparency and accountability in the government, civil society and parliament; the political culture; the media; and citizenship in a gender framework.

The area most closely connected to our topic is that of proposed legislative measures, where the work plan set down the following objectives.

1. Amending the electoral law to include a doubling of the number of seats set aside for women in parliament and a review of the method of assigning these seats.
2. Amending the Political Parties Law to create a provision that stipulates that a specific proportion of women candidates must be nominated by the political parties. If the election law is amended to introduce a proportional party list system this would make it possible to take a further measure, guaranteeing specific places for women candidates within a party list. Parties are also called on to clarify their positions on women's issues in their party programmes.

3. Amending the Law on Social Institutions and Associations, Law no. 33 of 1966, to review the definition of a charitable association in order to enable them to conduct awareness campaigns about constitutional rights and citizenship issues. Internal measures taken by these groups should be transparent, democratic and subject to accountability.

4. Preparing to publish CEDAW in the *Official Gazette* as part of the legislation in force in Jordan, since Jordan has ratified it.

# **Eritrean Women's Experience of Political Participation**

Tzighe Mebrahtu

## **Introduction**

Eritrea is both a people and a newly independent state. It has a population of about 3.5 million and is located on the eastern coast of Africa, off the southern Red Sea. Its nine ethnic groups embrace either Islam or Christianity. During the colonial era, for more than a century, Eritrea experienced different colonial forces—the Turks, Egyptians, Italians, British and Ethiopians. Thanks to the steadfastness of the Eritrean people in general, and particularly that of Eritrean women in the face of all types of oppression and neglect, Eritrea gained its independence after a bloody military and political struggle that was crowned by liberation in 1991.

To bring the Eritrean liberation struggle to a legitimate close, a referendum was held in 1993 under the supervision of the United Nations. As a result of the referendum, which saw 99.8 percent of the people say 'yes' to independence (with women forming half of the electorate), the international community recognized Eritrea as a state that enjoyed full sovereignty over its territory.

Women had suffered from the injustice of colonialism and its negative view of the Eritrean people; deprivation of the right to own land because of their sex; lack of opportunity to move from one place to another due to social customs; and lack of rights to education and health. To combat this, Eritrean women participated in the armed struggle against the colonialists, beginning in 1956, entered the armed struggle to liberate Eritrea from Ethiopian colonialism beginning in 1961, and bore the burden of bloody confrontations against colonial regimes in the home, in the fields and in the arena of military operations. Thirty percent of Eritrean women participated in military action.

Since the achievement of independence, Eritrean women have experienced both qualitative improvements to their situation and general achievements, and there has been an increase in their political participation. What are the results so far? What are the new elements in women's participation? How can we protect the advances that have been made from the risk of setbacks? This study will examine the position of women in Eritrea, the progress made and the contribution of women.

## **Women's political participation**

Eritrean women have participated in the country's political life through various types of resistance to colonialism in the 1950s, followed by clandestine action against Ethiopian colonialism, and continuing in this role until the armed struggle broke out in 1961 to liberate the Eritrean people and the land from the grip of imperialism. Women joined the ranks of the forces fighting for liberation; they bore arms in various military positions on forward defence lines; and they served as doctors, teachers and cadres in order to boost awareness among other members of society, particularly women, who suffered from injustice at the hands of colonialism as well as society's backward view of their status.

Women were able to enter the public domain and make their voices and opinions heard in the different popular assemblies; they began to elect their representatives to popular councils and then were elected themselves to the popular councils and administrations governing liberated territory. These achievements crowned the role and true presence of women in all aspects of the struggle for liberation.

Following on from this role, women were appointed to high leadership posts and occupied three out of 17 ministerial positions in the government (justice, labour and social assistance). Thirty percent of seats in the next parliament (the National Council) have been allocated for women, and the same quota applies to village councils and the six regional councils.

There are three axes of women's political participation in Eritrea: the liberation struggle; decision making and the implementation of affirmative action; and awareness of the obstacles to, and elements of, success.

#### *Women's contribution to independence*

The first aspect—the contribution of Eritrean women to the liberation struggle, including military action—has already been mentioned. After independence, all colonial-era laws that had restricted women were abolished, particularly the law regulating land ownership (by a Land Decree issued in 1994), and women's ownership and inheritance rights were guaranteed. Full citizenship rights were granted to the children of both men and women (a person is considered Eritrean if either the father or the mother is Eritrean).

#### *Women in decision making*

Prior to independence, the nature of traditional Eritrean society led to a complete absence of female political participation in decision making at all levels. In terms of political decision making, the entire country was in the grip of colonialism: decision making was done by people other than Eritreans.

Religion also helped to impede women from participating in public service and public life. During the post-colonial phase of liberation, women's participation began in popular councils in liberated territory and they were represented in the Central Committee of the Eritrean People's Liberation Front (EPLF), the leader of the revolution. However, things are now changing.

*Transitional authorities.* At the time of writing, direct elections to the newly established National Assembly had not yet been held. There was a Transitional National Assembly, formed to serve as the country's legislative body until countrywide elections to a National Assembly were held. It was made up of 150 deputies, among them 33 women (22 percent).

The first round of elections to regional and local assemblies took place in 1992 following the complete liberation of Eritrean territory. Elections took place for each region on the basis of the older administrative division of Eritrea into ten regions. On average, women hold 16 percent of the seats in the regions. Considering that there was not yet broad acceptance of women's political participation, these results were seen as fairly positive. The polls also took place shortly after the end of occupation; this was citizens' first experience of administering their own affairs.

The second round of elections to the country's representative assemblies took place in 1996. Elections were held in Eritrea's (now) six regions and outside the country. Positive actions were employed in order to guarantee female representation in a society whose view of women remained backward.

*The executive branch.* In 2005 women were present in the Cabinet, holding three out of 17 ministerial positions (tourism, justice, and labour and social assistance). In addition, women occupy leadership positions in various ministries and other state institutions, such as the army and police.

*The judiciary.* Women are a part of the country's judicial apparatus, as women judges have been appointed to the Supreme Court and other courts. Women participate in the system of popular justice, whose members are elected in voting that is open to both sexes.

#### *Introducing special measures*

The election law issued by the Eritrean government has set aside 30 percent of the seats in the legislative assembly for women. The women's seats are to be directly elected on the same day of the general election and in the same manner as the open seats. Elections to the quota seats will take place by means of individual candidacies by women who meet the general conditions for candidacy. Women are not precluded from running in the open seats, so the quota system is integrated into the existing electoral system.

The Eritrean government, the Popular Front for Democracy and Justice (PFDJ, the ruling party) and the National Federation of Eritrean Women were the biggest supporters of the drafting of this law. They were supported by the masses of men and women who had fought for liberation, as they had witnessed the struggle by women during the war of liberation.

The provisional parliament has yet to see a serious debate on women's issues, which makes it difficult to gauge the benefit of female participation in parliament at this level. At the end of the day, the ball is in the court of women, who must take advantage of this opportunity to defend the rights of women and gain other, additional rights. This will depend on women's own awareness of their rights, the educational level of women parliamentarians, and other factors.

During the course of their political struggle, women have had to fight various obstacles, which we can summarize as: colonialism; the traditional culture; the religious culture; illiteracy; and poverty.

#### **Women making a difference**

Women, however, have experienced several new developments regarding political participation and in other areas. We can point in particular to the following:

- working with men in a domain where there is no feeling of inferiority;
- participating in administering public affairs at the highest level; and
- participating in public affairs, to the extent of having to sacrifice their own interests.

#### *Women and the constitution*

Eritrean women participated in the committee that drafted the constitution: highly qualified women from the country's various ethnic groups made up 22 of the 50 members. Following wide-ranging discussions, a draft document was completed in May 1997. In its preamble, the constitution praised the participation of women in the struggle for freedom and affirmed the need for gender equality. According to article 7/2, 'Any act that violates the human rights of women or limits or otherwise thwarts their role and participation is prohibited'. According to article 7/4, 'Pursuant to the provisions of this constitution and laws enacted pursuant thereto, all Eritreans, without distinction, are guaranteed equal opportunity to participate in any positions of leadership in the country'. And, according to article 14/1, 'All persons are equal before the law'.

### *Women and the law*

Laws were issued supporting the status of women and calling for their rights to be protected: for example, the Citizenship Law grants fathers and mothers the right to pass citizenship on to their children; and the public role of women was mentioned in Eritrea's Economic Policy Document of 1994, which affirmed the need to remove all the obstacles present in the labour regulations and methods, and to work to raise the educational level of women and improve their socio-economic position.

The Land Law of 1994 gave men and women equal rights regarding the ownership and exploitation of property, and in 1995 Eritrea signed the 1979 international Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

The Eritrean government has employed all possible means to defend the rights of women, particularly at the public policy level. However, their practical translation into action and the implementation of everything contained in the most important covenants will be a test of the credibility of the country's commitment to these various items.

### **Steps on the path to women's participation in decision making**

The elements of success in increasing women's political participation in Eritrea will be:

- eliminating all the obstacles that limit women's chances to benefit from equal educational opportunities, and guaranteeing that these opportunities are maintained;
- making efforts to lift the burden of domestic work from the shoulders of women and mobilize men to share these burdens;
- providing more opportunities for women to exploit the land, since 80 percent of our society depends on agriculture and women need to see more progress in this regard;
- consolidating participation by women in various levels of decision making;
- raising women's awareness about the equal rights they enjoy under the law; and
- continuing work that will help to translate what women have achieved on the ground into further action, by raising the awareness of activists about the exercise of these rights and educating society in general.



## **Annex: The National Federation of Eritrean Women**

The federation was founded in 1979 as one of the mass organizations of the EPLF, bringing together the federations of students, workers and peasants. It is a non-governmental organization (NGO) working to improve the conditions of Eritrean women. The federation brought together broad sectors of Eritrean women inside the liberated territories and outside the country. It had branches in various countries in the Middle East, Europe and the USA. During the liberation struggle, it supported the revolution through donations and contributions; it worked to eradicate female illiteracy and provided political instruction to large numbers of women to confront colonial propaganda and combat traditional ideas.

During the period of armed struggle, the federation organized Eritrean women in order to boost their participation in the ranks of the Popular Army for the Liberation of Eritrea. The revolution's slogans encouraged women to take part in the struggle: 'The revolution will not triumph without the participation of women'. Equality was also supported, as in the slogan 'Equal participation in work'. After the country gained independence in 1991, the federation moved towards raising women's political awareness and improving their role and conditions in various domains according to broad objectives—including training Eritrean women, fighting for social justice, development and peace, and removing all gender-based disparities. The federation did this by raising society's awareness and boosting its impact on state policies.

The federation's membership stands at approximately 200,000 women. The organization promotes the achievement of equal opportunities for participation by women through:

- enabling women to demand their political and legal rights;
- providing health services;
- engaging women in the rebuilding of the country;
- mobilizing different sectors of society to promote an understanding of the role of women in development;
- defending women's rights;
- offering wider educational opportunities; and
- providing equal work opportunities in order to improve women's socio-economic position.

## **Women's Political Participation: The Moroccan Example**

Khadijah Errebah

The Democratic Association of Moroccan Women (Association Démocratique des Femmes Marocaines, ADFM), founded in 1985, has worked to spread and anchor the culture of equality, in line with its mission of developing, strengthening and defending women's civil, political, legal, economic and cultural rights, in the interests of developing a democratic society that is based on modernity and equality.

This mission has been carried out by organizing a number of institutional mechanisms and workshops and seminars. The ADFM has prepared a special guide on the equitable use of affirmative action policies regarding the entry of women into political decision-making positions in order to simplify the concept and bring it closer to traditional democratic principles.

The women's quota, as a political mechanism of positive action, has prompted many discussions of equality and difference in modern democracy. However, the concept has evolved over the last 20 years, and the answer which it can provide to the low level of political participation by women has led to renewed discussion of the traditional concept of equality, as this notion does not take into consideration the factors that govern the relationship between the sexes.

For a number of years the women's movements in some Arab and other countries have linked the weakness of women's political participation and representation to the prevailing patriarchal mentality, or the prevalence of culture, tradition and values, instead of linking it clearly to political will and legal mechanisms.

Within Moroccan society, we have operated as a movement that supports human rights and benefits from international and Arab experiences to understand the true reasons behind the weakness of women's representation.

### **The reasons for women's lack of representation**

The inadequate representation of women in local and legislative institutions is not due to sociological or cultural factors, or to the lack of an Arab political model for women; rather, we must look first and foremost at the lack of political will on the part of the political parties.

The political parties have continued to believe that natural evolution will lead to political participation; they have linked the incorporation of women into institutions to various transformations that society will experience. However, this natural or automatic evolution in which the parties believe led to a political scene within Moroccan society which completely excluded women from state executive and legislative institutions, affiliated regional bodies, the party organizations that provide them with political frameworks, and political life in general. Table 1 shows the extent of that exclusion up to 1997.

**Table 1: The numbers of women candidates in local elections in Morocco, 1960–97**

Year	Total no. of candidates	No. of women candidates	No. of candidates elected	No. of women candidates elected	Percentage of successful candidates who were women
1960	17,174	14	-	0	-
1976	42,638	76	-	9	-
1983	54,165	306	15,423	34	0.22
1992	93,000	1,086	22,820	75	0.33
1997	102,179	1,651	24,236	83	0.34

The reasons for the absence of women from public life are various and complex. It is attributable to:

- the lack of a clear strategy to end all forms of discrimination against women, despite the fact that women have entered a number of institutions of an economic, social and cultural character;
- the lack of mechanisms for incorporating women into institutions of a political nature;
- the failure of the political parties to overcome their patriarchal structure and discourse, which disadvantage women;
- the traditional division of labour and the burden of family life placed on women;
- the absence of a clear strategy and measures regarding the participation of women in the electoral law and voting systems;
- the spread of the culture of submission through the media and various types of education; and
- the lack of a culture of institutions to support and develop the values of citizenship and respect for women's rights.

### **The debate over a women's quota**

Morocco approved the 1948 Universal Declaration of Human Rights, whose article 1 stipulates equality regarding dignity and rights. Article 21 of the document reads: 'Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. . . . Everyone has the right of equal access to public service in his country'.

Chapters 5 and 8 of the Moroccan constitution are in line with the spirit of the Universal Declaration of Human Rights. Chapter 12 of the constitution explicitly states that all citizens can assume public positions and posts and enjoy equality, and the same conditions govern the selection of people for appointment.

Working from this basis, and as an expression of the desire of civil society and the political class to raise the level of political representation of women within elected, legislative and political positions in general (and without embarking on a discussion of the best way to guarantee this, since there is a good deal of opposition to the measures currently in place on the grounds of their 'undemocratic' nature), the ADFM has sought, through a series of meetings and workshops, to explain that the adoption of a quota is not the same thing as discrimination between male and female citizens in terms of voting. Instead positive action breaks the vicious circle produced by inequality and creates new political relations based on true fairness and democracy.

This debate over the quota in Morocco has produced a division between the defenders of *equality* and those who defend *differences in equality*.

The first group bases its view on a conception that humanity is a single, common identity of men and women. The members of this group reject the belief in gender difference because in their view it justifies inequality and strengthens prejudices about the lower standing of women. This group's slogan is 'equality before the law' and it is linked to various human rights declarations and conventions:

- article 12 of the 1948 Universal Declaration of Human Rights;
- articles 1 and 2 of the 1952 Convention on the Political Rights of Women;
- articles 3 and 52 of the 1966 International Covenant on Civil and Political Rights;
- and
- articles 4 and 7 of the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

as well as to the Moroccan constitution, chapters 5 and 8.

Those who defend the idea of differences in equality seek to highlight new elements in understanding the nature of socio-political relations, such as the nature of human sexuality and the special identity of women. This position goes beyond the concept of equality before the law to arrive at the principle of *creating conditions of equality of opportunity* through preferential treatment for women as a transitional step.

Two mechanisms are relevant here: (a) the quota system; and (b) an equal division of political representation.

The quota system is the most appropriate to Moroccan society because it leads to improvement of the mechanisms of representative democracy in a gradual manner that safeguards the existing socio-political situation. Dividing representation equally between men and women would lead to a radical and comprehensive change in gender relations.

### **The women's reserved seats in Morocco**

In the 1990s, the ADFM's Casablanca branch began to specialize in the field of women and political decision-making positions. It set a goal for raising women's representation in legislative and elected bodies. The association, along with the Movement for Women's Rights, helped to transform the debate about discriminatory measures into an organized demand. They began to raise the issue with the political parties, the government and various decision makers in order to take tangible steps to improve women's representation. The following took place.

In 1996, a group of women's organizations advocated the 20 percent quota system during parliamentary and local elections.

In 1999, a 30 percent quota system was incorporated into a draft law to involve women in development, whether at the level of parliament, the political parties, the unions or the councils at national level (the Social Council, the Human Rights Advisory Council, etc.).

In 2001, 20 women's rights and human rights organizations called for 33 percent of parliamentary seats to be set aside for women in elections and for the quota to be made effective in the executive bodies of the political parties and labour unions.

In 2002, the parliament approved a government draft law setting aside for women 30 seats on the national list. Regarding the reserved seats, Article 1 of the organic law on the Chamber of Representatives stipulates that 'The Chamber of Representatives is to comprise 325 members elected by direct universal suffrage based on list voting: 295 members are elected in the districts (set by decree); and 30 members are elected nationally'.

In response to the mobilization by women ahead of the elections, the political parties agreed to set aside all the places on the national list (30 seats) for female candidates. As a result, 35 women in total were elected to the legislature in the 2002 election, 30 elected via the national list and five elected via local lists. This meant a 17-fold increase in the number of women elected compared with the 1997 election, when only 0.66 percent of those elected were women. This gives Morocco one of the highest levels of representation of women in the Arab world.

### **The ADFM's work with the political parties**

The ADFM's efforts were not limited to working with a group of networks and associations in order to support the implementation of positive action and the considerable potential it has for ending all types of discrimination. It also involved reaching out to women in the political parties and the party leaderships in order to widen the scope of female participation in guiding and implementing party policies. Thus, the level of women's representation on parties' central committees began to rise. Table 2 illustrates the advances that have been made.

**Table 2: Women's representation in political party central committees in Morocco**

<b>Political party</b>	<b>% female representation in the Central Committee</b>
Democratic Forces Front	11.5
Popular National Movement	5.7
Popular Movement	10
Progress and Socialism	13.0
Democratic National	8.0
Free National Gathering	10.7
Socialist Union	18.0
Independence	16.0
Justice and Development	12.0

The ADFM has focused its work at two main levels. First, it has combined action at the level of political and legal mechanisms by working with a national coordinating committee of women in political parties and the Group of 20 (civil society associations and public figures). Basing their action on international agreements and the constitution, they seek to address the glaring imbalance between the proportion of women in the population, on the one hand, and the small proportion of women who stand for elected office and the even lower number who are elected. Second, it has sought to tap into the political will demonstrated by some of the political parties. The Group of 20 submitted a draft memorandum on a review of the election law in May 2001. This document contained the following proposals.

#### *Legal proposals*

- the adoption of proportional representation (PR) with voting on party lists;
- the allocation of a minimum of 20 percent of the positions on parties' candidate lists to women;

- ensuring that women are in the top 20 percent of the candidate lists; and
- ensuring that men and women are placed in alternate positions and that both are involved in forming the party lists.

### *Political proposals*

- measures to provide financial incentives for the political parties to nominate women candidates;
- preventing the concentration of electoral responsibilities in one person's hands;
- introducing a system of proportional shares in parties' leadership structures;
- stressing to both women and men the importance of women's political participation as a fundamental part of national development;
- allocating a portion of the state budget for elections to support women candidates;
- mobilizing women and stressing the importance of standing for office;
- providing an infrastructure (kindergartens, nurseries, open spaces, etc.) that will allow women to balance the demands of political life and family life; and
- organizing training for women in all political domains.

The ADFM has followed up the work of the Group of 20 and within the same framework has taken the initiative to form the National Grouping for Seeing Women Reach Local Councils. This is in order to encourage local associations in all parts of the country to consider positive action measures. This took place during the September 2002 national elections. The ADFM adopted this goal because for many years women have been a reservoir of votes and important blocs as the 'consumers' of the benefits of development policies without having any part in carrying out those policies, despite many attempts by women who have stood in various elections.

### **Conclusion**

The debate that arose after the 2002 elections about the unconstitutionality of the national list for women reveals the absence of a clear political will that takes into consideration incentives to guarantee genuine representation.

The arrival of 35 women in Morocco's parliament in 2002 brings with it a strong wind of change; optimism about and the credibility of political will have increased. However, the disappointing results of the 12 September 2003 local elections and later polls have shown that the fight for reform in family status and new cultural systems built on equality instead of a culture of submission must continue. Working for clear mechanisms that will allow us to ensure that women arrive in decision-making positions and positions of responsibility goes on and will appear in our work as an association and a movement for women's rights when it comes to amending the law on political parties and electoral registration on a gender basis.

### **3. Quotas Adopted by Political Parties**

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# Gender Quotas and Legislative Recruitment: A Comparative Survey

Richard E. Matland

This paper briefly reviews the process of recruitment to the legislatures and then moves on to describe how different types of quotas can be adopted at each of the various stages of candidate recruitment. Finally, it discusses under what conditions parties tend to adopt quotas.

## The legislative recruitment process

A useful step when approaching quotas is to consider the legislative recruitment process and to define how different types of quotas affect different steps of the process. Figure 1 shows a typical legislative recruitment model. The process starts with a pool of eligibles, that is, those who formally meet the criteria set down in law to be able to serve in office.<sup>1</sup> It then advances in three separate steps.

**Figure 1: A model of legislative recruitment**

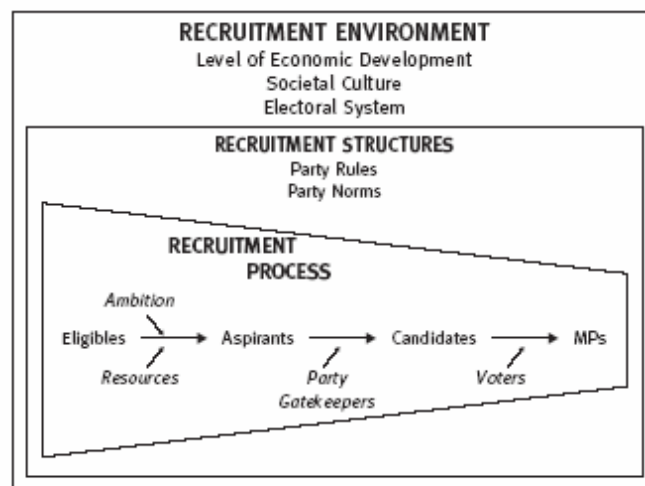


Figure 2.1. Legislative recruitment system

Source: Matland, Richard E. and Kathleen A. Montgomery, 2003. *Women's Access to Political Power in Post-Communist Europe*. Oxford: Oxford University Press, p. 21.

The first step is when individual citizens move from being eligibles to being aspirants. Here a citizen makes a conscious decision to seek political office or at least to admit an active interest in an elected position. Studies of individual candidates reveal that this decision is a combination of three factors: the level of ambition a person has; the resources he or she can muster; and the political opportunities to stand for office. The second step centres on moving from being an aspirant to being a candidate. At this stage, the party gatekeepers are involved in selecting candidates to stand for office. This process will be affected by a number of variables, including existing party rules and norms. A primary influence throughout the candidate selection process, however, is party beliefs as to what kinds of candidates are likely to help it win votes. The third step sees an individual move from being a candidate to becoming an elected



representative. This is the stage at which an individual must be chosen by the people, at least in democratic systems. In short, there are three barriers: potential members of parliament (MPs) have to win over

- themselves;
- the party gatekeepers; and
- the voters.<sup>2</sup>

Quotas can be created to influence each of these three steps. In considering different types of quotas, it quickly becomes apparent that not all quotas are equivalent. They vary in their intention, form and effectiveness. Quotas are shaped to work within the country's existing political system. In particular, the electoral laws—that is, whether the electoral system has single-member districts (which are traditional in most majoritarian electoral systems) or multi-member districts (as with all proportional systems)—have a major bearing on what type of quota can be adopted. Furthermore, the level of democracy within a country affects which quota options are acceptable.

To develop this point further, let us turn to the various types of quotas.

### **Quotas affecting the step from eligible to aspirant**

Quotas affecting the step from eligible to aspirant have been applied to a limited degree and with limited success. These are policies that are meant to guarantee that at least some women are among the candidates parties consider when they select their nominees. The most obvious shortcoming of such quotas, from the perspective of effectiveness, is that they only deal with the very first step of the process of selecting MPs. Even if there are a considerable number of women aspirants, there is no guarantee that a party will select candidates in a manner that ensures that women will make up a large proportion of its candidates, or that voters will vote in a way that ensures that a large number of women are elected.

Aspirant quotas are established by individual parties and are almost exclusively the domain of democracies using a single-member district electoral system. Examples of these quotas can be found among several of the Anglophone democracies, which have processes whereby local party members choose their candidates in a party caucus. The policies are most common among parties on the political left, which have made an explicit policy commitment to increasing women's access to the halls of power. In the cases of the Australian Labor Party, the New Democratic Party in Canada and the Liberal Democrats in the United Kingdom (UK), there is a requirement that the shortlist of candidates for open seats include at least one female. In 1993, the Labour Party in the UK established a policy of all-women shortlists for open seats that the party had previously held. This policy was struck down by the courts in 1996 as violating the sex discrimination laws. In recent action the discrimination law has been rewritten to allow all-women shortlists, and the Labour Party has responded by reinstating the policy of all-women shortlists for at least half of the constituencies where there is a retiring Labour MP.

These policies are known to be only mildly effective, but are often adopted as a last resort when other policies cannot be adopted. In well-established democratic systems with single-member districts, establishing reservations at any other stage would be unacceptable. Introducing quotas at the final stage of selecting MPs is philosophically unacceptable because it explicitly denies access to men,<sup>3</sup> and it does not allow the polity to select the best possible candidate if that person should happen to be male. Applying quotas at the stage of party selection of candidates is also vehemently

opposed, since to impose such a standard would result in an unacceptable level of centralized involvement in a process that has traditionally been the purview of local political parties. Therefore, aspirant quotas are a policy that is often more symbolic than substantive.

### **Quotas affecting the step from aspirant to candidate**

These are the most common types of quotas. Candidate quotas can be established either through constitutional provisions or legislation, or by internal political party rules. They impose explicit constraints on the party when nominating candidates. Constitutional quotas are most common among countries in Latin America, while internal political party quotas are most common among political parties in the countries of Western Europe. One obvious difference between them is that in countries which have constitutional and legislated quotas all political parties must follow the requirements of the law, while party quotas only apply to the individual party that has adopted them. Such quotas are exceedingly rare in democratic countries with single-member districts (France being one notable exception). Quotas affecting the selection of candidates by parties are found almost exclusively in proportional electoral systems.

Formally, these quotas tend to function in the same manner whether they are constitutional/legislated or party-created. They set explicit standards for the proportion of female candidates to be included on the party list. Sometimes the party rules require equality. One variant on the rule is described as 'every other', the 'zipper system' or, in some African countries, the 'zebra system', whereby the party list is set up so that every other name on it is that of a woman. While standards of 50 percent do occur, in most cases the requirements are lower. Requirements as to what proportion of candidates must be female vary. Standards of 40 percent, 33 percent, 25 percent, 20 percent and as low as 10 percent of candidates all exist.

Quotas work within a proportional representation (PR) system because PR ensures that parties with sufficient numbers of nominations can accommodate women without shutting out all male interests in the party, which effectively must happen when quotas are imposed in a single-member electoral district.

The first country to adopt a legal quota requiring the nomination of significant numbers of women was Argentina.<sup>4</sup> In 1991, the Argentinean legislature passed the Ley de Cupos, which required that each party list include a minimum of one-third of women. When the law was challenged, it was upheld by the Electoral Commission. It has been followed ever since. The law led to a dramatic increase in women's representation, from 6 percent to 25 percent, in the space of one full election cycle.

The success of women in Argentina led to a push for similar legislation among the countries of South America. Seven years after Argentina adopted its law, 11 other South American nations had adopted legal or constitutional quotas. The level of successful implementation in the other South American countries was, however, substantially lower than it was in Argentina. In many countries, the effects were modest and sometimes amounted to virtually no increase in women's representation. Htun and Jones have evaluated the Latin American cases and developed a list of necessary conditions for quota laws to increase women's representation.<sup>5</sup> They suggest that four conditions must be met if legal quotas are to raise women's representation:

- the electoral system must have closed-list proportional representation;

- district magnitudes must be high;
- there must be a placement requirement; and
- good-faith compliance must be forthcoming from the political parties.

The conditions specified by Htun and Jones deal explicitly with possible problems or loopholes in party quotas. Within the Latin American context, there are no non-PR systems that have quotas (but see below), and therefore their study concentrates on proportional systems. Within PR systems, they suggest closed lists to ensure that parties control the decision as to which candidates will represent the party. The fear is that an open list system, where voters are allowed to influence the order in which candidates are chosen, may lead to voters voting women down and out even if the list is initially balanced.<sup>6</sup>

The authors' demand for high district magnitude is built on the assumption that high district magnitude will produce high party magnitude, which is crucial to ensuring women's representation in a PR system. Party magnitude is the number of seats that a party wins in a single electoral district and it is affected both by the number of political parties and by the number of seats in a district. If there are many parties and few MPs are elected per district, it is quite possible that most parties will elect only one or two representatives. When this occurs, if the party list is constructed in such a way that every third name on the list belongs to a woman, 33 percent of the candidates could be women, but no women will be elected.<sup>7</sup>

The placement requirement is a third condition if party quotas are to be effective. This means that the quota law must specify explicitly not only that a proportion of candidates be women, but also that proportionality must occur throughout the list and women must be placed in winnable positions. The fear is that a party may formally meet legal requirements, yet do so in a manner that leads to women not gaining any seats in parliament. Haavio-Manila refers to individual positions on party lists as either mandate (guaranteed to get elected), fighting (possible to get elected if the party does well in the election) or ornamental (will not get elected even if the party has an excellent election).<sup>8</sup> The danger is that women will be placed largely in ornamental positions. For example, assume that there is a quota requirement that women must hold one-third of the nominations. Assume further that there are ten seats in a constituency. The law would then require that the party nominate at least three women among its ten candidates. If the party places those women in slots eight, nine and ten, a woman would only be elected if the party secured 70 or 80 percent of the vote—a highly unlikely scenario in any competitive democracy. A placement mandate would require not only that one-third of all candidates were women, but also that one of the first three candidates on the list, two of the first six candidates on the list and three of the first nine names were those of women.

The fourth condition that Htun and Jones specify is that there has to be good-faith compliance on the part of the political parties with respect to established quotas. In some ways, if this condition is met, all of the others are unnecessary. Nevertheless, in most cases, good-faith effort is needed. This good-faith effort can rest on a belief in quotas and a desire to follow through on what the parties believe is a good policy. It can just as effectively rest on a coercive stance. In the Argentinean case, for instance, one of the primary questions (after the law was passed) concerned whether it would actually be implemented. Some parties consciously ignored the demands set out in the law in the run-up to the next elections. Their lists were challenged and the challenge was brought to the Electoral Commission, which ruled that no party that failed to present lists that complied with the law would be allowed to compete in the election: their lists would be eliminated from the ballot. When quotas are established with

explicit and severe sanctions, good-faith compliance on the part of parties is likely even if they are sceptical of the policy.

While quotas have been established through legislative action in South America, quotas based on laws are much rarer in the European context. The norm there has been for parties to create internal party rules that establish quotas. In general, there has been stronger internal party support for quota rules in Europe than in Latin America. Within the European context, internal party quotas have tended to enjoy the greatest levels of support among the parties of the left, especially the new left.<sup>9</sup>

### **Quotas affecting the step from candidate to MP**

The final type of quota is one where the electoral system in some way guarantees seats to women. These reserved seats are most common in semi-democratic states, where women are guaranteed a small proportion of seats. While the party quotas described above are often set fairly high, levels of representation of between 25 and 50 percent being the norm, reserved seats have traditionally been established for a more modest proportion of the parliament. Several countries have established reserved seat quotas in the 5–10 percent range.

While these systems do guarantee the representation of women, they give rise to some concern because of the manner in which women gain access to parliament. The most common scenario is that women are appointed directly to these positions either by the incumbent ruler of the country or by the majority in parliament. Occasionally, the women MPs mirror overall representation in the legislative body. Usually, however, they enhance the power of the ruling majority. In most cases, there is a great danger that these women will owe their loyalty not to the voters but to the incumbent leaders. Under these conditions, women may not be independent voices raising issues of concern for women. Rather, they will be obedient followers doing what leaders ask of them. There is also some danger of these conditions leading to a situation in which a quota becomes a ceiling for representation rather than a floor. A party can say to women aspirants that it does not need to nominate them as list candidates. Instead, they can be nominated for one of the reserved seats for women. Using this as an excuse, the party can then nominate only men for the directly elected seats.

There are cases of reserved seats that appear to deal with the concerns described above. These are to be found in Afghanistan and Taiwan. The Taiwanese case has a much longer historical record, but it is little known.<sup>10</sup> In Taiwan, legislators are elected in multi-member districts using a Single Non-Transferable Vote (SNTV) system. The system is reasonably easy for voters to understand: each voter simply votes for the candidate he or she likes best and the candidates with the highest vote totals are elected (if district magnitude is five then the top five candidates win). However, the system wreaks havoc on party strategizing because the party must take into consideration how to split its votes in such a way as to maximize the number of seats it wins in parliament and how to send signals to its supporters as to how they should coordinate in this regard.<sup>11</sup>

The national constitution requires that, for each district with more than four seats, a woman must be elected. This law effectively guarantees women at least 10 percent of seats in parliament. It works as follows. If men are elected in the first four slots in a district, then the woman with the most votes automatically wins the fifth slot regardless of whether she has the next highest vote total. What this means in districts

with more than four seats is that a party may see its three strongest candidates earn the first, third and fifth highest number of votes, but it could lose the fifth slot if none of the first four elected candidates is a woman. Conceivably, if the major parties did not nominate women, a party much farther down the list in terms of total support could have its woman candidate elected.

What this system does is quite ingeniously create incentives for the parties to both nominate and promote women candidates. Each party needs to have an effective woman candidate to make sure that it has a chance of winning 'the woman's seat'. While the formal effect of the Taiwanese law only guarantees women 10 percent of the slots in parliament, representation in the Taiwanese parliament has surged well past the 10 percent mark and is approaching 25 percent. Once parties were forced to nominate and promote women candidates, it turned out that women were quite strong candidates, often doing better than their male counterparts and getting themselves elected not just to the final 'woman's seat' but much farther up the line. Furthermore, the women who are elected under these conditions enjoy the legitimacy afforded by having been directly elected by the voters and thus are the equals of their male colleagues when they enter parliament.

At the time of writing, an Afghan parliament had yet to be elected and we cannot say how it will function in practice, but the electoral law in Afghanistan is quite explicit. Under an SNTV system similar to Taiwan's, each province has two seats reserved for women. These women are to be directly elected by citizens in the provinces. Furthermore, as the Afghan parliament is sufficiently small, the requirement of two female seats per province guarantees that women will make up 25 percent of the parliament. There is reason for optimism that women will be significant actors in the parliament because of their numerical strength and electoral legitimacy.

This overview shows that, while we often speak of quotas, there are many different types of quotas and they function in many different ways. The types of quotas adopted tend to vary with the type of electoral system and degree of political freedom. Quotas that attempt to guarantee greater equity at the first step (from eligible to aspirant) are most common among fully democratic states with single-member district electoral systems. Quotas that attempt to guarantee greater equity at the second step (from aspirant to candidate) are most common among democratic states with proportional representation systems. Finally, quotas that attempt to guarantee greater equity at the third step (from candidate to MP) are most common among semi-democratic states and involve a variety of reserved seat guarantees.

### **Why quotas?**

This discussion provides us with a description of different types of quotas, but perhaps a more fundamental question is: why are quotas adopted? To put it bluntly, when one sees men giving up power a natural reaction is to wonder why. After all, one would think that Groucho Marx succinctly summarized the incentives of most men when in *Duck Soup* he said 'Why yes, madam, I'd be more than happy to give up my seat for you, if it wasn't for the fact that I'm using it myself'.<sup>12</sup>

There are three basic answers to the question: it is the right thing to do; it is the politically astute thing to do; and we are forced to do it. The arguments are not mutually exclusive and all three can be made simultaneously.

The first case (it is the right thing to do) occurs when the party finds that the promotion of women is consistent with the party platform and involves putting into

practice widely held party principles. Sometimes this is a central tenet of the party platform, especially among parties of the new left, which emphasize their ties to third-wave feminism. What is more, traditional social democratic parties have always put strong emphasis on ensuring that the interests of the under-represented and unrepresented are given a voice in politics. Originally, this was an argument made in support of the introduction of the concerns of the working class, but it is easily adapted to the needs of women. Women can contend they are also an oppressed group represented in far smaller numbers than their actual numbers in the polity.

The perception that 'it is the right thing to do' is also common among parties where nomination processes emphasize the need to guarantee group representation. Such parties find compelling an equity argument suggesting that fair representation requires significant guarantees of representation for women. Consociational countries, such as Belgium and the Netherlands, fall into this category, while in Norway the Liberal Party, the Centre Party and the Christian Democrats are all examples of non-socialist parties that have adopted quotas.<sup>13</sup>

The second case (it is the politically astute thing to do) has a number of different guises. For instance, the most dramatic case of a quota being adopted was in Argentina, a country with a macho culture. There is considerable speculation as to why Argentina decided to embark on this entirely new course, but an important part of the explanation lies with the political calculations of President Carlos Menem. Menem's opinion polling showed that he was lagging badly among women voters. In response, he decided that promoting women for office through mandatory quotas could be an effective means of wooing women voters. Despite a number of his own deputies being quite unhappy about this, Menem was able to push through parliament the Ley de Cupos which guaranteed women's representation. This occurred not because he necessarily felt a deep need to improve women's representation, but because he needed a political issue on which to appeal to women voters.

A second example of quotas being adopted as a politically strategic action relates to the 'contagion' process that is triggered when one party adopts quotas and other parties follow suit.<sup>14</sup> This is often a strategic move on the part of the later parties that fear losing voters to the initiators of quotas. In Norway, for instance, the Socialist Left Party and the Liberal Party both adopted quotas well before the Labour Party. At least partly to ensure that leftist women did not leave the Labour Party and migrate to the Socialist Left Party, the Labour Party adopted quotas itself a few years later.

A similar example is where the adoption of quotas and the promotion of women are emblematic of additional concerns or help a party to project a specific image. For instance, while the suggestion of quotas for women was almost uniformly rejected immediately after the fall of the Berlin Wall because it was reminiscent of old Soviet-style parties, not much more than a decade later East European parties adopted quotas to show that they were modern and Western. The impetus for quotas this time did not come from the East, however; it came from the West. East European parties copied the policies of their sister parties in Western Europe, including gender quotas, to help them present themselves as modern, progressive political parties.

The third and final argument for adopting quotas is that 'we are forced to do it'. For parties in countries where national quota laws have been passed (especially those that fought against the imposition of quotas), this is a justification to the membership for

adopting quotas. Support may be reluctant, but the party simply has no other choice if it is to put forward candidates at the next election. Parties that wish to join the Socialist International (SI), for example, confront a similar coercive condition. The SI,

an international organization of social democratic parties, passed a resolution in 2003 stipulating that all new parties must have adopted a gender quota for nominations before they can be admitted as members. While it is unlikely to be sufficient to force a party to adopt quotas by itself, this requirement can help those within the parties to push them into adopting quotas. Another example of being 'forced to adopt quotas' pertains to post-conflict societies, where women's groups are able to get quotas adopted as part of the new political order. In Afghanistan, Bosnia and Herzegovina and Rwanda, new political orders were established after internal conflicts, each of which included quota requirements for elected office. In the process of establishing these new orders, international women's non-governmental organizations (NGOs) and domestic women's groups often lobbied hard for quotas to be adopted. Acceptance of quotas was one of the conditions of parties' participating in the political process.

## Conclusion

The above provides a quick overview of the various types of quotas and of the arguments made to promote quotas for women. Most Arab states are saddled with single-member district electoral systems, which make it difficult to implement the most common types of quotas found in other parts of the world—either party-based or law-based proportional candidate quotas. Moreover, unlike in some of the Anglophone democracies, which have single-member district systems, there appear to be few parties facing such great internal pressure for increased representation of women that they feel obliged to establish aspirant quotas to ensure the inclusion of women on the shortlists of possible candidates. At this point in time in the Arab world, all existing quotas influence the final step of the process, by guaranteeing reserved seats. Even within this category, however, it is possible to push for improvements, both in terms of the proportion of seats guaranteed for women and in terms of how these women are selected. As the Taiwanese example shows, when seats are guaranteed, but MPs are chosen directly by the people, it is entirely possible that there will be a significant rise in the number of women elected and the legitimacy of elected parliamentarians.

## Notes

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<sup>1</sup> The eligible pool in an overwhelming number of countries is slightly above 50 percent female. The one exception to this statement is Saudi Arabia, where women are not eligible to serve and therefore make up 0 percent of the eligible pool.

<sup>2</sup> For a more extensive discussion of legislative recruitment, see Matland, Richard E., 2005. 'Enhancing Women's Political Participation: Legislative Recruitment and Electoral Systems', in International IDEA, *Women in Parliament: Beyond Numbers. A Revised Edition*. Stockholm: International IDEA.

<sup>3</sup> Squires, Judith, 1996. 'Quotas for Women: Fair Representation?'. *Parliamentary Affairs*. 49(1), pp. 71–88.

<sup>4</sup> Jones, Mark A., 1996. 'Increasing Women's Representation via Gender Quotas: The Argentine Ley de Cupos'. *Women and Politics*. 16(4), pp. 75–98.

<sup>5</sup> Htun, Mala and Mark A. Jones, 2002. 'Engendering the Right to Participate in Decision-making: Electoral Quotas and Women's Leadership in Latin America', in Nikki Craske and Maxine Molyneux (eds), *Gender and the Politics of Rights and Democracy in Latin America*. Basingstoke: Palgrave.

<sup>6</sup> There is little evidence of the effects of open list voting on women's representation. What limited evidence does exist, however, seems to indicate that the fear of voters systematically

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turning away women candidates is unfounded. Gregory Schmidt and Kyle L. Saunders, for example, found that open list voting in Peru did not hurt women. See Schmidt, Gregory and Kyle L. Saunders, 2004. 'Effective Quotas, Relative Party Magnitude, and the Success of Female Candidates: Peruvian Municipal Elections in Comparative Perspective'. *Comparative Political Studies*. 37(6), pp. 704–34. Nevertheless, at the theoretical level there is no question that Htun and Jones are correct that open list voting could effectively negate quota rules.

<sup>7</sup> Such conditions do exist, as low party magnitudes are an important part of the explanation why quotas failed to guarantee significant representation of women in Bosnia and Herzegovina. There, a 30 percent quota was in place, yet only 7 percent of the parliament is female.

<sup>8</sup> Haavio-Mannila, Elina et al., 1985. *Unfinished Democracy: Women in Nordic Politics*. New York, Pergamon Press.

<sup>9</sup> Caul, Miki, 2001. 'Political Parties and the Adoption of Candidate Gender Quotas: A Cross-National Analysis'. *Journal of Politics*. 63(4), pp. 1214–29.

<sup>10</sup> For more on Taiwan see Chou, Bih-Er and Janet Clark, 1986. 'The Political Representation of Women in a "Reserved Seats" System: The Application of Gender Gap Theories in Taiwan'. Monograph No. 2. Women's Research Program, National Taiwan University; and Clark, Cal and Janet Clark, 2002. 'The Social and Political Bases for Women's Growing Political Power in Taiwan'. Maryland Series in Contemporary Asian Studies No. 170 (3), pp. 1–40.

<sup>11</sup> For an extended discussion, see Matland, Richard E., 2004. 'International Evidence and Speculation on the Effects of SNTV on Women's Campaigns for the Indonesian DPD'. Paper prepared for International IDEA Conference on Women Candidates and the DPD Elections of 2004, Jakarta, Indonesia.

<sup>12</sup> The Groucho Marx quotation is taken from Baldez, Lisa, 2004. 'Elected Bodies: Gender Quotas for Female Legislative Candidates in Mexico'. *Legislative Studies Quarterly*. 39(2), pp. 231–58.

<sup>13</sup> Matland, Richard E., 2005. 'The Norwegian Experience with Gender Quotas', in *The Implementation of Quotas: Experiences from Europe*. Quota Report Series No. 4. Paper presented at the IDEA/CEE Network for Gender Issues Conference entitled 'The Implementation of Quotas: European Experiences', Budapest, Hungary, 22–23 October 2004.

<sup>14</sup> See Matland, Richard E. and Donley T. Studlar, 1996. 'The Contagion of Women Candidates in Single-Member District and Proportional Representation Electoral Systems: Canada and Norway'. *Journal of Politics*. 58, pp. 707–33; and Caul, op. cit.

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## **4. Methods to Enhance Women's Participation**

# **Lobbying for Increased Participation of Women in Egypt**

Shawki El Sayed

## **Background**

It would be a mistake to believe that women in Egypt have long been removed from political action. History bears witness to the fact that Egyptian women took part in the popular movement and public action before the revolution of March 1919, as well as following the revolution,<sup>1</sup> which some regard as the true beginning of the women's movement. Women expressed their national feeling against the occupation and the illegitimate (British) protectorate, calling for complete independence. They also protested against the government's poor treatment of the wife of Saad Zaghloul Pasha, its censorship of newspapers, and the formation of a government before Egypt's complete independence had been recognized.

During the Second World War, a number of organizations and associations with various affiliations appeared and joined the call by women for their political rights to be secured. The struggle continued in 1948, as women planned to enter parliament to discuss the question of their participation in political life and the amendment of the electoral law. In 1949 the women's movement was calling for women's political rights, with the support of Egypt's greatest intellectuals. In Jerusalem, Arab women petitioned the high commissioner of the government of Palestine to remove the injustice that was spreading throughout Palestine in the form of arrests, expulsions and the partitioning of the country. Women's participation in political and public work continued to grow, but its development was slow. At times it lost its way and at times it halted altogether. The percentage of female participation, in the light of the growing numbers of women in society, was very limited due to various mistaken and inherited religious, social and cultural causes and concepts.

In recent years, however, serious and effective attempts have been made to boost the role of women in society and their participation in political life and decision making.

## **Legal and political developments during the past decade**

Egypt's constitutions, from the 1956 version to the current (1971) constitution, and the existing legislation have affirmed complete equality of rights and duties between women and men, including constitutional and political rights. It is clear that there has been genuine improvement of the condition of women and their effective fundamental role in national development; the Egyptian political leadership has paid these subjects considerable attention in the past decade.

A quarter of a century ago, Law no. 21 of 1979 set aside reserved seats for women in parliament. This reflected long-standing efforts to boost the role of women in political participation and decision making; and these efforts continued even after Law no. 188 of 1986, for constitutional reasons that were not connected solely with women, abolished the women's quota (we will return to this). Later, Presidential Decision no. 90 of 2000 established a National Council for Women to promote women and their fundamental role in national development; to give its perspectives on draft legislation and decisions related to women before they were submitted to the competent authorities; to represent women in national and international forums; to issue resolutions and recommendations at annual conferences; to strive to achieve the United Nations' Millennium Development Goals; and to boost the role of government and non-governmental organizations (NGOs) in training and increasing women's

participation.<sup>2</sup> All of this has led to tangible progress in the legal and political situation of Egyptian women in recent years.

However, we should evaluate this evolution in the reservation of seats for women in parliament and after its abolition.

A reading of the results of the electoral system in both the list proportional representation (List PR) electoral districts and the single-member districts at different times in Egypt shows a clear contradiction and a regression in the evolution of political and social participation by women.

Law no. 21 of 1979 allocated seats to women in 30 electoral districts. During the 1979 parliamentary elections, 33 women were elected and two were appointed, making a total of 35 women members of parliament (MPs).

The 'Election List' Law, no. 114 of 1983, was then passed: 31 seats were allocated to women. This was followed by the 1984 elections, when 38 women entered parliament, only one of them by appointment.

The percentage of women in parliament remained high under the List PR electoral system (in force for the 1984 elections) and under the Parallel system, which combined List PR seats with single-member districts and was in force for the 1987 elections, even though the allocation of 31 seats had been abolished by a decision of the Higher Constitutional Court in 1986. The imbalance in equality and equal opportunity then became clear regarding both the representation of political parties themselves and the balance between the political parties and independent candidates. Law no. 188 of 1986 and Law no. 145 of 1988 were then enacted, and Egypt saw a return to the single-member district plurality/majority electoral system. In 1990 this led to a drop in women's representation—to seven elected seats and four appointments. During the 1995 elections, most parties failed to nominate women candidates and the number of seats held by women stood at nine (five by election and four by appointment). In the 2000 elections seven women MPs were elected and four appointed.

We can also compare the proportions of women members, both elected and appointed, in the People's Assembly (the parliament, or Majlis al-Chaab) and the Consultative Council (the Majlis al-Shura). After the 1957 parliamentary elections, women made up only 0.6 percent of the parliament, and in 1984 this figure rose to 9 percent. In 1987, it stood at 8.3 percent. After the abolition of the quota system and the list system, and the return to single-member districts, the rate fell to 3.9 percent in the 1990 elections, 2.2 percent in the 1995 elections, and 2.4 percent in the 2000 elections (and 2.0 percent in 2005). In the Consultative Council, whose modern history goes back to the 1980 amended constitution, women made up 3.3 percent of the members while this figure stood at 5.7 percent after the 1996 and 2002 elections.<sup>3</sup>

Looking at the historical evolution of women's participation, we find that between 1956 and the 2000 election, only 68 women held 152 seats. The percentage of women ranged from 0.5 to 2 percent, except for the 1979 elections, when women formed around 9 percent of the legislature thanks to the introduction of the quota system. There have therefore been increased efforts to boost women's participation in political life and electoral processes. The number of registered women voters rose from 1.56 million in 1975 (16 percent of total registered voters) to 3.63 million in 1986 (18 percent of the 18 million voters), 6 million in 1989 and then 8.76 million in 2000 (35 percent of total registered voters). In 2004 it finally reached 11 million out of 30.26 million total voters (37 percent).<sup>4</sup>

Similarly, the number of female candidacies rose from 22 for the years 1987–90 to 42 in 1990–5 and 87 for the years 1995–2000, with 121 in the period 2000–2005. However, the numbers of women candidates put forward by political parties remained extremely low, while the election results produced very low rates of representation compared to the increasing proportion of women in society, which is now approximately 50 percent.

### **Why was the quota system abolished?**

It is always said that in making its decision, no. 131/6Q of 16 May 1987, declaring the quota system unconstitutional, the Higher Constitutional Court relied on the principle of equality of opportunity as guaranteed by articles 8, 40 and 62 of the constitution.

However, this decision on the application of these constitutional principles was made with regard to discrimination between political parties, and between parties and independent candidates, in relation to the numbers of parliamentary seats won. The Constitutional Court only ruled as unconstitutional the articles of the law that concerned the principle of equality and equal opportunity between parties and independents. It did not cover the article in Law no. 114 (article 3/1) stipulating the allocation of seats for women: the court in fact decided not to rule on this, citing the 'absence of (legal) interest'. The government, however, preferred to remove all possibility of doubt and annulled the entire law, including the allocation of seats for women, which it considered discrimination in their favour.

Whatever the case, the decision led to the cancellation of Law no. 114 of 1983 in its entirety and a return to the single-member district electoral system.

### **Reinstating a quota for women?**

The call for the increased empowerment of women in political participation and decision making has grown, and serious efforts to put such steps into practice have intensified. These efforts have led to an increase in the numbers of women registering to vote, as well as the numbers of women standing for election, as indicated above. On every occasion, the political leadership has called for the role of women to be boosted, for women to engage in political participation and decision making, and for all forms of discrimination to be eliminated. Seminars and training sessions have been held and permanent and ad hoc committees for political participation have been formed. Meanwhile, a new and strong trend has arisen in the shape of demands for a quota of parliamentary seats to be set aside for women once again, despite opposition on the pretext that such a move would be unconstitutional. The case for restoring the quota is supported by a detailed study of the verdict of the Higher Constitutional Court and a detailed understanding of the correct interpretation of articles 4 and 7 of the 1979 Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) passed by the United Nations. Egypt signed CEDAW according to Presidential Decree no. 345 of 1981. It obliges signatory states to take temporary measures to eliminate all forms of discrimination against women and remove actual obstacles, even through ad hoc measures that allow women to widen the scope of their political participation. Articles 4 and 7 affirm that the state is committed to eliminating all forms of discrimination against women, and that it may take special measures, even if temporary ones, to achieve this end, so long as they are not considered discriminatory, until equality of opportunity and true equality are achieved.

Examination of the period 1956–2004 and the percentage of female representation in parliament, compared to the increasing numbers of women on the electoral registers, supports the case for such temporary measures, even if this involves allocating seats for women in parliament until true equality is achieved.

The Alexandria Declaration of 15 March 2004, issued by the Fourth Conference of the National Council for Women, in the area of political participation, affirmed the need to work to implement article 4 of CEDAW. Egypt is committed to this goal, which involves taking temporary steps to achieve equitable representation in legislative bodies in line with the percentage women make up in society and their contributions to development.

These calls are continuing and are being renewed; they are serious and growing, and enjoy widespread support throughout Egyptian society. However, they have not been implemented, once again because of reservations about their constitutionality.

### **What lessons can we learn from Egypt's experience?**

It is not enough to say that allocating seats for women in order to boost their political participation or role in decision making is the optimal, only solution. Even if it takes place, this is considered a temporary measure until true equality is achieved. It did have an impact over the short term, but we cannot rely on this measure alone. Nor can we allow it to continue to the point at which it begins to contradict the principles of equality and equal opportunity. Thus, we should work to employ this principle temporarily while at the same time confronting social and cultural beliefs about women—which is where the role of the media, conferences, eradicating illiteracy, increasing education rates and capacity building for women come in. True progress and capacity building for women are therefore two requirements for expanding the scope of political participation by women and their role in decision making, even if this only has an impact in the long run. Egypt is in fact following this strategy of empowering women and expanding the scope of their political participation.

Thus, Egypt has learned important lessons to be followed in this regard, which can be summarized as follows. It is necessary to:

- boost awareness in order to confront inherited social and cultural biases against women;
- establish a National Council for Women along with affiliated committees and conferences and branches in the different governorates, in order to advance the situation of women and their role in national development;
- establish channels of communication with the political parties in order to encourage and convince them to nominate and support women as candidates in parliamentary elections, opening the door for them and empowering them;
- encourage women to register as voters and stand for office;
- strengthen the role of the media regarding the importance of women in society;
- promote education and the eradication of illiteracy;
- build capacities for women in parliamentary participation through training sessions, and give their leaders status to make them an example for others; and
- strive to see legislation passed (as a temporary measure) to allocate seats for women in parliamentary and popular councils for a specific period of time, during which capacities will be developed so that we can arrive at true equality.

### **Notes**

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<sup>1</sup> See e.g. Telegram to the great Sultan from the women of Damanhur on 17 December 1919; telegram from the women of Tanta to King Fouad on 24 March 1922; telegram from the Central Committee of the Women of the Wafd Party to the prime minister in January 1922; the first women's action in 1923; and Huda Shaarawi's leading a Wafd delegation to Rome on 2 May 1938. All these telegrams are registered in the 20th Century edition of *Rihla 'Abra al-Watha'iq*, pp. 302, 274, 246, 272, and 736.

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<sup>2</sup> Examples of the activities of NGOs are the annual conferences of the National Council for Women until the Alexandria Declaration (issued by the Fourth Conference, 15 March 2004); the Women and Parliament Conference, 20–21 January 2004; and contacts between the Egyptian Women’s League and the European Union and international conferences, such as the Third International Women’s Conference in Nairobi, 1985, and the Fourth World Conference on Women, held in Beijing in 1995.

<sup>3</sup> Source: Majlis al-Sha’b Information Center 2002.

<sup>4</sup> Press statements by the deputy minister for election affairs on 31 October 2004; it was decided to register all males and females who had reached 18 years of age on the civil register in order to increase political participation.

# Women's Political Participation in Egypt: Equality versus Equal Opportunity

Maged El Sherbini

## Introduction

Participation by women in political life in Egypt, and support for their participation, is an issue that has cultural, social, political and legal dimensions; we cannot discuss such issues as a merely abstract legal topic. This would be to oversimplify: legal bases for equality need to be established which also take gender differences into account. This is because positive laws that aim at achieving total equality between men and women might be a means of consecrating inequality. Moreover, the presence of women on a scene where a culture of discrimination prevails will not automatically lead to the removal of this discrimination unless it is accompanied by the spread of public awareness of the need for such a move.

The defence of equality between men and women is critically important because it is a natural and necessary starting-point for society as a whole to become democratic.

Before proceeding with this topic, let us introduce some of the questions we are considering. What does equality before the law mean? Does it mean protecting weak parties on a basis that might appear to be discriminatory in form and represent an imbalance—a breach of the principle of equality? In order to answer this question, or rather to consider the answer, I begin by outlining the concepts of equality *before* the law and equality *in* the law: the difference between the two is important if we are to understand the principle of equality, its limits and its scope.

## Equality before the law, equality in the law, and equal opportunity

### *The general principle of equality*

The right to equality is one of the principles of natural law and one of the oldest rights recognized by people since the dawn of history. International treaties and covenants have stipulated the right to equality, while it is one of the fundamental bases of positive law; to violate it could undermine the foundations of positive law.

In its connection to freedom, equality means regulating opportunities so that people do not inflict coercion or hardship for the sake of their own personal interest upon another person or persons without the justification that this is based on the collective good. Individuals use their freedom in the belief that a particular obstacle standing in their way is not different from those faced by others. Equality also means regulating opportunities to allow all individuals, as far as possible, to use their freedom in the way they like.

Equality requires two conditions—the free exercise of rights, and the universalization of rights—which are necessary from the legal standpoint if we are to be able to say that a particular freedom exists. However, these two conditions might exist from the legal standpoint without there actually being freedom. The major obstacle to the condition of universalization is the lack of social equality. There is a big difference between equality *before* the law, which is one of form that only requires that the legal basis apply to all people without discrimination, and the prior equality *governing* the law. This latter constitutes a deeper equality, reflecting a specific cultural orientation at the time when the law was laid down, which is termed *equal opportunity*.



### *Cultural constraints that legislators take into account in adopting a specific concept of the principle of equality*

The Egyptian constitution discusses the principle of equality in two articles, 8 and 40. Article 8 states that 'the state guarantees equality of opportunity for all citizens', while article 40 states that 'citizens are equal in rights and duties before the law and there should be no discrimination based on sex, language, religion, ethnic origin or belief'.

Equal opportunity should be different from equality before the law; equality of opportunity, based on the constitution, involves the state's 'guarantee', or an active role for the state in creating a suitable climate in which opportunities for citizens are equal and their capacities, skills and different situations are safeguarded.

As for equality before the law, in the sense of preventing discrimination according to the clear provisions of the constitution, this has two meanings, derived from the phrase 'citizens equal before the law'.

The first meaning is 'equal in rights and duties before the law and there should be no discrimination based on sex, language, religion, ethnic origin or belief when the law is laid down'. Here, the law is aimed at legislators: legislation should not contain unjustifiably discriminatory aspects.

Women's aspirations, for example, include the enjoyment of true equality of opportunity, not just theoretical equality, in taking part with men in administering public affairs, establishing policies and legislation that constitute social action, and making progress towards women exercising responsibilities connected to decision making and oversight of the government, political parties, unions and civil society. Women aspire to see equality with men in rights and political positions move from being a theoretical issue, based on the constitution and the laws, to becoming a reality. Law and jurisprudence have affirmed that it is inconceivable to ban discrimination completely, since there are types of discrimination that are acceptable and based on the nature of the right regulated by the law, as the Higher Constitutional Court expressed it. Rights cannot be granted to all people and duties imposed upon them without mechanisms of control.

The second meaning of equality, as stipulated by article 40 of the constitution, which states that citizens are equal in front of the law, involves equality in the *application* of the law. If the law is not applied universally, the law is stripped of one of its basic features. Formal equality in the application of the law is a duty imposed by the constitution on the state: it has to refrain from discriminating between citizens.

Examining the principles of equal opportunity, to be found in article 8 of the constitution, and equality before the law, which is contained in article 40, we find the following. First, there is an *active* commitment to empowering the weak and those who are socially in need (equality of opportunity). Second, there is a *passive* commitment, to avoid discrimination when enacting laws and implementing them (equality).

Thus, the principle of equality of opportunity is a pillar that complements the principle of objective equality before the law, at the legislation stage. Lawmakers are obliged, as part of a commitment to the provisions of the constitution, to ensure that laws achieve the principle of equal opportunity, even if there is a suspected conflict with the principle of formal equality. Achieving the principle of equal opportunity could lead to an apparent breach of the principle of formal equality: the principle of equal opportunity does at times appear to contradict the principle of formal equality before the law. However, there is no contradiction if we deal with the issue in the way the

lawmakers intended, namely by holding that the desired objective equality means equal opportunities, which the state works to guarantee.

We can say that the lawmaker's goal is that the principle of equal opportunity, or more properly, equal opportunities, stipulated by article 8 of the constitution, should involve objective equality by way of the state correcting aspects of the social imbalance that might exist for social reasons or as a result of inherited ideas.

#### *Equality of opportunity through quotas*

Thus, the lawmaker should achieve a balance between equality of opportunities and achieving equality. For example, allocating seats for women in parliament and local councils has to be seen in the context of achieving equal opportunities for men and women.

This link between equality before the law and the state's commitment to guaranteeing equality of opportunity is contained in the introduction to the constitution, which says that 'The principle of equality and the equality of opportunity are two faces of the same coin'. Likewise, it states that 'in its essence, equality is a settlement between those who are alike and a violation between those who are different'.

Thus, we can conclude that it is important to take into consideration the need to safeguard the special features of different social groups. This is because when abstract general principles are implemented as promoting equality between the sexes, the actual result is a bias towards men, because legal texts that do not take into account the difference between the situations of the sexes will not end discrimination; on the contrary, their neutrality might lead to its being consecrated.

The law can achieve true equality among people in two directions:

- The first is known as '*raising*' equality, which means raising the level of the weak to that of the strong.
- The second is known as '*lowering*' equality, which means lowering the level of the strong to that of the weak (after the French expert in jurisprudence Colard).

Can we consider the allocation of quotas of parliamentary and local council seats for women a form of raising equality? The answer is definitely yes.

There is no doubt that the position women are in requires not only this raising from the legislative standpoint but also the boosting of a role that already exists and a social position which various inherited factors have worked to weaken or eliminate.

#### **The historical evolution of political participation by Egyptian women**

Article 31 of the 1956 constitution gives Egyptian women political rights. In the same year, Law no. 73 was enacted, regulating political rights; article 4 stipulates that 'women who submit their applications must also be registered.'

Law no. 41 of 1979 set aside a minimum of 30 seats to guarantee the representation of Egyptian women in parliament. Law no. 114 of 1983 raised the number of seats for women in the People's Assembly to 31, after incorporating the principle of the proportional representation, party list-based electoral system.

Law no. 188 of 1986 then deprived women of the distinction they enjoyed in the allocation of People's Assembly seats, owing to the parliament's fears that this measure would be found to be unconstitutional. There is some question about what

happened between 1979 and 1986 that prompted the parliament to abandon the women's quota, which had guaranteed women reasonable representation in parliament for the first time in Egypt.

A battle to evict women from the seats they occupied under the law took place under the guise of an effort to promote equal opportunity and combat discrimination. The legislation was described as representing an imbalance in the principle of equality and a form of discrimination against men. The battle started in a peripheral way, since the women's quota seats themselves were not targeted: a suit (3608/Q38) was filed with the Administrative Court requesting a halt to the implementation of Presidential Decision no. 139 of 1984 on convening elections to the People's Assembly, on the grounds that Law no. 38 of 1972 (amended by Law no. 114 of 1983) was unconstitutional where the People's Assembly was concerned. The Administrative Court found that the suit had merit regarding the unconstitutionality issue, and set down a time limit for the plaintiff to present the case to the Higher Constitutional Court. This challenge was filed as no. 131 and the plaintiff based the suit on the unconstitutionality of the party list system and the resulting articles which stipulate the party list system (Law no. 114 of 1983).

The challenger dealt unintentionally and briefly with article 3 of the law, which, in an annex to the law, sets down 31 electoral districts where there must be at least one woman member of parliament, because this arrangement was closely linked to the principle of elections by party list.

It is important to correct a mistaken belief that has been widespread in legal circles since the Higher Constitutional Court's decision on the challenge was issued. In this view, the court's acceptance of the challenge meant that it was unconstitutional to allocate a quota of parliamentary seats to women, or that article 3 of Law no. 114 (before it was later amended) was unconstitutional. This belief is wrong on legal grounds. The challenge was actually against the constitutionality of the party list system, which deprives independents of the opportunity to stand as candidates.

The court, in Decision no. 131 of Judicial Year 6, responded to the plaintiff's challenge and ruled that the texts were unconstitutional because they legalized list-based elections and therefore contravened the principle of equality between party members and independents. In its arguments, the decision stated that the challenge was not connected with article 3, which sets down the quota of seats for women in the People's Assembly.

Thus, the decision does not make article 3, which allocates seats to women, unconstitutional. Rather, the parliament was over-hasty in amending the whole of the law and abolishing the quota, which had not been found to be unconstitutional. The quota was abolished not by the court's decision but by a legislative amendment.

According to the report by the Higher Constitutional Court Commission, 'the plaintiff's motive in filing suit involved removing the legal obstacles to his candidacy for membership in the People's Assembly. This is clearly evident in article 3, paragraph 1 of Law no. 114 of 1983, while designating a seat for women in 31 electoral districts in no way affects the plaintiff's right to candidacy in the People's Assembly, since he is an independent candidate. Therefore, the plaintiff has no interest in challenging the designation of seats for women as unconstitutional'.

The report includes a paragraph in the margin explaining the court's position on allocating seats as a standby measure. It decides that equality between men and women has been lost by allocating the 31 electoral districts, so that there is a seat for women in each of them, which does away with the principle of honest competition

between men and women in politics, which in turn reflects an imbalance in the principle of equality before the law, regardless of sex. However, this is a non-binding opinion; the Constitutional Court has not acted decisively in this matter.

Recent decisions of the Higher Constitutional Court reveal the crystallization of a concept of equality in its jurisprudence and illustrate the equality that lawmakers must strive for when adopting legislation. This is not equality in form, but rather equality in conditions and status; it is legitimate to resort to types of justified discrimination that implement legislative decisions.

This meaning is affirmed in the international agreements that Egypt has ratified and which are operational, such as the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). It is therefore no longer useful to protest about the unconstitutionality of special measures such as allocating seats to women in local councils and parliament.

### **Equality and political participation by women in international agreements**

International agreements on women and development have played a major role in increasing the international community's awareness about issues of the inequality of opportunity between men and women and the need to provide work programmes to help incorporate women in different economic and political activities. The international agreements to which Egypt is a party affirm the role of women in political life, and Egypt was the first Arab state to give women their political rights. In particular, we should note the following.

1. CEDAW, which Egypt signed in 1981, demands that women be granted rights equal to those of men and goes beyond this, describing measures that should be taken to guarantee that women enjoy the rights to which they are entitled. Article 3 of CEDAW says that 'States parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men'. Since signing the agreement, Egypt has been obliged to carry it out and adopt similar positions in its own legislation.

2. As comprehensive legislation, CEDAW was also concerned with the rights of women, so that they can achieve equality with men. Article 7 states that 'States parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country' and, in particular, shall ensure to women, on equal terms with men, the right:

- (a) to vote in all elections and public referendums and to be eligible for election to all publicly elected bodies;
- (b) to participate in the formulation of government policy and the implementation thereof, and to hold public office and perform all public functions at all levels of government; and
- (c) to participate in non-governmental organizations and associations concerned with the public and political life of the country.

3. In the early 1990s, an international recommendation was issued by the United Nations Commission on Women calling for a minimum of 30 percent as women's share of decision-making posts nationally; the commission's report clarified the importance of this percentage, considering it a minimum to be achieved and not a final objective.

4. Injustice in the distribution of power and decision making at all levels topped the 12 issues on the table at the Fourth World Conference on Women held in Beijing in 1995. An extraordinary session of the UN General Assembly in June 2000 followed up the matter. Reports by participating states noted the lack of progress in this regard, which means that efforts have to continue. The most recent international statistics indicate that, with the exception of Northern Europe, the percentage of female representation in legislative assemblies is 16 percent on average, falling to 14 percent in the Organisation for Economic Co-operation and Development (OECD) countries, 12 percent in Africa, and 3.5 percent in the Arab countries. This puts Egypt in a difficult position, as its rate has not exceeded 2 percent since the quota of seats for women was abolished.

### **Non-legal challenges faced by women**

The low level of political participation by women shows the huge gap between the reality and the aspirations. We must consider the challenges women face in achieving their aspirations in the field of political activity. They are many, and they range from the social and cultural to the political; this is where the fundamental difficulty lies. The women's movement does not come up against significant legal or legislative obstacles, since equality is a fixed principle in the country's constitution and laws. However, the movement does confront fixed political frameworks and organizations and negative cultural and social visions that govern actual behaviour and practice. It is not easy to change such constructs, and this is where the true challenge lies. The following are the most important challenges we must address.

First, we must confront the situation in which women undermine themselves when it comes to their cause in general. We cannot attribute this situation to the decline in the level of women's education; rather it is due to women's own lack of awareness and to women being the victims of certain social and cultural visions that have penetrated Egyptian society during its successive crises. These visions take a reactionary stance towards women's rights and do not express the true culture of the Egyptian people, nor its social-cultural make-up.

When women's own awareness is lacking and they lack self-confidence and fail to claim their rights, these rights are lost. Educating women and raising their awareness of their rights and of the importance of exercising them are key issues. They are among the leading issues we must confront as part of a wide framework of spreading enlightened thought and working to stem the reactionary tide that some are promoting, seeking to isolate women from progress and cement their conviction that they must be second-class citizens.

The second challenge is linked to the first but is a broader and more difficult one. It involves changing the views of men and society towards women and their capacity to take part in public affairs and political activity. As noted above, the prevailing culture is based on the idea that men are superior and better suited to wielding authority and working outside the home. According to this view, women's identity is based on motherhood and their role in the home. In this framework, political activity by women is seen at best as a luxury or a departure from the normal. In most cases it is described as a violation of the rights of the home and family, especially due to the passivity of men and society's general views regarding issues of political participation.

The issue of winning the public opinion battle leads us to the third challenge. This involves breaking men's monopoly on decision-making positions, which destroys the entire meaning of the legally and constitutionally guaranteed concept of equality for women and turns it into a theoretical issue with no echo in reality. Winning over public

opinion means opening up areas of work and decision-making bodies that remain closed to women without any basis for this in the constitution or the law.

Here, we find that the situation in practice contradicts the rights women have in theory. Laws, important as they are, are not sufficient to effect the required change. Moreover, women must be organized in an effective movement that enables them to change the balance of power.

Fourth, parliamentary elections represent an urgent challenge for women where the exercise of their political rights is concerned, whether in terms of voting or in terms of candidacy. In the face of the particularly low representation of women in the legislative branch, the issue of quotas for women becomes urgent; it is practised in many countries as a temporary measure to correct the inequality between men and women in decision-making centres.

## **Conclusion**

The political participation of women, with their parliamentary representation at its heart, is one of the principal indicators of a society's level of political development. This is because it is closely connected to the issue of comprehensive development and is a basic component of citizenship and belonging. Political rights are at the core of citizenship. Egypt has had a long history and played a leading role in the Arab region in this regard, as well as internationally. Egyptian women have served as models of struggle and of intellectual and artistic achievement; it behooves Egypt to offer coming generations the example of legislative bodies that represent the aspirations of women. These bodies must surpass the rates of female representation of 1 and 2 or 3 percent and move closer to a sounder expression of Egyptian society as one that is made up of both men and women.

The desire to abolish the law that set aside seats for women in the People's Assembly may have been dictated by the conditions prevailing at the time. The quota was in line with article 3 of CEDAW. After all, the allocation of seats was supposed to be implemented in stages; it was a temporary measure, to remain in place only until negative social and cultural ideas and concepts had changed. Also, quotas for women and a return to the party list-based electoral system, instead of the single-member district system, are two necessary conditions for women's political advancement, but not sufficient conditions. The real challenge for us remains improving the capacity of women to take part in political work, so that they are elected by the voters.

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# The Political Participation of Women in Lebanon

Lamia Osseiran

## Introduction

Lebanon is distinctive for its sectarian and cultural diversity and respect for the rights of 18 officially recognized sects. According to the constitution, Lebanon is a democratic parliamentary republic based on the principle of respect for public freedoms, at the forefront of which are freedom of opinion and belief, and on social justice and equal rights and duties for all citizens, without discrimination or preference.

But, in this democracy of sectarian consensus, women's participation in decision making remains seriously deficient at most levels. This reflects the quasi-patriarchal structure which Lebanese society, like other Arab societies, still exhibits. A society half of whose members are marginalized when it comes to political decision making cannot achieve progress and development. And, since customs and traditions cannot be changed by force or by importing values, it remains necessary to adopt and actively implement the laws that can accelerate progress towards achieving the development that is needed for the health and continuity of society. Given these conditions, this case study presents a summary of the state of women's political participation in Lebanon.

Article C of the introduction to the Lebanese constitution states that men and women are equal in terms of rights and duties. Lebanon has ratified a number of international agreements on human rights in general and women's rights in particular, and Lebanese women have successfully and increasingly become active participants in most sectors. However, women remain marginalized when it comes to decision-making posts and participation in political life. In the political arena, their participation continues to be limited and to have little effect. It does not correspond to women's numerical weight in society (more than 52 percent), their level of educational attainment (women university graduates outnumber their male counterparts), their presence in the workplace and in production (they account for about 30 percent of the labour market), or their social role.

The situation of women in centres of decision making in Lebanon can be summarized as follows.

1. Female representation in parliament is low: in 2004 it stood at only three out of 128 seats, or 2.3 percent (this number increased to six out of 128 seats in the 2005 elections). This share is lower than the international average, although Lebanese women have performed with distinction as deputies. In fact, women have usually entered parliament because of specific circumstances, in particular their connection to the men in their lives—fathers, husbands or brothers. This happens after the death of the man, as the woman continues the political line of the family while waiting for a male to come of age, or if the man in power has selected the woman for a political role.
2. Until recently, women were completely excluded from participation in the government. When the government was formed in 2005, two women ministers were appointed, marking the first time a woman had served in the Cabinet. Whether supporters or opponents of this government, the Lebanese were agreed that this was a positive step and deserved appreciation.

3. At the level of municipal government and *mukhtar* (head of a village) posts, Lebanon has seen a rise in participation by women as candidates in the recent election. The results were not much different from the results in the previous local elections in 1998: the participation rate remained low, although in the election campaign and in the voting it was similar to that of men. During the 1998 elections, 1,022 municipal council members were elected, but only 139 of them were women. In 2005, there are seven women mayors, 241 women municipal council members and 27 women *mukhtars*, with the respective percentages of women remaining about the same as they were before.

4. If we look at the leadership bodies of the different political parties, we find that most of their members are men. All political parties give their blessing in principle to participation by women voters, and no party hesitates to announce its approval of women candidates. However, we must continue to question the actual participation by women in political parties when it comes to the make-up of their leadership bodies or the selection of candidates for local and parliamentary elections.

5. In the public sector and at the higher levels of the bureaucracy, female participation varies. According to reports by the United Nations Economic and Social Commission for Western Asia (ESCWA) and the National Committee for Lebanese Women's Affairs, women's share of Grade 1 and Grade 2 civil service posts is low, standing at 2 percent and 10 percent, respectively; it rises to 19 percent at the Grade 3 level. Only six women hold the post of director general in a state ministry. For a long time Neamat Kenaan was the only female director general in the country's bureaucracy. After considerable lobbying and campaigns by the Lebanese Women's Council, which included a demonstration outside the headquarters of the Cabinet, and by other organizations, the number of women appointed to government positions, both in director general positions and on the boards of directors of public institutions, increased.

6. In the judiciary, women judges make up roughly 28 percent of the membership of the judicial courts and 19 percent of the members of the Shura Council. In the judiciary as a whole, there are 434 judges, of whom 124 are women. Finally, when the last government was formed, and Adnan Addoum, the chief public prosecutor, was appointed minister of justice, a woman, Rabia Ammash Qaddoura, was named to replace him until his ministerial duties were concluded. This was the first time a woman had been named to the post.

7. In the diplomatic corps, only four out of 53 ambassadors are women (8 percent). Lebanon has adopted the Platform of Action of the Fourth World Conference on Women, held in Beijing in 1995, and the Lebanese state has cooperated with civil society organizations to set out and implement a clear plan to improve the situation of women in various fields. The country has achieved tangible progress, particularly in areas connected to education and training, health, the labour laws, social security and the penal code, but even so its performance in the realm of women in politics remains sub-standard.

### **Challenges to women's political participation**

We now move on to an analysis of the reasons why Lebanese women are prevented from reaching positions of political decision making. As noted above, these obstacles are essentially the result more of socio-economic and development factors than of legal or constitutional impediments. The following are the principal obstacles.

1. The first is the stereotype of women as more suitable to be mothers and housewives than to enter public life or play a role in political life. Their upbringing



reinforces these ideas in the mentality of men and young people, as well as some women, who accept the traditional role laid out for them and the reality of men controlling their options and capabilities; they inherit this mentality.

2. Most men think little of the capabilities and role of women. Some think women are weak and should be protected from the interaction and pressure that they might face from their male colleagues if they become involved in mass political action.

3. Illiteracy among women remains high, at 17.8 percent, compared to 6.9 percent for men, although illiteracy rates in general in Lebanon have dropped over the last decade. Involvement in public life still remains greater among men due to the historical imbalance that women have experienced during their long absence from public life and the related lack of opportunity to build up expertise.

4. Women's financial capabilities and resources are weak. Many families and sects traditionally do not allow women to inherit as much as men. This phenomenon is not limited to Lebanon; female poverty is an international trend, and it is common knowledge how much money is spent on election campaigns and advertising.

5. No political parties honestly adopt policies such as strengthening the political and social role of women in their programmes.

6. The principal obstacle is still the sectarian-family make-up of the state. This logic has established the rise of family-sectarian-regional blocs that control the institutions and divide them up between themselves. They enact election laws that are suited to specific individuals, and the leaders of these blocs have traditionally been men, even if there are better qualified women in their families and sects. Even today, when a woman stands for office, we still hear 'Don't they have men to represent them?'. Sectarian and regional political affiliation is the basis of representation, not skill and competence.

7. Women still come together during elections on a sectarian or political basis more than a gender-related basis. The Lebanese Women's Council has worked to change this phenomenon but has not succeeded in forming a genuine pressure group to negotiate like any sectarian, family or regional group whose weight must be taken into consideration. This requires the creation of an effective and flexible network of communication with the largest possible number of women, in all parts of the country, to form the basis for mobilizing women nationally.

Thus most of the obstacles are of a social nature. Developing society's awareness of the role of women and changing its stance towards this role requires a long and hard effort in the long term. However, in addition to this long-term work, we should also look at directing the role of women towards more effective participation in society's affairs. This should be done by drafting more modern laws that guarantee women access to decision-making positions.

### **Lobbying for special measures**

The Lebanese Women's Council is a non-governmental organization (NGO) that brings together around 170 civil society associations representing all regions and all shades of the Lebanese spectrum, giving it a special character and huge potential to play its role as the leader of the Lebanese women's movement. Basing its policies on the idea of using legislation to achieve more effective participation, the council began a campaign in the mid-1990s to guarantee a fair and transitional share of representation for women in the bureaucracy, the elected bodies and the executive branch. This was on the grounds that women form a marginalized segment whose rights the state and

society should protect, as they protect those of other minority groups (religious, sectarian and regional).

This type of positive action is a temporary measure; it corrects and compensates for the historical imbalance and injustice that women have experienced. It can only be in the public interest: the issue of women's representation is no longer just posed from the standpoint of securing social justice; it is also linked to sustainable development in communities and the advancement of democratic practice. Both are linked to benefiting from the capacities and capabilities of the greatest possible number of women and men in society.

The proposal represents an interpretation of the idea of the quota put forward in the Beijing Platform of Action, for the Lebanese context. Lebanon is a democracy of sects: the political system is built on sectarian balance and on protecting the rights of sectarian minorities. Thus, the council's proposal was justified on the basis of guaranteeing women's share of representation (considering them as one of the sects). The council's literature contains these justifications in detail; this paper will not list all its literature here.

To implement this programme, the council has undertaken various activities.

1. It has organized workshops, political awareness courses and training sessions for women and young people in most parts of the country, encouraging them to get involved in parliamentary, local and *mukhtar* elections.
2. It has helped to supervise the Lebanese educational curricula in order to improve the image of women, in cooperation with the Research and Development Center and the Family Planning Association.
3. It has actively taken part in local, Arab and international conferences, including the Fourth World Conference on Women in 1995, in its preparatory stages, as well as participating in preparing and following up the Beijing Platform of Action.
4. It has held two Arab conferences (in 1998 and 2000) on the quota system. They were attended by European and Arab women parliamentarians, who explained their countries' experiences with implementing the women's quota.
5. It undertook a field study on Lebanese Women and Political Commitment, Reality and Aspirations in 2002, in cooperation with the European Union (a large project that is beyond the scope of this case study).
6. During a conference entitled Female Participation in Political Action, convened in February 2004 to mark its golden jubilee, the council dedicated a session to gathering together the leaders of the political parties. Most participants expressed their support for the council's efforts to introduce quotas into the election law and in the executive bodies of their parties. Here we have tried to recreate the Moroccan experience with an implicit agreement with the political parties about women's representation.

We should note that member of parliament (MP) Serge Tor-Sarkissian submitted a bill for a women's quota of 15 percent in municipal councils. The bill was discussed and soundly rejected by the parliament's Administration and Justice Committee. As the Lebanese Women's Council, we tried to support the bill in various ways, through reopening discussion with the Administration and Justice Committee as well as individual MPs. However, these efforts have been in vain, as the idea has been completely rejected. In short, a huge debate continues about the women's quota, with

opinions divided between those who support the proposal, those who reject it, and those who adopt a wait-and-see stance.

The Lebanese Women's Council worked intensively and seriously to mobilize forces on all political, popular and media levels in order to guarantee that the election law regulating the 2005 parliamentary elections included the right to a 20 percent quota of representation for women. The council and a team of top leaders, experts and politicians who are interested in the topic prepared an integrated bill on the justifications for a quota and the mechanisms to implement it in the election law. Unfortunately it was not enacted.

The Lebanese Women's Council is fully aware that the goal of seeing women reach political decision-making positions is an ambitious one. In more than 100 states around the world, legislative institutions continue to lack female representation. In Lebanon we have a considerable amount of work to do in order to arrive at the desired goal, but we are continuing the struggle.

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# **Syrian Women in Decision-Making Positions and Political Participation**

Mouna Ghanem

## **Introduction**

The position and status of women in any society are among the main indicators of a society's level of progress. Advanced societies give women the opportunity to play their full role in building society. No society can claim to be advanced or moving towards progress when half of it is marginalized or non-productive, whatever the reasons or the factors involved. The participation of women in various political, social, economic, cultural and intellectual aspects of the life of a country is vital for the growth of a balanced society that will be able to keep up with the requirements of modern life and human progress in the 21st century.

The United Nations (UN) Charter, adopted in San Francisco in 1945, is considered the first international covenant that discusses, in clear and precise language, equality between men and women as a fundamental goal. In its preamble, the document affirms a belief in the fundamental rights, dignity and capacity of the individual, equal human rights for both men and women, and basic freedoms for all without discrimination based on gender. In 1946, a Commission on the Status of Women was established as a technical committee affiliated with the world body's Economic and Social Council. The commission began its work, setting up activities to observe the situation of women and monitor the expansion of their rights.

There followed international covenants that stipulated both human rights and the human rights enjoyed by women; the general principle of non-discrimination on the basis of sex entered all human rights agreements. International human rights legislation stressed equal rights for men and women and the need to guarantee that women enjoy the legal protection stipulated in the UN Charter. Collectively, the international human rights legislation consists of three documents: the 1948 Universal Declaration of Human Rights, the 1966 International Covenant on Civil and Political Rights, and the 1996 International Covenant on Economic, Social and Cultural Rights; and the optional protocols associated with them.

Building on these achievements, a number of international conferences on women's issues were convened. The most important of these was the Fourth World Conference on Women, held in Beijing, China, in 1995, whose Platform of Action was an international strategy to promote women, approved by most of the world's countries. Countries committed themselves to registering achievements in areas of concern defined as follows.

- Women should enjoy equality with men in decision-making bodies, which is necessary to strengthen democracy and encourage sound democratic implementation.
- All countries must take appropriate steps to achieve equal representation between men and women in government, public administration, and legislative and judicial posts, and if necessary implement special measures, such as quotas or voluntary agreements with political parties.

These conferences and international instruments created a culture of discussing women's issues and drawing up work plans and strategies to promote women's issues and compel states to improve conditions relevant to women; and this effort has borne

some fruit, as the rates of female participation in political life have risen internationally.

Recent decades have seen tangible progress in women's political participation in decision-making positions at the government, international and non-governmental organization (NGO) levels. The proportion of women holding seats in national parliaments has increased in the past ten years, reaching 16 percent in 2005. The number of women presiding over parliaments has also increased, with more than 25 women holding this position.

In this context, the topic of women's participation in decision making commands special importance in the new world order and is giving rise to increasing calls for modernization and development, particularly in developing countries. A decision-making position is not an end in itself but a means to encourage the development of a cadre of women who are capable of assuming posts in government: they form one-half of society, and the opportunity of participation in government is a fundamental human right that women must be able to enjoy.

The low level of participation by women in parliaments and decision-making positions in certain countries does not necessarily indicate discrimination against women or reflect their social position. Among the reasons for this low rate of representation is the failure of large numbers of women to enter political life, which in most cases is the entry point to representation in leadership bodies at the state level.

### **Syrian women: Past and present**

Syrian women's concern with public affairs and the society's political, economic and social affairs goes back to the beginning of the 20th century when Syrian women took part in the struggle for independence and national liberation movements. They fought in battle alongside men and played an important role in all revolts. Leading women in this regard include Adila Bayham al-Jazairi, Fatima Mahmasani, and Randa (known popularly as the 'Veiled Rider'). Nazek al-Abed participated in the battle of Maysaloun and was the first woman to be given military rank (captain). Many women participated in liberating their country from the Ottoman and French occupations.

The political role of Syrian women was not limited to participating in battles of liberation and resistance; they founded women's associations and cultural clubs, beginning in 1918, when women activists in public affairs established the Damascene Women's Awareness Association (Jam'iyat Yaqzat al-Mar'a al-Shamiyya). In 1920, a group of women founded the Women's Literary Club (al-Nadi al-Nisa'i al-Adabi), which aimed to promote Arab women and raise their social and educational awareness. Women's interest in public affairs grew and intellectual forums and civil associations multiplied. This was a first step towards a renaissance for women in Syria, where their involvement in public affairs—in social, economic and political terms—became distinctive.

Here, we should note that the cultural clubs served as forums for writers and thinkers to discuss national issues and the prevailing social, political and economic conditions. Under the supervision of their female hosts and with the presence of men, these groups laid the foundations for issues related to women to be raised—this at a time when women were generally restricted to doing housework and caring for children. Between 1922 and 1965, more than 50 women's associations were formed, starting out as initiatives to eradicate female illiteracy and boost women's education and cultural awareness. Among these groups were the Associations of Teaching Institute Graduates, the Doha Literary Association, and the Women's Cultural Forum

Association; their goals included raising the level of women's cultural and social awareness.

Women's associations concerned with economic and humanitarian issues were also formed, such as the Women's Renaissance Association; promoting national industry was one of its goals. The Drop of Milk Association was concerned with children, while the Women's Red Crescent Association did humanitarian work in times of both peace and war, including building hospitals and clinics, training people in first-aid techniques, and providing relief after natural disasters. Other women's associations were founded and sought to acquaint women with their political rights and to promote their social and economic conditions and raise awareness about the importance of their participation in public life. Groups active in these fields included the Arab National Women's Association, the Arab Women's Union Association, the League of Syrian Women for Mothers and Children and the Arab Women's Association.

In 1967, the women's associations were merged into the Syrian Women's Federation, which since then has taken responsibility, under its by-laws, for advancing the cause of Syrian women and improving their socio-economic conditions, deepening their awareness, providing services to women, and representing them in national, regional and international gatherings.

Continuing national efforts in support of women's issues, which began in Syria in 1970, the president of the Republic, Bashar al-Assad, issued Decree no. 42 in 2000; it created a Syrian Commission for Family Affairs, which aims to accelerate the process of improving the condition of Syrian families and in particular enabling women to participate better in human development efforts.

### **Syrian women in decision-making positions**

Article 45 of the permanent constitution of the Syrian Arab Republic (1973) guarantees the right of women to work and enjoy equal opportunity with men, without discrimination; it states that 'the state guarantees for women all opportunities to participate effectively and fully in political, social, cultural and economic life and works to remove all obstacles that prevent progress and participation by women in building society'. It addresses both genders equally and holds that Syrian women enjoy full citizenship in terms of both rights and duties. The Syrian government is also working to remove all obstacles to progress and participation by women in the process of national development, particularly in decision making.

In most Arab countries, the strengthening of women's participation in political life has come about as a result of interest on the part of the political leadership. Since 1970, the Syrian government has relied on women as a mass base of support; women have received considerable encouragement from the state president to enter the People's Assembly, the judiciary, the diplomatic corps and decision-making positions in various other state institutions. Thus, Syrian women enjoy full equality when it comes to all the laws related to employment in executive, legislative and judicial positions, without any discrimination based on gender.

Since the Corrective Movement of 1970, the role of women in decision-making positions has grown; the leadership's political will has moved towards increasing the participation of women in the legislative, executive and judicial branches of government.

### *Women in the People's Assembly*

Women entered the People's Assembly in its first session of 1973; they made up 2.3 percent of the legislature at the time, and this figure reached 12 percent in the eighth legislative session (2003–2007).

### *Women in the local administrations*

In 2005, women made up 8.7 percent of the local administrations: 4.5 percent of the members of governorate councils (Majalis al-Muhafazat); 2.3 percent of the members of municipal councils; and 1.3 percent of the members of village councils. Women's representation has grown in all popular organizations, federations and vocational unions, accounting for 24.5 percent of the membership of the National Union of Students, 1.2 percent of the Peasants' Federation, 18.6 percent of the Vanguard (Youth) Organization, 36.9 percent of the Youth Federation, 11.1 percent of the Sports Federation, 9 percent of the Agricultural Engineers' Union, and 16 percent of teachers. In addition, the General Women's Federation elects leaders in these organizations at its conferences in a free and democratic manner.

### *Women in the diplomatic corps*

Syrian women first entered the diplomatic corps in 1953; diplomatic work developed and women have played an active role in it. There were 27 women in the diplomatic corps in 1994 (9.5 percent). In 1988, the first woman ambassador was appointed (to Belgium). Women's representation stood at 9.8 percent and then rose to more than 11 percent in 2005.

### *Women in the judiciary*

Syria's Judicial Authority Law of 1961 did not discriminate between women and men; women can hold judicial positions and are subject to the same terms and conditions of appointment, promotion and end-of-service compensation as men, as well as having the same rights and duties. Women entered the judiciary in 1975 and are employed in the civil, penal and commercial sectors, at all levels, from justices of the peace to courts of first instance, courts of appeal and courts of cassation. There have been a woman deputy state prosecutor and a woman member of the Higher Judicial Council since 1998. Women make up 13.4 percent of judges; there are 170 women judges. There are 33 women state attorneys (14.47 percent of the total) and 250 women assistant judicial officials.

Women enjoy the same rights and competence as men in elected positions; civil and popular organizations are active nationwide in encouraging society to acknowledge the importance of the role of women and strengthening their capacities to stand for and win office, even though women are represented in a significant portion of these positions.

Despite Syrian women's relative progress in entering public life compared to the situation in other Arab countries, the Syrian government continues to support women when it comes to representation in decision-making positions by seeking to improve their conditions. The government incorporated the issue of women clearly for the first time in the country's Ninth Five-Year Plan by setting specific goals to strengthen the participation of women in economic development and in the executive, legislative and judicial branches of government, and different decision-making positions in public life.

Syria's Commission for Women's Affairs set out a national strategy to promote Syrian women up to 2005; women and decision making is one of the components of this

strategy. The plan affirms the need to work to strengthen the participation of women in the three branches of government and all decision-making positions, with 30 percent representation set as the target.

Moreover, a number of Syrian civil society associations, along with groups, activists and forums active in women's affairs, are working to empower Syrian women socially, economically, politically and culturally. These groups include the General Women's Federation, the Syrian Fund for Rural Development, the Syrian Women's League, women's committees in the country's chambers of commerce, the Syrian Family Planning Association, the Family Protection Association, the Women's Cultural Forum, and the Women's Literary Club. Their initiatives include:

- legal, health, cultural and social awareness campaigns; seminars, training sessions, lectures, articles, publications and media campaigns;
- studies and research on the condition of women to monitor problems and search for solutions;
- services for family planning and health care; and
- economic empowerment, through granting small loans, providing training on small-scale income-generating projects that are run by women, and providing technical consultancy in setting up and administering projects and marketing.

### **Conclusion: Overcoming obstacles to women's full participation in decision making**

Despite recent progress, there are some persistent challenges that women face in accessing positions of power. A number of women do not take part because of social conditions and the burdens associated with raising families. Additionally, some prevailing customs and traditions, such as the traditional male mentality, hinder participation by women. For this reason, state institutions and organizations and civil society associations are making efforts to convince women of the need for them to participate actively to a greater degree.

Many measures have been taken and continue to be taken in drafting and executing development plans on all levels, such as incorporating the General Women's Federation in all national committees. Women participate in all committees and councils of workers' unions, where their rate of representation ranges from 12 to 34 percent. In addition, gender equality officers have been appointed to all government ministries and the number and proportion of women in decision making have increased.



## **5. The Role of the International Community and International Instruments**

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## **Women's Political Participation in the Arab Inter-Parliamentary Union**

Nour Eddine Bouchkouj

In this presentation I will outline the position of the Arab Inter-Parliamentary Union concerning women's political representation.

In general, our topic—special measures to enhance the political participation of women—is part of the broader issue of improving the status of women and strengthening their role in different domains of life. This is a wide-ranging, urgent and pressing issue that has begun to make itself evident more and more often on both the national and the international levels. This issue, women's rights and their participation in political life and decision making, is currently occupying a considerable share of attention in political and social spheres, and in the media.

I do not believe there is any disagreement about the importance of the role of women in the life of Arab societies, or about the fact that women, who make up at least half of society, have offered the finest examples of sacrifice throughout the long course of Arab history; they have offered an example to be followed in various fields. In all Arab countries, women as symbols have had a huge impact on people's sentiments, serving as examples through their heroism, in politics and in different branches of learning. Arab women are no longer considered merely builders of families; they have become true partners in building the society of the nation (umma) and effective partners in society's political, economic, social and cultural activities.

The position of women in various national, regional and international societies and systems is strengthening; their presence in various forums and areas of decision making is expanding and being strengthened. The more the concern with women's situation grows, the more the imbalance in society will shrink, and the more potential there will be to achieve the social balance to which we all aspire.

During the second decade of the 20th century, the condition of Arab women began to change thanks to several fundamental factors, such as the spread of the views of reformist thinkers who played an important role in doing away with many incorrect ideas about women. Women's organizations were active in advocating the liberation of women from the constraints of the past; there was also true participation by women in the economy and some government jobs, and women participated in the nationalist struggles against the colonialists.

Today, equality between men and women has become a slogan that is enshrined in the overwhelming majority of constitutions in Arab countries. However, despite the progress that has been made by different Arab countries in women's rights, we must note that the presence of women in Arab ministries, parliaments, shura (consultative) councils and centres of decision making remains in general very limited and lacking in impact. More than half of Arab governments, parliaments and councils have no female representation, while the role of Arab women in the political sphere is still not at the desired or required level. This is not compatible with the economic role of women, whether in terms of the country or of the family. We should show solidarity with women in some Arab countries, where they are struggling to achieve their legitimate right to vote, express their opinion and stand for office to represent their people.

Today, we live in the shadow of globalization, trade liberalization and the spread of information technology (IT)—processes that are making the world a global village. We are also seeing issues connected to development, the spread of democracy, human

rights and gender equality take on international dimensions. All these issues present us with two parallel tasks. The first is to direct further attention to issues regarding the incorporation of women into the life of our societies and closing the gap between women's political and administrative role and their potential role. The second is to pay attention to certain proposals that accompany the call for greater concern for women's issues—proposals that could pose a danger to our cultural identity and national heritage.

This new situation leads us to make several observations. The three most important are the following.

1. The degree of incorporation of women and the extent of their participation in political life are still to a great degree linked to and influenced by a country's historical legacy and the level of political and cultural evolution of the society concerned. Thus, there is no single solution or path to be taken, or even a single correct method of achieving women's participation in our society. The experience of the different paths countries have taken towards this goal has enriched our understanding.
2. Interaction and exchange among different cultures and dialogue between civilizations in order to create a consistent international view on this subject—the incorporation of women in political life—does not mean cutting a society off from the national culture and the firmly-rooted values of each nation (umma).
3. Support for women's right to participate in political life does not mean advocating something for women as opposed to men. It means defending democracy itself and the need for all segments of the people to enjoy this right as widely as possible.

The Arab Parliamentary Union (AIPU), which I am honoured to represent and in whose name I am honoured to speak, has paid considerable attention to the issue of improving the role of women in Arab societies. It has been active in following up developments in this area in all fields. We should note that the first AIPU committee on Arab women's parliamentary rights has been formed. This represents for us a great stride on the path of promoting women's issues and transcending the views that have ruled our societies for decades. It represents an opening of the door for women's participation in theory and in practice, based on the special characteristics of Arab societies and on our belief as parliamentarians in diversity and difference, and in eliminating exclusion and marginalization. We believe that men alone do not build society, and that women alone do not build the family. Men and women are two faces of the same joint effort; women certainly are being asked today, more than at any time in the past, to redouble their efforts and improve their presence in various fields through their work, their own endeavours and increased awareness, without which Arab women will never be able to achieve what they aspire to. Achieving the goals requires continuous struggle and follow-up.

Reaching our goals of improving the status of women and strengthening their role in our societies and our countries' decision-making circles certainly requires considerable, constant effort. The most prominent features of that effort are the following:

- creating mass public awareness of the importance of women's participation in different aspects of life in our countries and our societies;
- improving the cultural, educational and professional situation of women in order to boost their interest in issues affecting their countries and peoples; and
- creating a general conviction that it is not enough merely to affirm the rights and equality of women; we must also realize these affirmations in legislation that is then implemented.

We believe that one of the most important legal and constitutional methods for arriving at better representation of women in Arab councils and legislatures involves resorting to special, exceptional and temporary measures, such as the quota system, which this meeting has been convened to discuss in all its aspects. The AIPU's position on this matter is clear: 'yes' to quotas in general, provided they are temporary and represent a phase that is necessary if we are to seek equality. Here we should note that drawing women into public life and successfully consolidating their roles in different aspects of life will depend to a great extent on the degree of conviction about equality between the sexes. Also important is the degree to which the concept of partnership between men and women in building society is firmly entrenched among our leaders, governments, parliamentarians and citizens. Partnership should be based on mutual trust, equality, equal opportunity and the spread of democracy as widely as possible.

I am confident that this workshop and similar seminars and conferences will give all these issues the attention they deserve and arrive at sound forms and frameworks such as will guarantee that the desired goals are achieved.

# **Strengthening Women's Participation in the Inter-Parliamentary Union\***

Kareen Jabre

## **Introduction**

The Inter-Parliamentary Union (IPU) works to enhance and promote democracy by strengthening the institution of parliament. Created in 1889, it brings together more than 140 national parliaments from across the globe.

The IPU believes that the balanced participation of men and women in the management of public affairs is central to any democracy. Article 4 of its 1997 Universal Declaration of Democracy states that:

The achievement of democracy presupposes a genuine partnership between men and women in the conduct of the affairs of society in which they work in equality and complementarity, drawing mutual enrichment from their differences.

This principle guides the organization's work; over the past 30 years, the IPU has developed numerous activities aimed at promoting women's participation in, and bolstering the contribution that they can make to, parliament. It conducts surveys and produces research on women in parliament; it monitors the percentage of women in national parliaments and publishes a monthly status report; it facilitates contact between women parliamentarians and encourages them to share their experiences; and it organizes technical assistance projects in specific countries. Finally, it promotes the participation of women parliamentarians within its own structures, the ultimate goal being equality in participation, as enshrined in its statutes.

Indeed, the IPU is one of the few international organizations—if not the only one—to have adopted specific measures and mechanisms to promote gender equality within its ranks. In December 2004, women made up a mere 15 percent of parliamentarians worldwide. In contrast, at the last IPU Assembly, held in Geneva, Switzerland, in October 2004, 28.7 percent of participants were women, close to the 30 percent target set by the United Nations (UN).

The participation of women within the IPU has never been as strong as it is today. This is due to the existence of a strong movement complemented with specific actions, which can be regarded as affirmative action measures or quotas.

## **The IPU's position on quotas**

The IPU does not see quotas as the prime means of enhancing women's participation in politics. It prefers gradual change to mandatory measures. However, the organization recognizes that, when faced with deadlock and slow change, quotas, insofar as they are temporary special measures, are sometimes the only way forward.

The organization's position on affirmative action and quotas is set out in its Plan of Action to Correct Imbalances in the Participation of Men and Women in Political Life, adopted by the Inter-Parliamentary Council in 1994. The Plan of Action states that:

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\* This paper is based largely on the case study previously published in the International IDEA report *The Implementation of Quotas: European Experiences*, 2005.

On a strictly interim basis, these measures may include affirmative action measures. Wherever the measure chosen is a quota system, it is proposed that the quota should not target women but that, in a spirit of equity, it may be established that neither sex may occupy a proportion of seats inferior to a given percentage.

In 1994, this represented quite an important stand for an international organization to take. The balanced approach to women's participation is noteworthy, and is consistent with the IPU's promotion of gender partnership. It is also in keeping with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which also introduces, in Article 4, the notion of 'temporary special measures aimed at accelerating de facto equality between men and women'.

Since 1994, the IPU's position on quotas has not changed. Its resolutions regularly mention affirmative action measures, and even set targets to achieve gender equality in politics. In a resolution adopted as recently as October 2004, on parliaments' role in implementing the Beijing objectives, the IPU '[s]trongly urges parliamentarians to promote a stronger presence of women in political parties and at all levels of decision-making through the adoption, for example, of quota systems or other forms of affirmative action'.

Clearly, the IPU considers quotas and affirmative action measures to be useful mechanisms to make progress in areas characterized by gridlock and to encourage women's participation in parliament.

However, utilizing such mechanisms within the IPU has required time, effort and persuasive argument. Indeed, when the idea was raised in the IPU, in the early 1990s, it led to much debate and opposition. This was also the case in 1999 when the subject resurfaced. Affirmative action at any rate can be a controversial issue, all the more so in the context of an international organization.

At that time, though, one thing had become clear to the IPU: women's participation within the organization was not increasing at a satisfactory pace.

In 1947, women made up only 1.2 percent of delegates at the conference in Cairo, Egypt. Some improvement had been made by 1975, with women comprising 7.8 percent of delegates at the 62nd conference in London. Progress remained slow up to 1990, when the figure stood at 12 percent.

Women's participation was also extremely weak and unsatisfactory in the IPU's other decision-making bodies, the Executive Committee and the Governing Council. The first woman to be elected to the Executive Committee was Marina Molina Rubio of Guatemala, in October 1987, almost a century after the organization was established. It was not until 1999 that a woman, Najma Heptulla, speaker ad interim of the Indian upper house, was elected president of the IPU.

Furthermore, no significant progress was made in the number of women participating at the national level. Although the organization had only a limited direct impact on women's participation in national parliaments, it was clear that reform within the IPU could also serve as an incentive to promote women's participation nationally and internationally. Ensuring greater participation of women parliamentarians within the IPU:

- set an example at the international level;
- encouraged change at the national level; and
- led to improvements in the functioning and work of the IPU.

## **What affirmative action measures are in place within the IPU today?**

Following a three-year consultative process, the IPU adopted, in 2001, a number of affirmative action measures and quotas intended to strengthen women's participation within the organization:

- a straightforward quota system was introduced for elections to the Executive Committee: 20 percent of its elected members must now be women;
- a gender-neutral target was adopted for the Governing Council which, if strictly applied, ensures that representatives of each sex account for at least 30 percent of its members. Each delegation is entitled to three members (and, therefore, three votes), provided that men and women are included in the delegation. Where this is not the case, the member parliament's voting rights and number of delegates on the Council are reduced by one (i.e. one-third of the total); and
- delegations that attend IPU assemblies without representatives of both sexes on three consecutive occasions lose some of their voting rights and see their officially registered numbers reduced.

It must also be pointed out that the IPU statutes also limit participation in the Executive Committee to members of parliament (MPs) from states that have granted women the right to vote and to stand for election.

These measures seek to enhance women's participation in the IPU quantitatively and qualitatively.

### *A politically supportive context and a participatory process*

What factors are behind the increase in women's participation in the IPU? Simply put, strong political will has been in evidence within the IPU, and there has been greater awareness of the need for, and the benefits of, gender equality within the parliaments of member states.

Several of the measures adopted in 2001 by IPU bodies had already been proposed in one form or another a decade earlier, mainly by women parliamentarians. At that time, these proposals were seen as too forceful and thus were rejected. Ten years later, the context was very different, and definitely more favourable to the adoption of such measures.

By 2001, there was a general framework that was conducive to change within the IPU. The existence of a strong women's movement and the necessary political will were crucial. The process was also an inclusive and transparent one.

### *A strong women's movement*

The increased presence and influence of women within the IPU cannot be dissociated from the recent adoption of quota measures. The women's movement in the IPU has grown over the years and today is an important element in the IPU's decision-making process. It all began with the establishment of the regular Meeting of Women Parliamentarians, which was the product of some ten years of struggle. The first Meeting of Women Parliamentarians was held in 1985. This served as a concrete incentive to send more women to IPU meetings and, as a result, the percentage of women MPs in IPU meetings rose slightly in the late 1980s before slowing down again. The Meeting of Women Parliamentarians brings together women parliamentarians from around the world to discuss specific gender issues and to make an impact on the

work of the IPU. Its action and support were vital to the adoption of quota measures by the IPU.

#### *Political support at the highest level*

At its highest decision-making level, the IPU could not be more politically supportive of greater participation by women within the organization. Participation by women has been high on the agenda of all recent IPU presidents. Their approach has always been one of partnership and gender equality. IPU President Sergio Pérez Verdugo (Chile), under whose leadership the affirmative action measures were adopted, stated that: 'Modern societies will only be more humane and more equitable when all of their subjects are actively involved in the decision-making process'.

It must also be noted that the question of women's participation within the IPU has become increasingly prominent over the years. Reports on the number of women participants, the number of 'single-sex delegations' and the qualitative participation of women have been regularly presented and discussed in the plenary session of the Governing Council raising awareness among delegates.

#### *Gender equality: the responsibility of both men and women*

Many of the measures encouraging women's participation in the IPU were introduced as part of a broader reform package. Gender equality was one of several items proposed with a view to improving the functioning of the IPU. Hence it was discussed by all concerned, and was seen as the responsibility of all.

The Gender Partnership Group, itself comprising two men and two women members of the IPU Executive Committee, spearheaded the affirmative action measures linked to participation in the IPU Assembly. Set up in 1997, this body was charged with ensuring that the policies and functioning of the IPU took into account the needs of both men and women on an equal basis. It started by examining the participation of women in delegations to IPU meetings. At that time, the novelty of the Meeting of Women Parliamentarians was beginning to wear off and the rate of women's participation at IPU events was starting to level off. Including men in the process to elaborate and adopt affirmative action measures proved critical. It made it possible to avoid marginalizing the issue and to incorporate the perspective of men.

#### *An inclusive and consultative process*

The affirmative action measures were adopted following an inclusive and consultative three-year process, ending in 2001. Initially, the Gender Partnership Group's recommendations were not far-reaching, merely encouraging delegations to include women. Gradually, it began to discuss affirmative action measures and the possibility of imposing sanctions for non-compliance. These ideas were shared with the IPU membership at three assemblies. Members' comments were widely circulated and the Gender Partnership Group discussed them. Some suggestions were accepted while others were rejected. When a proposal was rejected, an explanation was given to all members.

The consultative process revealed a wide range of opinions on how best to ensure women's participation and gender balance at IPU events. Many IPU members were opposed to insisting that delegations to the conference/assembly should have a specific gender composition, and called for a voluntary system instead. Others felt that only a more rigid and mandatory system (involving sanctions) would be effective. The IPU therefore devised a hybrid system, which would not impose a mandatory quota on



each delegation, but would introduce sanctions if a delegation consistently ignored the need to ensure gender balance.

Consequently, a consultative and transparent process turned out to be key to the adoption of the quota measures. These could hardly be contested, as they were the product of the work of the entire IPU membership. The process also had to be consultative and transparent in order to take into account the various points of view of the IPU membership, and to reflect differences in cultures and traditions.

### **What has this changed at the IPU?**

The affirmative action measures were adopted in 2002 and restrictions on voting rights and representation were applied as early as October 2003. While it is too early to draw any conclusions on the effect of these measures, the following observations can be made:

- The participation of women in IPU assemblies and on the Governing Council and the Executive Committee has increased significantly over the past five years, or since the process was launched. The participation of women in the IPU Assembly almost reached 30 percent in 2004. However, what is most notable is the decrease in the number of 'single-sex delegations'. True, some parliaments send delegations with only one female member in order to avoid sanctions and the ultimate objective of equal representation within delegations has yet to be met.
- Putting the question of women's participation in the IPU on the organization's agenda (especially within the framework of its reform process) has raised IPU members' awareness of gender equality in politics. Today, gender equality is more prominent in IPU debates, although there is still room for improvement.
- These measures have had an indirect effect on the composition of elected bodies and positions within the IPU. Greater effort is now made to ensure that appointed posts are gender-balanced (for instance, the members of drafting committees and the rapporteurs of standing committees).

Interestingly, the main reservations expressed vis-à-vis the mechanisms in place at the IPU focus on the application of sanctions as opposed to facilitating change. While the first option (sanctioning) was eventually adopted, the second approach was nevertheless considered necessary to encourage more long-term change at the IPU and in national parliaments.

To maximize the impact at the national level, the IPU has been active in different areas. The Gender Partnership Group has initiated a series of hearings with delegations from national parliaments that have no women members. The aim is to establish a dialogue, assess difficulties, encourage progress, evaluate needs and identify if and how the IPU can aid women's participation. Preliminary hearings have been held with parliaments from the Gulf states and those Pacific Island states where no women are present in parliament.

### **From the international to the national scene**

As mentioned earlier, quotas are not the only solution available. A number of other measures to facilitate women's participation should complement them, both within the IPU and in national parliaments. After all, that is the ultimate goal.

The IPU has thus attempted to encourage debate on the means of promoting women's participation in parliament. IPU meetings, particularly the Meeting of Women Parliamentarians, serve as useful forums for the exchange of ideas and for debate on the effectiveness of steps taken at the national level. These meetings are also useful

for disseminating data and ensuring that men and women are aware of the tools that exist in this field. The quota database of the International Institute for Democracy and Electoral Assistance (IDEA) is an excellent example of a tool that is of value to MPs, politicians and parliamentary staff considering what measures to develop in their own countries.

It is also important to provide MPs with a broader approach to quotas and to focus on how to justify such measures and implement them. A better understanding of the rights included in CEDAW can be helpful. The IPU has produced, with the UN, a handbook for parliamentarians—*The Convention for the Elimination of All Forms of Discrimination against Women and its Optional Protocol: A Handbook for Parliamentarians*—on that particular subject and organizes seminars for MPs grappling with the issue.

Quotas must not be an objective per se, but a mechanism to ensure the participation of a greater number of women in politics or within the IPU. They provide for a quantitative leap, to attain the goal of effective gender equality in politics, and need to be accompanied by a series of other measures, which range from awareness-raising to the training of women and the development of gender-sensitive environments both within national parliaments and the IPU.

The IPU has therefore developed more comprehensive programmes for women in parliament at the national level. These may include the development of quotas, but this is just one initiative. National technical assistance projects to support women in politics have also been established. Box 1 contains an example of technical assistance project in Djibouti.

**Box 1**  
**Technical assistance projects aimed at promoting the participation of women in parliament: The case of Djibouti**

Until early 2003, Djibouti was a country where no women had been elected to parliament, despite the fact that they had enjoyed the right to vote and to stand for election for more than ten years. Prior to the 2003 election, President Ismaël Omar Guelleh made women's inclusion in government and parliament a priority. He created a Ministry of Women's Affairs.

In 2000, the IPU was asked to undertake a needs assessment mission in view of the upcoming elections. The mission's recommendations included the establishment of a comprehensive strategy aimed at ensuring women's election to parliament. This strategy entailed the drafting of the quota law currently in place in Djibouti.

Other activities that were proposed and carried out by the Ministry of Women's Affairs, with the support of the IPU and other partners, included a series of awareness-raising campaigns on the law, and sensitization of the population with respect to women and politics. The activities all took place prior to the elections.

Once women were elected to parliament (currently, 10 percent of the members of the Djibouti parliament are women) it was important to maintain support. A seminar was organized for the newly elected women MPs to address their concerns regarding their role and mandate, and a seminar on gender issues was organized for men and women MPs.

## Conclusion

Several lessons can be gleaned from these experiences and others, especially concerning measures to accompany the quota process and the role of international organizations.

- Quotas must respond to a national need and demand. To develop quotas, political will is necessary.
- Support activities by international organizations need to be nationally-driven, that is, they must respond to an internally identified need and they must be managed from within. Ownership of the project contributes to its overall success. International organizations can only provide assistance and options; the choice remains that of the nation.
- The development of quotas must not be seen as an objective per se. It is crucial that this is only one element of a more comprehensive plan of action aimed at promoting women in politics.
- To be efficient quotas need to be understood by the people and accepted as non-discriminatory. In addition, it is important to provide support to newly elected women officials, especially if a quota system is in place. Even after quotas are adopted and women are elected to parliament, it is important to keep the question of women in politics high on the public and political agenda.
- Support for women should not be perceived as separate from support for institution-building. Enhancing the capacities of newly elected women parliamentarians should complement the development of parliament's capacity to address gender issues.
- Activities should ensure the participation of men and avoid their exclusion, as this may ultimately prove counterproductive.

Quotas have acquired considerable political momentum over the past ten years. They are undoubtedly an option to consider in promoting women in politics, although not necessarily in isolation. Their efficiency still needs to be analysed further, especially in terms of identifying the side effects that may sometimes hamper the work of women in parliament if they are not properly addressed. The definitive aim, though, remains equal participation of men and women in politics. International organizations are not outside the confines of the gender equality debate. Indeed, they also have a role to play in ensuring equal participation within their own structures as a means of promoting equal participation in decision-making processes, whether nationally, regionally or internationally.

# **The Solemn Declaration on Gender Equality in Africa**

Bineta Diop

## **Gender equality in the African Union**

The African Union (AU) has embarked on a new chapter with respect to advancing the gender equality agenda in Africa after its heads of state and government expressed their commitment to gender parity. In July 2004, the AU heads of state, under the leadership of Alpha Oumar Konare, president of the AU Commission, adopted the Solemn Declaration on Gender Equality in Africa (SDGEA) at its summit in Addis Ababa, Ethiopia. For the first time in history, a continental organization took ownership of gender mainstreaming at the highest level, prioritizing issues like HIV/AIDS and the recruitment of child soldiers, as well as the implementation of gender-specific economic, social and legal measures. The SDGEA calls for the continued implementation of gender parity in the AU and at national levels, and for ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and the protection of women from violence and discrimination. Furthermore, the African heads of state and government dedicated a large portion of the Addis Ababa summit to dialogue on gender equality and incorporated the African Women's Committee on Peace and Development (AWCPD) into its mechanisms. This represented another milestone for women's effective participation, building on the campaign for gender mainstreaming and the principles regarding women, peace and security enshrined in United Nations (UN) Security Council Resolution 1325.

How were these historic achievements realized? What forces came together to move this agenda forward and to keep heads of state and government mindful of the central importance of gender mainstreaming? This case study draws on my experience of leading Femmes Africa Solidarité (FAS), a non-governmental organization (NGO) dedicated to ensuring that women's concerns, contributions, energies and talents are at the forefront of peace and development work on the African continent. As many are aware, the involvement of civil society is critical to the type of forward-thinking progress envisioned by governmental declarations like the SDGEA. The road that led to the adoption of the SDGEA therefore provides insight into how civil society organizations (CSOs) can effectively lobby for gender mainstreaming and advocate for the equal representation of women in decision-making bodies—for example, through such measures as quotas. Such a process can serve as a template in other regions of the world.

## **Pushing for parity and gender mainstreaming**

Mainstreaming gender in the AU has been, and remains, a lengthy and complex process. For years the FAS, in collaboration with the AWCPD, has worked to integrate a gender perspective into the continent's agenda. Notably, the transformation of the Organization of African Unity (OAU) into the AU provided an excellent opportunity to initiate a new agenda. The AU's vision explicitly addresses building partnerships between governments and civil society, encouraging solidarity, accelerating socio-economic development and achieving peace, security and stability. From the very inception of the AU, the FAS committed itself to seizing the moment by promoting the 'gender agenda' so that it could become entrenched in the operations of the AU and hence become a central priority of member states. The AWCPD, from its position within the OAU structure, provided the FAS with an ideal point of entry to the halls of the AU and the opportunity to make sure that the voice of the African women's movement was heard at the highest levels. The women's delegation met with key

actors to seize the chance offered by the transitional process to advocate for greater inclusion of women in AU policies, programmes and organs.

The AWCPD and FAS began their major push for a new gender mainstreaming agenda with a Strategic Consultation on Mainstreaming Gender and Women's Effective Participation in the African Union, held on the eve of the inauguration of the AU (in Durban, South Africa, in June 2002). They organized the consultation to create space for civil society and women's organizations to devise cohesive strategies to ensure women's full participation and representation in the AU. The idea for the Durban consultation grew out of prior meetings of the AWCPD and FAS in Lomé, Togo (July 2000), Sirte, Libya (March 2001) and Lusaka, Zambia (July 2001). The two groups recognized that involving a wider network of organizations and acting in solidarity as they lobbied the AU would produce the best results. Once the building blocks of the campaign were firmly in place, the AWCPD and FAS planned a vigorous gender mainstreaming campaign, involving many African women's networks. Commitment to this agenda placed African women at the forefront of efforts to effect positive change on their continent. African women, whether in high-level leadership positions or doing the vital work on the ground within civil society, are actors in as well as beneficiaries of progress on the continent.

#### *Collaborating for change*

Prior to the AU summit in Durban, a wide variety of organizations, from local CSOs to umbrella network NGOs to UN agencies, came together to devise advocacy strategies for gender mainstreaming. The importance of combining our efforts and mobilizing resources cannot be emphasized enough. Advocacy campaigns that draw on the energy, experience and knowledge of the many are far more effective and efficient than individual initiatives. Some of the key partners that the AWCPD and the FAS worked with are the African Centre for the Constructive Resolution of Disputes (ACCORD); the African Centre for Democracy and Human Rights Studies (ACDHRS); the Africa Leadership Forum (ALF); the Foundation for Community Development (FDC); the African Women's Development and Communication Network (FEMNET); and Women in Law and Development in Africa (WiLDAF), among others; a leadership dedicated to the issue within the AU and the AU Commission; UN agencies; and a generous partner, the government of the Netherlands.

#### *The gender parity principle*

In 2002, the Durban consultation culminated in the adoption, by the new network, of the Durban Declaration on Mainstreaming Gender and Women's Effective Participation in the African Union. The Durban Declaration was brought before the ambassadors and the Council of Ministers meeting prior to the summit. At the session of the heads of state and government (in Durban, July 2002), President Abdoulaye Wade of Senegal put forward the recommendations to the Assembly of Heads of State and Government of the AU. President Thabo Mbeki of South Africa, the chair of this session, firmly supported President Wade's decision. The Assembly embraced the recommendations of the Durban Declaration and unanimously adopted a gender parity proposal in all AU organs. This was truly a historic achievement, as the voice of African women had never been effectively represented at the continental body. A mobilized network, working in unison and focused on lobbying for gender mainstreaming and women's effective participation, had sown the seeds of change and was beginning to reap results.

While the adoption of the gender parity principle by the Assembly was a landmark event, those pushing for gender mainstreaming did not rest on their laurels. Instead,

they mobilized to build on these successes. A series of meetings envisaged even more ambitious and progressive action. To follow up on the Durban Declaration, the FAS organized a strategic planning conference in Dakar, Senegal, in April 2003. The conference brought together the network created in Durban in order to devise strategies for the institutionalization of a coordinating mechanism to further the goals of the gender mainstreaming campaign. A strategic plan of action, the Dakar Strategy, was adopted at the end of the conference and presented to President Wade. The Dakar conference was an excellent interim meeting to decide which organization would lobby where in preparation for the next AU Heads of State and Government Summit, in Maputo, Mozambique, in July 2003. The lesson learned here is to remain focused on seeing governments' expressed pledges—in this case, gender parity—followed up with concrete action and implementation.

### *Political lobbying*

The Durban Declaration and the Dakar Strategy formed the basis of the Maputo Women's Pre-summit (June 2003), organized by the FDC in collaboration with the FAS and under the leadership of Madame Graça Machel. The Pre-summit produced the Maputo Declaration. The FAS and members of the AWCPD initiated a discussion with candidates for the post of commissioner, with the aim of establishing a shared vision. At the second ordinary session of the Assembly of Heads of State and Government of the AU (in Maputo, July 2003), Africa saw its first visible achievement with regard to complete gender parity in the African Union Commission, with the election of five female commissioners (out of ten). Moreover, the AU adopted the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa and committed itself to further elaboration of an AU policy and management system for gender mainstreaming. Tangible results were realized at the Maputo summit and the AU committed itself to taking further steps towards gender mainstreaming. Under the leadership of President Konare, the AU set up an internal expert group to determine thematic priority areas for gender mainstreaming in Africa. President Konare asked members of the AWCPD and the FAS to consult on this process. The expert group highlighted gender mainstreaming priority areas such as economic empowerment, human rights, education, health, and governance, peace and security. With priority issues in hand, the expert group met with heads of state and government in Africa to prepare them for the gender debate at the upcoming Heads of State and Government Summit (Addis Ababa, July 2004).

Prior to the AU summit in July 2004, the FAS, in collaboration with the AU, organized a two-day Consultative Meeting on Gender Mainstreaming to discuss the AU gender programme with a wide network of CSOs. More than 40 organizations from Africa and the rest of the world were represented at the consultative meeting. Representatives of the AU Gender Directorate and the Pan-African Parliament, as well as the African Center for Gender and Development (ACGD), the Association des Femmes Africaines pour la Recherche et le Développement (AFARD), the UN Economic Commission for Africa (ECA), the FAS, FEMNET, the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Population Fund (UNFPA) and WiLDAF, among others, made statements. The meeting briefed women on gender development within the AU and on the expert group's consultations with heads of state and government. The briefing enabled the women to fine-tune their strategies for the AU heads of state gender debate. After two days of collaboration and discussion, participants produced the African Women's Contribution to the Declaration on Mainstreaming Gender in the Africa Union. Among other things, it called for continued implementation of gender parity in the AU and at national levels, and for ratification of the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa and the protection of women from violence and discrimination.

## *Adoption of the SDGEA*

On 6 July 2004, the AU convened its third ordinary session of the Assembly of Heads of State and Government. For the first time in its history, the organization took ownership of the gender mainstreaming programme at the highest level, and dedicated a large portion of the summit to a dialogue on gender equality. This culminated in the Assembly adopting the SDGEA. The adoption of the SDGEA is testimony to the hard work done and the investments made by the African women's movement's gender mainstreaming campaign.

## *Lessons learned*

The lesson learned from this experience was that it is vital to stay connected with new movements and to forge partnerships within these movements. Civil society actors cannot and must not sit idle and wait to be asked to make a contribution to new government structures. We must be proactive about getting our issues and agendas integrated into government mechanisms—the earlier, the better. Our experience with the new AU shows that the partnership can be effective—that civil society agendas can be transformed into government priorities.

It is important to underline that the African women's movement does not have one voice. Organizations and individuals are extremely diverse—often our goals are similar but our strategies are different. That said, organization, coherence and concretization are essential to any successful lobbying campaign. A lot of groundwork has been done to strengthen the network and to unite groups around commonalities. It is a fact that governmental bodies are more likely to listen to organized, cohesive civil society campaigns than to disjointed ones.

## **Conclusion**

The adoption of the SDGEA and the other achievements listed above were the outcome of a concerted lobbying effort, involving the mobilization of networks around a common agenda. No matter where in the process an organization joined, it was important that everyone assumed ownership of it. 'Gender is my agenda', the lobbying slogan adopted at the July 2004 summit in Addis Ababa, is a theme that signifies a jumping-off point for the agenda, not an end result. The challenge, given the opportunity provided by the SDGEA, is to act in solidarity and consciously choose to focus on the common goal of achieving gender equality. The campaign to monitor and evaluate the implementation of the SDGEA must now be central to our individual and collective programmes. This is no mere political or academic exercise—we are not simply passive observers of the SDGEA's implementation. The objectives expressed in the SDGEA will result in tangible improvements in the lives of women in Africa. And, it goes without saying, this is the ultimate aim of all our efforts.

The decision to adopt the SDGEA was ultimately taken by those who have the mandate and responsibility for implementation—heads of state and government. Ongoing and future collaboration within our network now centres largely on how to implement the SDGEA and how to monitor and report on progress. Again, we remain focused on seeing expressed commitments effectively implemented. To this end, collective action is vital to advancing the process and further expansion of the network is necessary—monitoring progress with respect to the SDGEA is a complex and far-reaching task. Civil society will monitor and report on progress made by AU member states. However, it is essential that civil society remain vigilant not only in terms of monitoring what governments achieve, but equally with regard to integrating the

SDGEA into our own work. Likewise, governments must remain mindful that they are not merely reporting to the AU or to one another or to NGO networks. Rather, their first responsibility is to be accountable to their constituency, their people.

While leadership gains in the AU and the adoption of the SDGEA are fundamental to the advancement of women in Africa, we must ensure that grass-roots organizations are at the heart of the whole process. Doing so will further our objective of turning women from beneficiaries of gender equality into actors capable of determining their own destiny.

### **Box 1: Overview of the SDGEA**

The *Solemn Declaration on Gender Equality in Africa* commits Heads of State and Government to taking action on the following key clusters.

#### **1. Governance, peace and security**

- Gender mainstreaming of peace processes.
- Promotion of the gender parity principle.
- Systematic prohibition of the recruitment of child soldiers and of the abuse of girl children, as wives and sex slaves.

#### **2. Human rights**

- Campaigning against gender-based violence.
- Systematic prohibition of trafficking in women and girls.
- Protection of the human rights of women and girls, including the right to development.
- Enforcement of the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa.

#### **3. Economic empowerment**

- Guarantee of women's land, property and inheritance rights.
- Realization of an African Trust Fund for Women, to enhance the capacity of African women.

#### **4. Education**

- Education of girls and increasing the literacy of women, especially in rural areas.

#### **5. Health**

- Realization of AIDS Watch Africa as a unit within the Office of the Chairperson of the Commission of the AU.
- Accelerate the implementation of gender-specific economic, social and legal measures aimed at combating the HIV/AIDS pandemic and effectively implement both the Abuja and Maputo Declarations on Malaria, HIV/AIDS, Tuberculosis and Other Related Infectious Disease.

#### **Summary of key achievements**

- Gender parity of 50 percent participation.
- Five female commissioners (out of ten) elected to the AU Commission.
- Adoption of the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa.
- Adoption of the Solemn Declaration on Gender Equality in Africa.
- Establishment of the Gender Directorate.
- Incorporation of the AWCPD into AU mechanisms.
- A woman appointed head of the Pan-African Parliament.
  - Every AU member country provides five members to the parliament, one of whom must be a woman.
- A woman appointed head of the African Peer Review Mechanism (APRM).
  - A panel of eminent persons is appointed to direct and manage the APRM. Three out of the seven members of the panel are women, including the chair.
- Women NGO representatives in the Economic, Social and Cultural Council of the African Union (ECOSOCC).

*Source:* African Union website, available at <<http://www.africa-union.org>>.



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## What is International IDEA?

The International Institute for Democracy and Electoral Assistance—International IDEA—is an intergovernmental organization that supports sustainable democracy worldwide. Its objective is to strengthen democratic institutions and processes.

## What does International IDEA do?

International IDEA acts as a catalyst for democracy building by providing knowledge resources, policy proposals and supporting democratic reforms in response to specific national requests. The Institute works together with policy makers, donor governments, UN organizations and agencies, regional organizations and others engaged in the field of democracy building.

International IDEA provides:

- **knowledge resources**, in the form of handbooks, databases, websites and expert networks;
- **policy proposals** to provoke debate and action on democracy issues; and
- **assistance to democratic reforms** in response to specific national requests.

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