

Contemplating possible assumptions in the 50/50 debate: how do we envision women in legislated positions representing women?

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Introduction

It is constitutional to have 50% women in elected positions. Outside of constitutional requirements, considering that more than half of South Africa's population is women, it is logical that women in elected positions reflect these demographics. We need women to make up half of all elected positions so that they are part of the decision-making, planning and implementation of all processes affecting our country. We need women's interests to be articulated and to inform policies.

A study conducted by Caiazza (2002) in the United States on whether women's representation in elected office leads to women-friendly policies, reveals that having more women in elected positions, does in fact, lead to policies that centralize women's concerns and prioritise women's interests. And this is really the point. It is crucial to have 50% of women in elected positions. Getting the numbers right in itself, in terms of representation, is fundamental because it represents women, as a marginalised group as mattering in the process of establishing a democracy. But the other side of the coin is what kind of impact women's presence in elected positions will have on women's rights and women's

access to constitutional provisions? The essentialist notion that women in elected office will automatically care about women's empowerment and equality, is problematic. And this is partially because of the patriarchal culture of government structures (provincial, local and national) and the ways that this culture creates barriers to women's participation in decision-making processes. However, it has been found in the German case at least, that "women legislators speak more frequently than men legislators during debates on issues of particular interest to women"; "that women also appear to speak more meaningfully than men, giving more full speeches"; and that "the presence of a gender quota appears to enhance women legislators' attention to women's substantive representation" (Xydias, 2007: 11).

Similar to South Africa, except for the ANC, most parties in Namibia "made little effort to promote women as leaders within their own ranks and to nominate them as candidates in the National Assembly elections" (Frank, 2004:). One of the rationales for the 50/50 Bill, in my mind, is the fact that the Democratic Alliance, and other parties, do not believe in legislated quotas with the aim of increasing women's representation and participation in government. A Bill of the type proposed by GAP and the Women's Legal centre is therefore a necessary step to obligating political parties to have 50% of women in elected positions. The Namibian case has illustrated that women are "often blamed for not coming forward as candidates" (Frank, 2004:). What we need to be grappling with instead are as Frank argues, "the barriers and constraints confronting women who enter the patriarchal sphere of party politics." What kind of normative patriarchal structures and the processes that accompany them, provide obstacles to women's participation and decision-making in the formal political arena? One example of how patriarchal understandings of women's rights can act as an obstacle to women's representation and participation is the Namibian case. When reference was made in the Namibian Women's Manifesto to human rights for all women, including lesbian women, political parties vehemently attacked the Manifesto for "using gender equality as a stepping ladder to reach their own goals

that have no relevance to gender” (Frank, 2006:). In other words, lesbians are not women, they are something else, and human rights do not apply to them. Lesbian women therefore cannot be provided the same opportunities to political space as heterosexual women.

The meanings women in elected positions attach to gender, gender equality, gender equity, women’s rights, and women’s participation, are bigger than descriptive representation if we want transformational democracy, even though research has indicated that descriptive representation can potentially promote social transformation. But when we say that we want women in elected positions to adopt a ‘pro-woman’ agenda, what do we really mean? Are we saying that we want women in elected positions to challenge patriarchy through critiquing gendered hierarchies? Are we saying that this ‘pro-woman’ approach must be understood within the context of South Africa’s postcolonial history, where intersections of race, culture, geographical location and gender are taken into account in all decisions made by women in elected positions? If we want women in elected positions to be pro-woman, are we saying that we want them to understand gender in ways which allow for the participation of poor rural women and the representation of their interests in policy?

Christine Xydias (2007) argues that quotas are expected to accomplish specific goals. Firstly, to increase the number of female elected officials (i.e., to increase women’s descriptive representation in government), and secondly, to advocate, and ultimately pass, legislation in favour of women’s interests (i.e., to improve women’s substantive representation). But Xydias (2007) also notes that quota systems, such as that proposed in the 50/50 Bill, make particular assumptions about the effectiveness of such systems. One of these assumptions is that women’s descriptive representation (the presence of women) would translate into substantive representation. Women legislators have different understandings of what it means to be a woman, and what it would mean to represent women and their interests, if they feel that representing women is their responsibility at all.

And as was seen in the case of the Zuma trial and the ANC Women's League position on Jacob Zuma in this instance, "most legislative systems renders individual legislators' motives and interests difficult to discern from their party's goals" (Xydias, 2007). In other words, it is the party's particular political agenda which would be prioritized above that of 'women's interests'.

More importantly, I think, is the question of who would define women's interests. Our dynamic women's movement in South Africa does not have a homogenous idea about what 'women's interests' are. Organisations such as the Southern African Media and Gender Institute (SAMGI) focusing on the damaging ways that women in a heteropatriarchal system are represented and the erasure of poor and lesbian women, for instance, within dominant representations in South Africa, might not have the same idea as the Gender Advocacy Programme's (GAP) idea of 'women's interests'.

We need to be clear that we expect 50% of women to translate women's interests into policy. It is important that we ask a number of questions around women's representation and participation in patriarchal structures, in a patriarchal country, and clarify our vision of what a pro-woman agenda would mean for women in political spaces. Does the political space need to change before women can inform and transform policy; or can women with a pro-woman agenda transform patriarchal spaces through informing and transforming policy? In the same vein, we also cannot assume that a pro-woman agenda is a feminist one – I suppose that we would need to be clear that there are a number of ways in which women legislators could articulate and implement women's interests through policy.