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RESERVING SPECIAL SEATS FOR WOMEN IN PARLIAMENT: ISSUES AND OBSTACLES

by

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Summary

The "representativeness" of institutions of political representation in gender terms have featured in a number of studies. The base argument is that Parliament should be a microcosm of the nation as a whole¹. Hamilton opined: "it is said to be necessary that all classes of citizens should have some of their own numbers in the representative body in order that their feelings and interests may be better understood and attended to".² The contortions in political representation, particularly relating to women, have become increasingly unacceptable, and the call for reform continues to resound. This paper analyses the perimeters, the causative factors and measures which may be adopted to enhance women's political representation in Ghana. Some contextual factors which militate against women's political participation are discussed and a number of policy recommendations made.

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The Problem

One of the main problems facing Ghana's democratization process is the role of women in politics. Article 17(1) of the 1992 Constitution provides that "All persons shall be equal before the law". Furthermore, under Article 17(2) "No person shall be discriminated against on grounds of gender, race, colour, ethnic origin, religion, creed or social or economic status". The Constitution provides an instructive meaning of discrimination - "to give different treatments to different persons attributable only or mainly to their respective descriptions by race, place of origin, political opinions, colour, gender, occupation, religion or creed, whereby persons of one description are subjected to disabilities or restrictions to which persons of another description are not made subject to or are granted privileges or advantages which are not granted to persons of another description"- Article 17(3).

Women's participation in politics has developed at a snail's pace. Mabel Dove Danquah, ex-wife of J.B. Danquah and pioneer journalist who wrote prolifically in the *Times of West Africa* (owned by J.B. Danquah) and the *Daily Times* of London, was the first Ghanaian and African woman to be elected to a National Assembly. She joined the CPP and won the Ga Rural seat (the area included the Dome-Kwabanya Constituency-the author's constituency) in the 1951 election. She polled 3331 votes against the renowned lawyer Nii Amaa Ollenu, who later became a prominent judge and Speaker of Parliament (417 votes) and Imoro

Braimah (226 votes). Between 1957 and 1960 there was no woman Member of Parliament or Cabinet. By the Representation of the People's Act (Women Members)-Act No. 8 of 1960, the National Assembly, responding to Dr. Kwame Nkrumah's initiative, provided for ten women to be elected into Parliament³. This was in line with the resolution passed by the CPP's Central Committee.

The first woman to be elected to Parliament in a regular election was in 1969 - Mrs. Lydia Bodin-Po Kugblenu, from the Upper Region of Ghana. The second was Ms. Catherine Tadam, who won a bye-election on the ticket of the Progress Party, in the Chiana-Paga Constituency, also in the then Upper Region, now the Upper East Region of Ghana.

Military intervention in politics inflicted a lethal wound on women's political emancipation as the process of development through political parties was arrested in the face of machoistic male-dominated militarism. Women's political representation from the period 1960-2008 through space provided by political parties may be seen in the table below.

The Ghanaian case is very alarming. While other African nations are making progress, we are retrogressing. Four years ago, there were 25 women in Parliament. Today, there are 19. In four years will it be 10?

Women in Parliament

Year	1960	1965	1969	1979	1992	1996	2000	2004	2008
No. Of Seats	104	104	140	140	200	200	200	230	230
N o. Of Women Parliamentarians	10	19	1	5	16	18	19	25	20*
% of Total in Parliament	9.6%	18.2%	0.7%	3.5%	8%	9%	9.5%	10.8%	8.7%

*The number was reduced to 19 when the female MP for Chereponi died and the seat was won by a man⁴

In a table compiled by the Inter-Parliamentary Union on women representation in legislatures, by 31st March, 2011, Ghana took the 38th position out of 45 countries. The countries were classified in descending order by the percentage of women in the Lower or single House. Ghana was beaten by countries including Rwanda (first in the whole world), South Africa, Mozambique, Angola,

Uganda, Burundi, Sudan, Namibia, Lesotho, Senegal, Malawi, Mauritius, Burkina Faso, Zimbabwe, Gabon, Zambia, Cameroon, Niger, Sierra Leone, Central Africa Republic, Liberia, Togo, Morocco, Congo, Mali, Equatorial Guinea, Guinea Bissau, Kenya, Cote d'Ivoire and Benin. What can be done?

RANK	COUNTRY	LOWER OR SINGLE HOUSE				UPPER HOUSE OR SENATE			
		Elections	Seats	Women	%Women	Elections	Seats	Women	%Women
1	Rwanda	9 2008	80	45	56.3%	10 2003	26	9	34.6%
2	South Africa	4 2009	400	178	44.5%	4 2009	54	16	29.6%
3	Mozambique	10 2009	250	98	39.2%	---	---	---	---
4	Angola	9 2008	220	85	38.6%	---	---	---	---
5	United Republic of Tanzania	10 2010	350	126	36.0%	---	---	---	---
6	Uganda	2 2011	375	131	34.9%	---	---	---	---
7	Burundi	7 2010	106	34	32.1%	7 2010	41	19	46.3%
8	Ethiopia	5 2010	547	152	27.8%	5 2010	135	22	16.3%
9	South Soudan	8 2011	332	88	26.5%	8 2011	50	5	10.0%
10	Sudan	4 2010	346	87	25.1%	5 2010	28	5	17.9%
11	Namibia	11 2009	78	19	24.4%	11 2010	26	7	26.9%
12	Lesotho	2 2007	120	29	24.2%	3 2007	33	6	18.2%
13	Senegal	6 2007	150	34	22.7%	8 2007	100	40	40.0%
14	Malawi	5 2009	192	40	20.8%	---	---	---	---
15	Mauritius	5 2010	69	13	18.8%	---	---	---	---
16	Burkina Faso	5 2007	111	17	15.3%	---	---	---	---
17	Zimbabwe	3 2008	214	32	15.0%	3 2008	99	24	24.2%
18	Gabon	1 2009	116	17	14.7%	1 2009	102	18	17.6%
19	Zambia	9 2006	157	22	14.0%	---	---	---	---
20	Cameroon	7 2007	180	25	13.9%	---	---	---	---
21	Swaziland	9 2008	66	9	13.6%	10 2008	30	12	40.0%
22	Niger	1 2011	113	15	13.3%	---	---	---	---
23	Sierra Leone	8 2007	121	16	13.2%	---	---	---	---
24	Central African Republic	3 2011	92	12	13.0%	---	---	---	---
25	Chad	2 2011	188	24	12.8%	---	---	---	---
26	Liberia	10 2005	64	8	12.5%	10 2005	30	5	16.7%
27	Madagascar	10 2010	256	32	12.5%	10 2010	90	10	11.1%
28	Syrian Arab Republic	4 2007	250	31	12.4%	---	---	---	---
29	Togo	10 2007	81	9	11.1%	---	---	---	---
30	Morocco	9 2007	325	34	10.5%	10 2009	270	6	2.2%
31	Democratic Republic of the Congo	7 2006	500	52	10.4%	1 2007	108	5	4.6%
32	Mali	7 2007	147	15	10.2%	---	---	---	---
33	Equatorial Guinea	5 2008	100	10	10.0%	---	---	---	---
34	Guinea-Bissau	11 2008	100	10	10.0%	---	---	---	---
35	Kenya	12 2007	224	22	9.8%	---	---	---	---
36	Cote d'Ivoire	12 2000	203	18	8.9%	---	---	---	---
37	Benin	4 2011	83	7	8.4%	---	---	---	---
38	*Ghana	12 2008	230	19	8.3%	---	---	---	---
39	Botswana	10 2009	63	5	7.9%	---	---	---	---
40	Algeria	5 2007	389	30	7.7%	12 2009	136	7	5.1%
41	Libyan Arab Jamahiriya	3 2009	468	36	7.7%	---	---	---	---
42	Gambia	1 2002	53	4	7.5%	---	---	---	---
43	Congo	6 2007	137	10	7.3%	8 2008	70	9	12.9%
44	Somalia	8 2004	546	37	6.8%	---	---	---	---
45	Nigeria	4 2011	352	13	3.7%	4 2011	109	4	3.7%

Source: World Classification, Women in Parliament 2011

Quotas and Women's Representation

Quotas and reserved seats, which are affirmative actions, are statutory routes for enhancing women's political representation. Indeed, quota provisions to increase the proportion of female representation were recommended under the 1979 United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). The 1995 Beijing Platform for Action echoed the principles. Women's groups will find useful strategies to enhance women's political participation from the document. Notably, reforms in Europe were largely influenced by Resolution 855 on Equality between Men and Women (1986) and Recommendation 1269 on achieving real progress in women's rights (1995) adopted by the Parliamentary Assembly of the Council of Europe. Women in Parliament in Ghana should follow up in this connection.

A quota system may be divided into 3 broad categories.

- (a) Legal Quota: Provides for a quota in the Political Party Act or in the Election Law. It is required by law that all political parties comply with the provisions of the law.
- (b) Legislative Seat Quota: It is a form of election quota system that allocates a specific percentage of seats to women.
- (c) A Quota System by Political Parties: It is a method whereby the political parties mutually allocate a certain percentage of its candidates to women.

By the legal quota process, for example, the electoral law was revised in France in 2000 so that women would constitute 50% of all candidates nominated for an election. Similarly, South Africa provided by law for 50% of all elected posts and civil employees to be women. Quotas by political

parties resulted in the Labour Party (UK), Labour Party (Norway) and the Social Democratic Party (Germany) allocating 40% of seats to women.

The role of political parties is very crucial. Nevertheless, the electoral system itself determines the success of the quota system employed by parties. Electoral systems may generally be put in two main categories: proportional representation and the majoritarian system. The majoritarian system, which Ghana operates, works on the basis of the person with the simple majority winning the election. With proportional representation, seats are allocated to parties in proportion to the votes won by the party. The third system is seen in terms of the mixed system. There, some members are elected by the simple majority system, and others are elected through proportional representation to fill the Parliament.

The Scandinavian quota system's success is related to their proportional representation system. With the simple majority system, the local constituency party is difficult to override. Indeed, the local party is afraid to field "new entrant women" for fear that they would lose the election. Under proportional representation, the system produces a more gender balanced representative ticket, determined from the centre, as the candidate selection is more centralized.

The benefits of proportional representation have been confirmed in a number of studies. Darcy, Welch and Clark concluded that "on average, twice the proportion of women (20.2%) are currently elected to list PR systems as compared to simple majority systems (10.2%)"⁵. As Rule opined, how elections are run, whether using some form of proportional representation or a single member district system, is the most important prediction of women's levels in political representation⁶.

Whether a seat is a safe seat or a marginal one is also important. Very often, at the initial stage of promoting higher women's participation, some antagonists argue that the electorate is not ready to accept a female candidate. This may scare the party when a seat is not safe. Nevertheless, where a seat is a safe seat, the party is free to impose a female candidate to promote the feminist agenda and yet win the seat. It should be mentioned, however, that in Ghana, where presidential and parliamentary elections are held on the same day, a threat from the electorate to boycott the election as a whole or vote 'skirt and blouse' could seriously affect the political fortunes of a party, thus compelling it to back down on the women's agenda.

Incumbency is also a factor. Most incumbents are men and it is often felt that it is safer to field an incumbent and win than to try someone else (female entrant) and lose. In order to cater for the incumbent who opposes women's entry for selfish reasons, certain mechanisms have been applied.

One popular mechanism is the creation of additional seats to make room for new entrants without jeopardizing incumbent male seats. In Uganda, for instance, there are currently 375 MPs, which include 125 women. In 1995 the new Constitution made specific provisions for affirmative action and special quotas for women. In addition to the 263 constituencies, special provision was made for each of the 112 districts to elect a woman to Parliament. Currently, this has brought in 112 women to Parliament in addition to 13 women who won seats through the regular system, totalling 125 in the current Parliament. By this system, the political parties contest in their usual way, fielding only women candidates throughout the districts which form the constituencies. The Ugandan system has a lot of challenges. Whereas a male contests in one constituency, a woman contests in two or three constituencies which make a district. This wider

area produces more challenges. A female MP who recently visited Ghana complained about the lack of resources and the fact that there is a feeling of superiority on the part of those described as the "real MPs from the normal constituencies".

Challenges in Implementing the Quota System

First, implementing the quota system is easier in new political systems than in older ones with established and ingrained interests where a number of seats are deemed "occupied". This is where additional special seats are preferred. In some cases, the chamber may be expanded to accommodate an increase in the number to absorb the interests of women.

Second, it is argued that the quota system undermines the right of the electorate to elect the representatives they desire. Third, additional seats may block seats won by women through the regular system. This has been found to be generally fallacious. Fourth, in some cases the quota system, which governments can influence, has been used to handpick malleable women who are directly under the thumb of the Executive. In Ghana, for example, women MPs elected under President Nkrumah were referred to as "Osagyefo Girls".

Political Parties and Internal Democracy

Political parties constitute the vehicle of political representation at the national level. Hence, internal democracy which maximises the role of women should enhance women's participation in the representation process. A number of measures may be considered. First, political parties should adopt grassroots measures to expand all electoral colleges since generally, the broader the college, the more the women who can participate.

For example, the NPP delegates congress, held on 22nd August 2009, expanded the Electoral College for the selection of the party's presidential

candidate from about 2,340 delegates to 115,000 delegates. This raised the percentage of women participating in the process from about 5% to about 20%. Broader participation can be assured by expanding this political base even further and ensuring that positions are reserved for women to ensure gender balance at the base. This will then flow throughout the system. It is recommended that political parties should establish quotas for women in all executive positions. For example, the First Vice Chairperson at all levels should be female once a male is elected chairperson.

Internal party democracy is the way to give women their rightful place in shaping the manifestoes of political parties and subsequently national policies in general. Influence on manifestoes is very crucial and women should seek a bigger voice in this connection. The work of the NPP women's lobby, led by the late Hawa Yakubu, Gladys Asmah and Christine Churcher, for example, led to the adoption of a call to establish a Ministry of Women and Children in the NPP Manifesto 2000. This was later put into effect when the NPP won the 2000 Elections. When women are strong at the party level, the influence will transcend to other areas.

Furthermore, the political parties can provide for the voluntary quota system in their constitutions. The ANC of South Africa and Frelimo in Mozambique adopted this method. Instantly, the influence of women in these political parties was enhanced, leading to higher representation and positions in the executive and administration generally. In this connection, political parties should be required to voluntarily reserve a number of seats for women. If a party does not have the required number of women on its ballot, it cannot take part in the elections. In Namibia, for example, the system worked, resulting in 43.8% women in local government elections. In Tanzania, the constitutional quota system increased women's representation from almost nil to 20% in

Parliament and 33% in local government. The Rwanda arrangement recorded the highest female representation in Parliament globally-56.3%. They beat the Nordic countries in the process⁷.

Solving the Problem

It is important to identify and solve certain basic problems women face in their attempts to become legislators.

First, there is a dearth of women who want to take part in politics. Hence, the perception that politics is the realm of men should be removed by conscious efforts in advertising, symposia, debates, plays, films, etc.

Second, the patriarchal culture which means that traditionally, women were excluded from high positions should be made defunct. This includes religious and other cultural connotations.

Third, conscious training processes should be embarked upon to correct the imbalance. Women should be schooled, trained and exposed to politics in a conscious effort.

Fourth, family responsibilities should be shared among the sexes. The Scandinavian advances were propelled by equality of the sexes in this direction.

Fifth, maternity leave in Ghana should be extended from 3 months to 6 months. Childbirth is a responsibility women undertake on behalf of humanity. They deserve enough rest and recovery to regain their full health for higher service in society.

Sixth, unfair party nomination processes should be stopped, and "closed cycles", which operate against women, removed by laws and by new conventions.

Seventh, electoral systems should be reformed to resolve the imbalance. Proportional Representation should be introduced into aspects of our political systems.

Eighth, government must have development plans with well laid-out programmes for the enhancement of women's political participation.

Ninth, gender budgeting should be effectively employed, allotting fixed percentages of budgets for all sectors to enhance gender mainstreaming and effective affirmative action for the advancement of women. By this, gender perspectives and the aims of gender equality and parity are realised in policy planning, formulation, implementation and evaluation.

Bello, in her authoritative work on gender budgeting, observed that along with gender mainstreaming efforts, gender budgets have been a method of determining the extent to which government expenditure has detracted from or promoted gender equality. A gender budget is not a separate budget, but rather a tool that analyses budget allocations, public spending and taxation through a gender lens and can be subsequently used for the re-allocation of the budget to better respond to women's priorities. Gender budgets have been instrumental in increasing government expenditures in social services that benefit mostly women and children, and in steering government priorities towards the 'care' economy such as health and nutrition, education and other family and community services. In some countries, gender budgets expose areas where government policy has been weak, for example, in productive sectors such as agriculture and industry. Lastly, gender budgets also trace where most expenditures have been spent, often exposing corruption and under-funded social services. Overall, gender budgets

make a significant contribution in enhancing gender mainstreaming strategies⁸.

However, as Bello observed, feminists have argued that gender mainstreaming and budgets are not ends themselves, but are simple tools for achieving gender equality. The weaknesses in the use of these tools have been evident when gender efforts and budgets are spent mostly on activities that are women-identified or do not have anything to do with women's needs. In worst case scenarios, gender budgets do not reach the women at all, but are pocketed away by corrupt politicians⁹. What this means is that gender budgeting should be taken more seriously. It should go beyond peripheral issues and take centre stage in the national development agenda and propel women to greater heights.

Advocacy Networks

Advocacy networks are crucial to women's political representation. Transnational advocacy is vital. It has been observed that the expression refers to non-state actors, working together on an international issue, that are bound together by shared values, common discourse and dense exchanges of information and services, and operate across national frontiers, and whose targets may be international organisations and the policies of particular states¹⁰.

Networking is very crucial and should become an engagement of all sub-regional bodies such as ECOWAS as well as the AU itself. The role of the EU was crucial in European achievements in women's political representation. It is a primary responsibility of networks to hunt for talent. There should be an active search for qualified newcomers. Even in France and Korea, there was a lack of experienced and qualified female candidates at the initial stages. In Korea, for example, the URI Leadership Centre for Women Academy and GNP Women Power Network

provided political education for political advancement. Our women can also do the following:

- Build strong networks and hunt for talent;
- Build women's resource banks for women leaders in all spheres of life;
- Seek government subsidies for the advancement of women's participation in politics.
- Organise research and attract global research funds for that purpose.

Nexus of Empowerment: Removing the Root Cause

Numerical and qualitative women political representation is inextricably interwoven with the dilemma of disempowerment. Hence, legislation which provides only for quotas cannot resolve the problem in absolute terms. From the premise of poverty, misery and over-dependency, women's rights are undermined and their voices silenced.¹¹ Women work two-thirds of the world's working hours, as certified by the UN Millennium Campaign to Halve Global Poverty by 2015. Women are condemned to chores which sustain life - giving birth, nursing and raising children, growing food, cooking and maintaining the home. All this is done without pay and recognition. Women are estimated to earn only 10 percent of the world's income and own only one percent of the world's property.

Women also make up two-thirds of the estimated 876 million adults who cannot read or write worldwide; while out of the 77 million children who are not attending school, girls constitute 60% around the globe. Home and community are not safe havens for a billion girls and women. At least one in three females on earth has been physically or sexually abused, often repeatedly and often by a relative or close acquaintance. By the World Bank's estimate, violence rivals cancer as a cause

of morbidity and mortality for women of childbearing age¹². In drawing the close nexus between women deprivation/poverty and political representation, the World Bank stated that poverty is powerlessness, lack of representation and freedom¹³.

Policy Measures

Certain steps need to be taken:

- Women's social stature, both at home and generally, must be reviewed;
- Marriage and inheritance laws should be revisited and the public educated thereon;
- Advocacy groups should intensify their work;
- Religious leaders and chiefs should be more active;
- Self worthiness and dignity should be built in girls and women and all obstacles removed;
- Education reform should be employed to bring boys/girls, young men/women to parity;
- Child labor should be re-examined. It operates mainly against girls and retards their education;
- Forced marriages should attract stiffer sanctions and be eliminated;
- Gender-based violence in all forms, domestic and otherwise, should attract stiffer punishment. Child support schemes should be applied;
- Sexual and reproductive health is crucial. Without sound health and control over their own bodies, women cannot be socially, mentally and psychologically released to actively and meaningfully participate in politics;
- It is advocated that the one third of members of District Assemblies, which the President has the right to nominate, should be elected through a contest open to women only. This will provide more women in the

District Assemblies who will use Assemblies as useful training grounds for future political careers.

Conclusion

This paper makes one important recommendation. Reserved seats should be created now to be competed for only by women. There are 170 District Assemblies today. The EC should put 2 District Assemblies together to form an Electoral Area. This gives 85 Electoral Areas. Let us give the 85 additional Electoral Area seats

exclusively to women. The political parties shall contest as usual. 85 women will automatically enter Parliament in addition to about 20 seats which, hopefully, will be won by women in the general manner. By this formula, the total number of seats will be 315, instead of the 230 at present. Out of 315, we have 85 reserved for women. If women win at least 20 seats by the constituency elections, the total will be 105 out of 315. That is one-third of the total membership of Parliament. This provides a strong foundation for Ghana to build towards gender parity and equality.

ENDNOTES

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