

special edition Color Special edition



In power – with power?

- reaching the critical mass



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This report is prepared by FOKUS (the Norwegian Forum for Women and Development) with support from The Norwegian National Commission for UNESCO. It builds on secondary data, a visit to Rwanda and Uganda, as well as a literature study conducted in Oslo.

Helene Langsether was the first project manager for the report, until she took leave the summer 2015. Langsether conducted, interviews with various actors in Uganda and Rwanda. Gunhild Ørstavik took over as project manager. With the assistance of Christine Holst she completed the report, first finalised in Norwegian in October 2015. In spring 2016 it was updated, slightly amended and translated. Please note that we have not been able to update all facts and figures.

FOKUS wants to thank the Norwegian National Commission for UNESCO for trust and financial support.

Based on experiences from preparing this report, we interviewed different actors in Kenya, Rwanda and Uganda early 2016. The aim was is to explore the substantive impact of women's political participation in the areas of gender based violence, and women's right to inheritance and property. The results are being published in a separate volume.



Gunhild Ørstavik

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Introduction

Despite the fact that many countries have formal structures to increase women's participation, women are underrepresented in parliaments in almost all countries in the world. In most countries, women are entitled to participate in elections as voters and as candidates, but as Beetham¹ points out, a country's citizens should not only have *formal* opportunities to participate, more important are the *real* opportunities.

"Are there political systems that are more pro-women than others?"

The proportion of women has increased in many African parliaments in the past 10-15 years. In Rwanda, the proportion of women in the Parliament is now higher than that of men, and in Senegal, South Africa and Mozambique, the proportion of women in parliament is higher than in Norway (39,6%). In Liberia, Ms. Ellen Johnson Sirleaf is sitting as Africa's first elected female president. Quota arrangements (affirmative action) are frequently used to increase the proportion of women, but we need to explore whether such measures alone lead to better political conditions and outcomes for women in the region. Are there political systems that are more pro-women than others?

In this report we discuss how political structures, including the party system, electoral system and quota, affect recruitments of women to political positions. We will look at the importance of women's movements and of political will in Parliament and the executive.

The report is mainly based on desk studies, but in order to include more perspectives, interviews from Rwanda and Uganda have also been included. These two East African countries are interesting, because they both have a relatively high proportion quota women in the Parliament, have or have had prominent women's movements, and are both post-conflict countries, a stage of a country's history where women are more likely to hold political office.

The original report has been slightly amended from its original version, published in Norwegian in October 2015. The changes relate to recent political developments.

Context

Societies that have experienced conflict seem to have made the greatest progress in terms of female representation (Bauer & Britton 2006)2. Drude Dahlerup is a Danish-born professor of Political Science at Stockholm University. Her main research area is on empowerment of women in politics and implementation of gender quota systems. One of her findings is that historically, it seems that the implementation of quota systems is easier in new political systems than in the older where most seats are already «occupied» (Dahlerup 2012)3. In established systems, conflicts may arise between women and the established politicians (ibid). Stigmatisation of women who engage in politics tend to increase where quotas are used. It thus seems that social and economic systems that facilitate such participation, are important, in parallel with measures to increase women's political representation (Dahlerup 2012).

We wish to explore different quota schemes and to what extent they lead to tangible results in gender equality. We are looking at additional factors influencing the potential of the quotas positively and negatively, and how the effectiveness of quotas depends on collaboration within the Parliament and between Parliamentarians and civil society.

Beetham, D. 1999. Democracy and Human Rights, Cambridge: Polity Press.

Bauer, G. & H. H. Britton, 2006. Women in African parliaments: A continental shift? I G. Bauer, & H. H. Britton (Eds.), Women in African parliaments (s. 1–30). Boulder, CO: Lynne Rienner.

Dahlerup, D. 2012. Increasing Women's Political Representation: New Trends in Gender Quotas. I J. Ballington & A. Karam (Eds.), Women in Parliament: Beyond Numbers (s. 141-153). Trydells Tryckeri: International IDEA, Stockholm.

The two most common categories of gender quotas in elections are legislated candidate quotas and reserved seats. (Dahlerup 2012). In

addition, political parties may use voluntary quotas. Legislated candidate quotas indicate a minimum percentage of women on political parties' lists of candidates for election. Reserved seats means that a certain number of seats in the assembly are reserved for women. Countries using the reserved seats quota scheme only, usu-

"Stigmatisation of women who engage in politics tend to increase where quotas are used."

ally have a less developed democracy, and often with single electoral districts and one-party systems.⁴



⁴ Dahlerup, D. 2008. Gender quotas – Controversial but trendy. *International Feminist Journal of Politics*, 7(1), 26-48

Political participation; a human right

Women's right to political participation is protected by several human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on Civil and Political Rights, and the Protocol to the African Charter on the Rights of Women.

According to CEDAW Article 7, State Parties shall take all appropriate measures to eliminate discrimination against women in political and public life. The State shall ensure women's equal right to:

- Vote and be eligible for selection for election.
- Participate in the formulation of government policy.
- Hold public office and perform tasks in public administration.



• Participate in non-governmental organisations that are active in public and political life

Electoral gender quotas

Quotas of women, often referred to as affirmative action (defined as "a policy of favouring members of a disadvantaged group who currently suffer or historically have suffered from discrimination within a culture"), is a way to get past the barrier that both political parties and electoral systems can pose. 58 countries worldwide currently have statutory quotas, and although quotas are not a panacea against all the barriers women may face in politics, they have been effective in giving women seats in national parliaments. Of the 59 countries that conducted parliamentary elections in 2011, 17 had statutory quota. Here, representation of women was 27.5 per cent, compared to 15.7 per cent in countries without quotas.

"Breaches of quota rules are sanctioned in different ways, and sometimes such sanctions do not exist, not even on paper."

Gender quotas can be applied both at local and national levels. Breaches of quota rules are sanctioned in different ways, and sometimes such sanctions do not exist, not even on paper.

The entry point is that gender quotas are effective means of increasing the proportion of women. Quotas schemes aims to ensure that women at least constitute a «critical mass» — believed to be at least 30 per cent. That is the minimum percentage regarded necessary by Dahlerup and others for the

⁵ Dahlerup, D. 2012. On a fast track to gender balance in politics. Kvinner Sammen nr. 3 - 2012

⁶ Kareen, J. Inter-Parliamentary Union (IPU). 2012. Redressing the democracy Deficit. – Women's Political Engagement. Kvinner Sammen nr. 3 - 2012

leverage to make substantial political changes. The use of quota is supported the CEDAW Article 4.1, which provides access to adopt "temporary special measures aimed at accelerating de facto equality between men and women". The Commission on the Status of Women (CSW) frequently encourages the use of gender quotas in its comments on national reports on the implementation of the Convention. The Protocol to the African Charter on the Rights of Women also highlights quota to increase women's representation. Furthermore, the Inter-Parliamentary Union's Plan of Action for Gender-sensitive Parliaments, describes quotas as a tool for achieving gender equality in positions and roles.

Fair, substantive and symbolic

There are basically three arguments why women's political participation is important. The first is about fair representation. Women constitute half of the population and should therefore be equally represented as men. The second is about the content of what the representatives bring into positions. This stems from the idea that social groups have different interests

"Gender quotas are, strictly speaking, only about increasing the number of women —for which ever purpose elected women want to use the seats in the Assembly, being feminists or non-feminists."

and priorities. Women bring something else than men in to the position they occupy, because they have different knowledge and experiences leading to other priorities. The last is symbolic representation, alluding that female politicians are role models for other women. Women in general see that women matter, and that it is possible for women to hold positions of power.

- Drude Dahlerup, mail correspondence, September 2015

Dahlerup and Freidenvall⁹ apply Pitkins'¹⁰ classic definition of the concept of representation, when they refer to three dimensions that summarise the debate in the literature about gender quotas:

- Descriptive representation: the numerical impact of quotas, as well as the effect of the candidates' social background, ethnicity, age, etc.
- Substantive representation: considering the effect of quotas on performance and efficiency in female politicians, as well as how quotas impact the political agenda and political results. If participation leads women to act for women's interests, we can say that

⁷ Kvinners menneskerettigheter i praksis (2008), KILDEN og Avdeling for kvinnerett, UiO, Oslo.

⁸ Coffé, H. 2011, Conceptions of female political representation, perspectives of Rwandan female representatives, APSA 2011Annual Meeting Paper, Seattle.

⁹ Dahlerup D. og L. Freidenvall. 2010. Judging gender quotas: predictions and results. *Policy & Politics* vol 38 no 3 • 407–25 (2010) • 10.1332/030557310X521080

¹⁰ Pitkin, H. 1967. The Concept of Representation. University of California Press



there is substantive representation¹¹.

 Symbolic representation is about the effect quotas can have on the legitimacy of politics in general, and voters' perception and contact with the elected.

Putting it differently, Franceset et al. (2012)¹², divide political representation into three aspects: Descriptive (standing for women), substantive (acting for women) and symbolic (role-modelling for women).

Political parties have a major responsibility for recruiting women into politics. Globally, women make up only 10 per cent of party leaderships, whilst 40-50 per cent of the party members are women (UNDP and NDI, 2012)¹³. Data suggests

11 http://www.forskningsradet.no/prognett-norglobal/Ny-heter/Maler_effekt_av_kjonnet_bistand/1254011347656/p1224698160097

that the debated "glass ceiling" holds women back in the parties, which in turn limits the number of women running for election and thereby representatives in parliaments.

Although parties do nominate women on their electoral lists, the electoral system in each country influences to what extent women actually are being elected. There are huge differences in countries' political structures and in which measures that seem to ensure recruitment of women all the way to Parliament. It matters for the outcome of the voting whether it is single or multi-member electoral districts, or majority or proportional representation.

In single electoral districts, votes are cast to single candidates ("First past the post"/"Winner takes all"). Meaning that parties select only one candidate. According to Shvedova, ¹⁴ a system of proportional representation with multi-member electoral districts has proven to result in three to four times more women being elected than in countries with otherwise comparable political cultures. Systems with majority voting in single electoral districts are less favourable for women than men. Voters are likely to go for established candidates and parties, making it difficult for "newcomers".

"Systems with majority voting in single electoral districts are less favourable for women than men. Voters are likely to go for established candidates and parties, making it difficult for "newcomers"

The nomination process is a crucial phase in the run for being elected, and usually controlled by the parties (Dahlerup 2012). In addition parties control the distribution of political posts, and quota schemes can cause conflict between the central and

¹² Franceschet, S., M. L. Krook & J. M. Piscopo (Eds.). 2012. The impact of gender quotas. Oxford: Oxford University Press.

¹³ https://www.ndi.org/files/Empowering-Women-Full-Case-Study-ENG.pdf

⁴ Shvedova N. 2005. Obstacles to Women's Participation in Parliament i Women in Parliament: Beyond Numbers, A revised edition, IDEA.

regional/local sections of the party. This is due to the fact that parties locally tend to promote their own local candidates, and do not want interference from central authorities (Dahlerup 2012).

Election financing is often a challenge for women. In many countries candidates themselves are responsible for obtaining funds. Thus, candidates are dependent on having their own private funds, or someone with funds to support them, or a rich, supportive family. This is usually not a system benefitting women candidates. (Shvedova 2005).

Support and pressure from the women's movement are crucial to achieve political influence, argues Muriaas et al. (2013)¹⁵, referring to a global comparative analysis. The analysis suggests that women organising in independent civil society organisations result in more progressive social policies and legislation, including on violence against women (p. 91).

Women are entering African politic

The African Union (AU) was the first regional organisation that took ownership and placed "gender mainstreaming" at the highest level, by promoting active gender equality policies in different strategies and action plans, including The Maputo Protocol. AU is for the first time led by a woman, South African Nkosazana Dlamini-Zuma. AU is an important arena for promoting reduction of the gender gap in Africa, although the AU agreements do not necessarily lead to immediate implementation by member states. Despite progressive policies and plans in the AU, a recent survey on women's participation in politics in 34 African countries by Afrobarometer, notes that while countries such as Rwanda and South Africa may have numerically impressive women's representation, some of the world's worst performers are also in sub-Saharan Africa. Examples are Swaziland where women have only 6.2% representation in the Parliament, Nigeria 6.7% and Benin 8.4% 16.

In Liberia, the first African Country with an elected

female head of state (from 2005) the percentage of women representatives actually dropped from 12,5 % in the 2005 elections to 10,9% in 2011.

In 2003, AU adopted The Maputo Protocol (Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa), followed by the «Solemn Declaration on Gender Equality in Africa (SDGEA)» in 2004. The protocol and the Declaration help strengthening the agenda for gender equality at the highest political level in Africa.

"... while countries such as Rwanda and South Africa may have numerically impressive women's representation, some of the world's worst performers are also in sub-Saharan Africa."

By adopting SDGEA, African countries commit to annually report on national progress in gender equality and gender mainstreaming to AU. The goal is to combat discrimination and violence, and to strengthen the human rights of African women. States that ratify the Protocol, undertake the obligation of integrating gender perspectives in policy decisions, legal development plans and activities¹⁷.

In sub-Saharan Africa different parts of the region have different quota systems, which are being implemented regardless of regime type¹⁸. There are regional divides in terms of measures to promote women's political participation. In the eastern part, reserved seats are the most common, while in the south it is more common with quotas within the parties.

In the same region, the proportion of women in parliaments increased from 13 to 23 per cent between 2000 and 2015 http://www.unwomen.org/en/whatwe-do/leadership-and-political-participation/facts-and-figures . In Rwanda, we now find the highest proportion of women in parliament worldwide: 64 per cent.

¹⁵ Muriaas, R.L., L. Tønnesen, V. Wang. (2013). Exploring he relationship between democratization and quota policies in Africa. I Women's Studies International Forum, vol 41 part 2, (s 89-93)

http://www.un.org/africarenewal/magazine/april-2015/ celebratory-rise-women%E2%80%99s-politicalparticipation#sthash.v7KHqy80.dpuf

¹⁷ http://www.achpr.org/instruments/women-protocol/

⁸ http://www.uib.no/aktuelt/36606/kvoter-gjev-kvinneeksplosjon

Rwanda

Rwanda is situated in East Africa and is a relatively small sized country. With its approximately 11, 8 million inhabitants, it is densely populated.

The country gained independence from Belgium in 1962, but was for a long time affected by war and conflict between the ethnic groups Hutu and Tutsi. The conflict culminated in the genocide of about one million people, mainly Tutsis, in spring 1994. As part of the genocide, women were raped on a large scale. As many as 250,000 women, were subject to brutal, systematic rapes during the three months.¹⁹

The survivors put huge effort into rebuilding infrastructure, and re-establishing institutions and the rule of law after the massacres. The previous administration was almost obliterated or had left the country. To illustrate the situation, Rwanda had 785 professional judges before the genocide. Only 20 of these survived. And when a "transitional parliament" was created in November 1994, none of the 74 members and only five of the employees had prior experience of parliamentary work²⁰. The male population was decimated to an extent where it was nearly impossible to overlook women's potential role in the restructuring of the country and in post-conflict governance.

"...when a "transitional parliament" was created in November 1994, none of the 74 members and only five of the employees had prior experience of parliamentary work."

Since 1994, Rwanda has had a strong economic growth and a relatively stable political situation,

growth and a relatively stable political situation

in parallel with the steady increase of women in decision-making bodies. The country has got in place a multi-party system and has since then been ruled by various coalition governments. The head of the Rwandan Patriotic Front (FPR), Paul Kagame, was elected president in 2000, and reelected in 2010. He had effectively been acting head of state since 1994. Late 2015 Rwanda had a controversial vote where according to the Rwandan electoral commission 98% voters voted in favour of constitutional amendments to pave the way for Kagame's right to rule until 2034.

Rwanda is still heavily influenced by the trauma of the genocide of the 1990s. When the country adopted a new constitution in 2003, it banned political parties to identify with a particular ethnic group, religion or clan.

Settlement and reconstruction through litigation and extensive reconciliation efforts have taken time. The country has managed to take a leading role in promoting gender equality in the region. This is clearly a result of talented women's efforts, strong alliances in civil society and active mobilisation from the grassroots and upwards. Women friendly policies have also been driven forward by President Kagame himself and the executive, since the time of the transitional government. In the Constitution of 2003, women's rights and gender equality are have a unusually bold position.

Traditional roles; progressive policies

A lot of work has been done in order to change attitudes regarding gender in Rwanda. A system is in place to ensure and monitor that women's empowerment and gender equality is included in policy making at all levels, from local to national. Gender equality is also incorporated into school curriculums.

The researchers Abbott and Malunda (2015)21 de-

¹⁹ http://www.un.org/en/preventgenocide/rwanda/about/ bgjustice.shtml

²⁰ Hunt, S. 2014. The rise of Rwanda's women. Foreign Affairs May/June 2014

²¹ Abbott, M.&D. Malunda 2015. The promise and the reality: Women's rights in Rwanda. Working Paper No. 5

scribe a somewhat different situation in Rwanda. They conclude that the majority of women in Rwanda «... have yet to become empowered and benefit from any real gains in the achievement of gender equality» (p. 40). For example work surveys have shown that when adding up paid and unpaid work at home, women work approximately ten hours more per week than men. Meanwhile, the researchers recognise that law reform and policy to promote equality are necessary first steps.

New administrative systems are in place, for example a so-called "gender machinery", which shall ensure that adopted gender equality policies

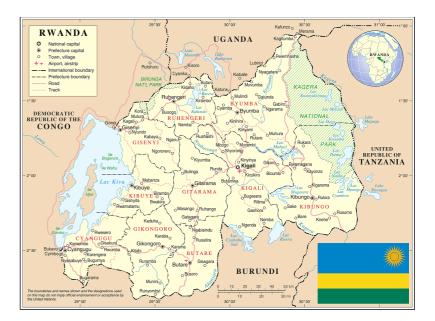
are implemented. This "machinery" consists of four institutions which together ensure effective implementation of existing legislation and policies. These are:²²

- The Ministry of Gender and Family Promotion (MIGEPROF), responsible for ensuring effective implementation of existing legislation and policies, and ensures the mainstreaming of gender equality and empowering women in all of the Government's plans and strategies.
- Gender Monitoring Office (GMO), which is responsible for monitoring the implementation of gender equality principles at all levels.
 "...the majority of women in
- The National Women's Council (NWC), which coordinates women's effective participation in the country's development, from grassroots to the national level.
- The Rwanda Women Parliamentary Forum (FFRP), which was established by female parliamentarians in 1996. They advocate gender perspectives into all laws, policies and budgets. They also provide training for female parliamentarians to work for women's empowerment and development, thus fulfilling their duties as parliamentarians in a good way.

In Rwanda, much attention is given to school in general, and girls' education is a priority.

Jeanette Kagame, the first lady, has initiated a public program to

22 Advancing Rwanda through Women's Empowerment and Gender Equality, Republic of Rwanda Parliament, 2014



Rwanda have yet to become

real gains in the achievement

empowered and benefit from any

get girls to continue school after the compulsory years. Girls who get good grades can get scholarships to study science and technology, often abroad. This clearly helps strengthen women's position in society.

But while the proportion of girls who start school increases faster than for boys, there are still more women than men in Rwanda who have never attended school.

Political structures, electoral systems and quotas

Rwanda is a republic with a multiparty system and a president²³, where the President, Kagame, also serves as the Head of Government. The parliament consists of a Chamber of Deputies with 80 seats, and a Senate with 26 seats. According to the constitution, there should be at least 30 per cent women in all decision-making bodies (Article 9), thus 24 seats in the Parliament's Chamber of Deputies are reserved for women (Article 76).²⁴

In parliamentary elections there is one list of candidates per party for the whole country. Thus, there is only one constituency for the 53 regular seats, and these are allocated proportionally.

"Girls who get good grades can get scholarships to study science and technology, often abroad. This clearly helps strengthen women's position in society."

The 24 seats reserved for women are organised differently. Each of the country's provinces have a certain number of seats for women nominated by a nomination committee. A separate election for these seats is taking place in conjunction with the regular election. At the 2013 election there were 103 candidates vying for the 24 seats.²⁵

In addition to the above seats, there are two seats for young representatives and one for people living with disabilities in the Chamber of Deputies, adding to a total of 80 seats.

"Female MPs with children may encounter problems. I'm lucky because my husband understands me and supports me."

- "Mary", MP, (Rwanda).

Today, women hold 51 of a total 80 seats in Parliament. This corresponds to 64 per cent. 24 out of the 51 have seats reserved for women, while 27 women are elected from regular election lists. This means that even for the seats where women and men compete on an equal footing, approximately 50 per cent are women.

Since 1994, there have been numerous administrative reforms, and districts currently have a high degree of financial and administrative autonomy. The country is administratively divided into five provinces (including the capital Kigali), 30 districts, 416 sectors, 2150 cells and more than 14,000 villages.

Women organising

The Forum for Women Parliamentarians (FFRP) organises female parliamentarians with the aim of promoting gender equality. The umbrella organisation «Pro-Femmes Twese Hamwe» with its 58 civil society member associations, is internationally recognised for its contribution to rebuild society after the genocide. The umbrella is an important partner supporting female parliamentarians towards more women-friendly policies and support services. Pro-Femmes is consulted before laws are to be adopted in the Parliament and cooperate closely with FFRP.

Violence and harassment

The Rwanda Demographic and Health Survey (RDHS) from 2010,²⁶ found that 41 per cent of

²³ http://www.globalis.no/Land/Rwanda

²⁴ https://www.constituteproject.org/constitution/ Rwanda_2010.pdf

²⁵ http://www.ipu.org/parline/reports/2265_E.htm

²⁶ Rwanda Demographic Health Survey 2010, s 230

women aged 15-49 say they have experienced physical violence after the age of 15, and 22 per cent have experienced sexual violence. Women in rural areas are more likely to be victims of violence than women in urban areas. These are high figures and have no place in a society that wants to appear as gender equal. Surprisingly, 56 per cent of the women state that "a husband is justified in beating his wife if she either: neglects the children, burns the food, argues with

her husband, goes out without telling him or refuses to have sexual intercourse with him. Only 24.7 per cent of men said the same. According to the same survey only 6.5 per cent report spousal violence to the police. These figures show that much remains to be done to change attitudes in the country where tri-

"Women in rural areas are more likely to be victims of violence than women in urban areas."

als after the genocide focussed comprehensively on gender based violence, and convicted rape as strict as murder. Rwanda has already introduced some measures to combat violence against women, such as training of the police and the establishment of helplines.



Uganda

Uganda is also in East Africa, and has been independent from Britain since 1962. In the 1950s, a careful process of democratisation started. In 1962, Milton Obote was elected the Country's first Prime Minister. Obote's attempt to dissolve the ancient Kingdom was highly controversial. Idi Amin took advantage of this, and seized power in 1971. The next eight years Amin enforced a terror regime, characterised by massive human rights violations and economic decline. Persecutions and massacres

"Most female parliamentarians are opposed by their husbands."

- "Dorothy" MP, (Uganda)

of ethnic groups who supported Obote, led to killing of between 100,000 to 300,000 people. Amin expelled the Asian population from the Country, and this contributed greatly to the economic recession. In April 1979, Idi Amin was dispelled from Uganda. The former officer Yoweri Museveni came to power after a new, bloody civil war in the first half of the 80s and has served as the President since 1986. In 2005 the constitution was changed and the limits to how long a president could stay in power was repealed.

"The problem of Africa in general and Uganda in particular is not the people, but leaders who want to overstay in power."

Museveni was long considered a new kind of African leader, more open to the world outside Africa, and very interested in the country's economic integration and development. This contributed to a massive investment in education for both girls and boys, and effective HIV/AIDS awareness

campaigns in the '90s. During this period Uganda was a favourite aid recipient. In recent years this has changed. Museveni is being increasingly criticised for attacking democracy and civil society. Uganda under Museveni has been involved in several violent conflicts, as the civil war in DR Congo 1998-2003, and internally against the rebel group the Lord's Resistance Army (LRA).

Despite the introduction of multi-party system in 2005, Museveni and his party dominate and controls Ugandan politics.

Museveni was again re-elected 20 February 2016 for a fifth period, extending his 30-year rule. Election took place amid deep controversy as his main opponent was placed under house arrest. International observers dismissed the election result as a sham. The authoritarian leadership appears to use any means to prevent the opposition in gaining real influence in Ugandan politics. It is a bizarre irony that in in his book from 1986, «What is Africa's Problem» Museveni wrote: «The problem of Africa in general and Uganda in particular is not the people, but leaders who want to overstay in power».

Traditional roles; stagnation in policies

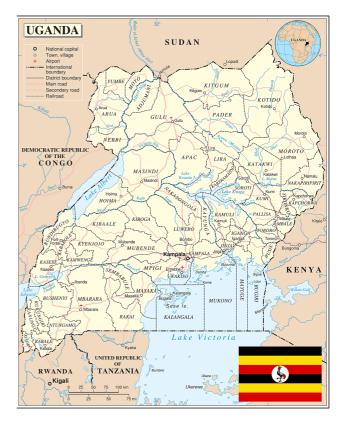
Uganda was for a period of time regarded as very progressive when it came to gender equality, and a role model for other countries in the region. Now it may seem that the trend has stalled. The country is characterised by traditional gender roles and huge inequalities between genders in terms of living conditions and fulfilment of rights.

Uganda, like Rwanda, has ratified a number of international agreements and protocols to ensure women's rights (see Table 2 in Appendix). The country also has several institutional mechanisms in place to ensure that gender is explicitly addressed in national and local policies, in both plans and programs. The Ministry of Gender, Labour and Social

Development²⁷has the overall responsibility for ensuring and coordinating a gender-sensitive development, and particularly ensure that women's status improves. National Women's Council was created in 1993 to organise and mobilise women in Uganda for purposes that are for the benefit of them and the nation.²⁸

«The Gender Machinery» in Uganda therefore consists of:

- The Ministry of Gender, Labour and Social Development (MGLSD), which main responsibility is to promote women's interests and gender equality. The Ministry, which was established in 1988, is responsible for generating social change by initiating, coordinating and monitoring that the development is moving in the right direction.
- The Directorate of Gender and Community Development (DGCD) has been given the responsibility for ensuring that the gender perspective permeates development processes, and that women enjoy equal rights as men in terms of access to and control over resources.



Political structure, electoral system and quotas

As already stated, the President has a lot of power. He appoints both the Prime Minister and the Government, in addition to being Commander in Chief of the Military. There are 375 seats in the Parliament²⁹, and there are 238 regular constituencies. These are single electoral districts, where a simple majority elects the representative. The winner takes it all. Uganda is administratively divided into four

regions and 112 districts, including Kampala. Article 78(1) in the Constitution states that the Parliament shall be composed of one female representative from each district. That's why 112 seats are reserved for women, one for each district. A simple majority also elects these seats. In addition, 25 representatives are elected from specific interest groups, such as young people and people living with disabilities. Of these, 5 must be female, representing respectively: the Uganda People's Defence Forces (2/5), youth (1/5), people living with dis-

abilities (1/5) and the labour movement $(1/5)^{30}$.

"Especially during election campaigns, male politicians might engage in 'name calling' against female opponents."

- "Emma" MP, (Uganda)

²⁷ http://www.mglsd.go.ug/

²⁸ The national Women's Council Act

²⁹ http://www.quotaproject.org/uid/countryview.cfm?CountryCode=UG

³⁰ http://www.quotaproject.org/uid/countryview.cfm?CountryCode=UG



The quota requirement that 30 per cent of the representatives in the Parliament must be women is constitutional. The Constitution was adopted in 1995, but the practice of affirmative action has existed since 1989. In Uganda the proportion of women in the Parliament is now 35 per cent. The 112 seats reserved for woman are not linked to any political party, and are thus not elected on a party program. With a total of 117 women on different quotas in the Ugandan parliament, only 14 women parliamentarians are elected in the regular way from a party list.

Woman organising

In Uganda, women's organisations work together with the Ugandan Women Parliamentarians Associations (UWOPA)³¹. Nearly all the female parliamentarians are members. UWOPA's objectives are to: ensure legislation that takes gender into account, raise awareness and conduct awareness campaigns, and encourage advocacy and networking. UWOPA is also inviting men to be involved³². The joint efforts between UWOPA and the coun-

try's women's movement, has i.e. yielded results in the *Land (Amendment) Act of 2004*. This law protects women's economic interests in marriage (matrimonial homes). Other important milestones include the *Employment Act of 2007*, where maternity leave was extended, paternity leave introduced, and provisions against sexual harassment at work enacted. Through *The Domestic Violence Act* came the ban on violence in relationships. A ban on circumcision of girls and women was enacted in *The Prohibition of Female Genital Mutilation Act*³³ - both from 2010.

Violence and harassment

In Uganda, 56 per cent of women aged 15 to 49, report that they have experienced physical violence at least once, after age fifteen. 28 per cent of women say that they have experienced sexual violence at least once during their lifetime³⁴. Attitudes towards domestic violence seem to have changed, both for men and women. In 2006 the Uganda Demographic Health Survey (UDHS)³⁵ reported that 70 per cent of all female respondents thought that wife-beating was justified if the wife she either: neglected the children, burned the food, argued with her husband, left without telling him or refused to have sexual intercourse with him. In

"Women in the ordinary seats have more resources, and they sit longer"

- "Melinda" MP, Uganda

2011³⁶, this proportion had dropped to below 60 per cent. Interestingly, the proportion of men who think violence is justified under these conditions is, like in Rwanda, significantly lower: almost 60 per cent in 2006 compared to 43 per cent in 2011. This suggests a real change in attitude.

³¹ http://www.parliament.go.ug/new/index.php/membersof-parliament/parliamentary-fora/uganda-womens-parliamentary-association-uwopa

³² www.uwopa.or.ug/

³³ http://www.ulii.org/indexpage/bill

³⁴ Uganda Demographic Health Survey. 2011, s 243

³⁵ Uganda Demographic Health Survey. 2006, s 251

³⁶ Uganda Demographic Health Survey. 2011, s 229

Gender quotas; necessary but not sufficient

A high proportion of women in parliament, has the *potential to* increase the overall status of women and improve women's lives, for example by gaining support for more gender equality laws that promote women's economic, legal and social interests.

There is broad consensus that quotas alone are not sufficient to ensure effective policies and equality for women in African countries. But quotas help to increase women's actual representation in parliaments.³⁷ To further achieve substantive and symbolic representation for women, several other components all pulling together, are needed.

Dr. Vibeke Wang is a researcher at the Chr. Michelsen development research institute (CMI), and has presented a dissertation for a PhD on women's impact in the Ugandan Parliament: the study «Operating in the shadow of the executive: Women's substantive representation in the Uganda Parliament». Here she argues that reserved seats for women in Uganda have led to a steady increase in the number of women with decision making power since the 90s, but that this has not led to an equally large increase in pro-women policies. She further argues that the real change for women in Uganda happened right after the re-introduction of the multi-party system in 2006. Most pro-women policies were adopted 2006-2011.

Wang³⁸ notes that the following additional factors to quota, play an important role for pro-women policies:

- The role of women's caucus in parliament.
- Support from male parliamentarians.
- Established relationships between female legislators and civil society.

Traditional gender roles as obstacles

Both in Rwanda and Uganda we saw that traditional gender roles prevented women from participating in politics. This was the case particularly in Uganda. Several of the female parliamentarians we interviewed in both countries stressed the importance of a supportive husband. When women already in position, express themselves like this, one can assume that many women on the same grounds refuse to even take a first step into politics. They probably have no real choice, as they are not getting their partner's permission. In this way politics is missing out on many potentially talented and skilled women. In Rwan-

" ... reserved seats for women in Uganda have led to a steady increase in the number of women with decision making power since the 90s, but (...) this has not led to an equally large increase in pro-women policies."

da, compared to Uganda, there seemed to be less resistance among the voters to women in politics. This might be because women are making up the majority in the Parliament in Rwanda, and as a result a more accepting culture has developed. However, although many were describing how far they had come in achieving equality, it became clear that traditional attitudes are still strong in Rwanda. Researchers even claim that the majority of women in Rwanda have not gained much benefit from the Government's policies promoting gender equality³⁹.

When it comes to education, efforts have been made to give children access to school, and today

³⁷ Dahlerup (2012), Wang (2013), Muriaas (2013)

³⁸ Wang, V. 2013. Women changing policy outcomes: Learning from pro-women legislation in the Ugandan Parliament. Women's Studies International Forum vol. 41 pp. 113-121. http://www.cmi.no/publications/ publication/?4968=women-changing-policy-outcomes

³⁹ Abbott, M.&D.Malunda. 2015. *The promise and the reality: Women's rights in Rwanda*. Working Paper No. 5



equally many girls and boys are enrolling primary school in Uganda. The ratio then adjusts to only 8 girls per 10 boys in secondary school. To promote girl education girls are awarded an additional 1.5 points in public universities. 40

"Life as a parliamentarian is difficult and interesting at the same time. Many activities will take us out of Kampala. Many husbands do not like that."

- "Dorothy" MP, (Uganda)

In Uganda, both the women's organisations and the female parliamentarians were outspoken about the fact that women's situation overall is different from that of men, and that there is a long way to go to achieve equality. In Rwanda, a lot has been achieved in terms of formal gender equality, and there are several factors that can explain this. After the genocide Rwanda was in a situation where all available resources were needed for the reconstruction of the society. As previously noted after war, conflicts and social upheaval societies are more inclined to accept and undergo profound changes. In addition there has been a remarkably

strong support and commitment from the executive in Rwanda, resulting in a "gender machinery" to ensure gender equality policies and implementation.

Uganda also has systems in place to ensure implementation of pro-woman policies, but we got the impression that the systems had halted due to lack of political will at the executive level.

Violence and harassment

Some of the female parliamentarians we interviewed in Uganda, told us about violence and other forms of harassment they were subject to. This happened even at their workplace: the Parliament. Such initimidations may prevent women from participating actively in politics. None of the politicians or organisations in Rwanda, however, reported any kind of harassment against female parliamentarians. That does necessarily not mean it is not happening.

The representatives of women's organisations we talked to believed that violence and harassment was done to halt, dampen and / or humiliate the female politicians. The politicians confirmed this understanding, but expressed themselves with more care. There may be several reasons for that, but one is probably that female politicians must defend their position, making the threshold for notifying harassment high. We were also told that even male politicians risked being subjected to violence and harassment, if they i.e. supported certain issues, such as gay human rights. Again, with reference to Wang's factors above, it is fair to say that it is difficult to push through pro-woman policies without support from male parliamentarians.

The importance of education

A certain level of knowledge is needed to have a seat in the Legislature Assembly, and Uganda has i.e. defined minimum educational requirements for candidates who want to run for the Parliament. The requirement is completed "senior six" level (high school). In Uganda, the common language in the Parliament is English, which makes it even more challenging to fully participate for those representatives with the lowest levels of education.

⁴⁰ Stoebenau, K., A. Warner og M. Sexton. 2014. Unpacking Reasons for Girls' School Drop-out in West Nile, Uganda, ICRW.

There was agreement among politicians and organisations we interviewed in both countries that a candidate running for Parliament needs formal education to be able to perform satisfactory. Low levels of education, as a consequence, exclude a large proportion of the population from political participation. And due to the discrepancy between men's and women's access to education, women are to a larger extent excluded from running.

At the same time education increases the chance of getting a job in the formal labour market, and a formal job increases the chance of being politically engaged, with the confidence and support required in a democracy. "Low levels of education, (...) exclude a large proportion of the population from political participation."

Unfortunately there are few indications that women (or men) with higher education necessarily safeguard the interests of more marginalised population groups.

Political structure, electoral system and quotas

In many African countries, customary or religious law reigns alongside with more modern legal legislation,⁴¹ introduced during the colonial era. The biggest challenge for the law and the legal system is the mere coexistence of the traditional and the modern systems, especially when contradictions arise between them. In the attempts to mend the gap between the two systems women's rights often seem

to lose out. Customary protection of women's rights and interests are lost in the modern individualised legal system and vice versa. As one of our Ugandan respondents said:

"Men used to own the cows and women owned the milk. When milk became a commodity, men owned both the cow and the milk."

Both the electoral systems and the political parties' internal arrangements affect women's participation. A country's elec-

toral system determines women's opportunities to compete for seats. Rwanda has a different election system than Uganda, and the share of women in Parliament is higher on the regular seats, where women make up 50 per cent. In Uganda, on the contrary, women only have a marginal share of the regular seats. A system with majority voting in single electoral districts, like Uganda, is not particularly beneficial for women as it favours established parties and candidates. In addi-

tion to the electoral system, the parties own recruitment policies and

commitment to strengthen female candidates are important. So far, 41 http://www.utdallas.edu/~lck016000/HRQSub.pdf

"In Africa, it turns out that in post-conflict countries that have undergone major upheavals, women have more rights and are much more likely to hold political office, than countries that have not undergone war and upheaval. It turns out that major political upheavals often lead to big changes, and new players entering the arena"

- Helga Hernes, Prio, in Kvinner Sammen (FOKUS' Women United Magazine)



these are inconclusive with little popular support within the Ugandan parties, and therefore hardly implemented. It is thus difficult for women to challenge men on ordinary seats.

The opposition party in Uganda, Uganda People Congress Party has, unlike other parties, an explicit rule to support women in competing for regular seats. But according to "Dorothy", who is a member of the party, there's strong resistance within. The policy is not yet implemented. Nor are funds allocated, or other measures introduced to recruit women to run for regular seats. "Dorothy" who herself is in a reserved seat, has never challenged or competed against men, neither within the party nor in elections.

The State of Rwanda has since 2007 had a provision in the Constitution granting women at least 30 per cent of posts in decision making organs, also parties must have the same percentage on their electoral lists.⁴² Thus giving women a significantly greater chance of being elected in the regular seats.

Although, the law doesn't specify anything about the order on the electoral lists, the parties acknowledge the importance of having women in regular seats.

In Rwanda we met "Harriet," a parliamentarian with a long political career. She was one of the first women from the Liberal Party elected to the Parliament in Rwanda. She suggested early on using of the zipper method in her party, which literally means putting men and women on ever other place on the electoral lists. She met a lot of resistance against the proposal in the beginning.

As long as parties do not facilitate women's participation in elections to ordinary seats, neither with funding, their recruitment systems, or other kinds of support, it becomes almost impossible for women to gain positions this way. Then the only possibilities are seats reserved for women.

In Uganda, it is apparently extremely important for parliamentarians to serve the interests of their constituency, and that is often a prerequisite to get re-elected. The fact that women's reserved seats have larger constituencies than the regular seats in Uganda, makes it more demanding for them to follow-up their voters. It is also less likely that voters feel proximity and loyalty to their quota candidate.

"Now, however, all the political parties understand that there is a need for women."

- "Harriet" MP, (Rwanda)

Serving their constituencies need not only be in Parliament, it might as well be raising funds for the local hospital from international donors. Perhaps the expectations regarding concrete local results such as education and health services are higher towards female than male representatives? Some claim that women now days to a lesser extent initiates policies and pushes implementation of adopted policies, but rather have turned out as 'service providers' for their constituencies in Uganda.

This is different in Rwanda, where there is only one constituency and the parliamentarians we talked

⁴² http://www.quotaproject.org/uid/countryview. cfm?CountryCode=RW

to, was very conscious that their work included the entire Rwanda. It is statutory following Article 64 of the Constitution that: *«Every Member of Parliament represents the whole nation and not just those who elected or nominated him or her or the political organisation on whose ticket he/she stood for election.»*

Burnet,⁴³ argues in his study that the high political representation of women in Rwanda have not resulted in a stronger legislations to pro-

mote and protect women's interests. The high political participation, however, has a symbolic value, and has given some groups of urban, resourceful women increased respect, influence, access to education and independence. Burnet concludes nevertheless that the situation for the majority of rural women has not changed appreciably.

"The women are being used as pawns in a game. Affirmative action must be accompanied by 'strong proponents' of equality if these seats are to have some influence"

Reserved seats in parliaments might lead to politicians less dedicated, and with a weaker power base.

In addition the assignment and responsibilities being a parliamentarian are huge for politically untrained women. The women, who fight for a regular seat, have a more defined mandate and are probably better politically educated. They also have a much larger network supporting them, than those who have direct quota seats.

None of those we interviewed were against quotas. However, people had diverging views on the real effect on legislation, budgeting and policymaking. Their views on the future of affirmative action and implications for women in reserved seats would also differ.

In Claytons et al.'s study44 from Uganda, it is emphasised that women who are in the reserved quota seats, are significantly less recognised in plenary debates than their female and male colleagues elected to the open seats. They are less referred to by *name* in the debates — a common measure of recognition (respect and power). This trend was actually reinforced after Uganda converted to multi-party system in 2006. Women representatives from the ruling party in reserved seats were then not re-elected, and it is argued that the few women who were actually elected, changed their behaviour in such a way that their presence and authority was significantly reduced during the plenary debates (p. 380). These findings lead Clayton et al. to conclude that the democratic opening in Uganda had negative short-term effects on quota female parliamentary recognition, contrary of what was originally intended. These findings are interesting, considering than several pro-women laws were adopted during the same period (Wang 2013).

^{- &}quot;Melinda" MP, Uganda

⁴³ Burnet, J.D. 2011. Women have Found Respect: Gender Quotas, Symbolic Representation, and Female Empowerment in Rwanda, 7 *Politics and Gender* (2011) 303-344.

⁴⁴ Clayton, A., C. Josefsson & V. Wang. 2014. Present without presence? Gender, quotas and debate recognition in the Ugandan parliament, Representation, 50:3, 379-392, DOI: 10.1080/00344893.2014.951232

Clayton et al's (2014) analysis suggests that women elected through quotas not necessarily have an equal say as their male counterparts in influencing parliamentary outcomes. Furthermore that participation in plenary debates, along with other indicators of parliamentary presence and recognition, are essential in understanding the complex power structures within legislation (page 389).

In general women in reserved seats have shorter parliamentary careers than those directly elected to regular seats. With an increased turnover they do not accumulate the same level of experience and political confidence. The reason for their shorter periods could well be lack of political interest and commitment, or lack of confidence, support and networks in a position without necessary training. It could also be the result of ridiculing, pressure and harassment from other politicians or from the media.

Women's organising

Both the Ugandan and Rwandan parliaments have organisations for the elected women: The Uganda Women's Parliamentary Association (UWOPA) and the Rwanda Women Parliamentary Forum (FFRP). These offer training and facilitate professional meetings and consultations, internally for politicians and also between women's civil society organisations and female members of parliament.

"... women MPs in Uganda used to be more dedicated to feminism and gender equality 10 -15 years ago."

Wang points out that in Uganda, the degree of organisation and strategic political work among the women's caucus in Parliament has increased, and resulted in efforts on more arenas, keeping up the activity level. She says that the women's caucus has developed strategies to promote prowomen policies in accordance with a joint agreed agenda. They have worked specifically with alliances among civil society, and developed close contacts with the country's women's movement — considered one of the most best organised and

strongest women's movements in Africa — which they used to have a more conflicting relationship with. 45

The women's organisations we interviewed were of a slightly different opinion and said that women MPs in Uganda used to be more dedicated to feminism and gender equality 10 -15 years ago. At that time they cooperated closely with the women's movement in the country, and were aware who they represented, namely women.

In Rwanda, female parliamentarians have established The Forum for Women Parliamentarians (FFRP) to organised women MPs collaboration across party lines, and together with the women's movement. Joint priorities are i.e. revising and eliminating discriminatory laws, and analysing proposed legislation from a gender perspective. One important change was achieved when the law that prevented women inheriting land was revoked.⁴⁶

Parliamentarians' cooperation with the women's movement, and across political lines in Rwanda and Uganda, are good examples of both *substantive* representation (Dahlerup and Friedenvall 2010) and the effect of participating in the women caucus (Wang 2013).

Rwanda and Uganda have different electoral systems, but both have constitutional gender quotas and thus a significant proportion of reserved seats in parliaments. In comparable countries without quotas, the proportion of women representatives is low. In comparison, Liberia with Africas first elected female president has only 11 per cent women in the Parliament, the proportion went down in the last election."

⁴⁵ http://kjonnsforskning.no/nb/2013/11/kvotering-av-kvinner-ikke-nok-til-endre-politikk

⁴⁶ http://www.migeprof.gov.rw/IMG/pdf/MATRIMONIAL_ REGIMES_LIBERALITIES_AND_SUCCESSIONS-2. pdf

Concluding remarks

As we have seen the introduction of electoral gender quotas alone is certainly not sufficient to make the fundamental structural changes towards gender equality. Quotas as such will neither correct power imbalances nor strengthen the influence of ordinary women in a country. On the other hand, there is a broad consensus that in many countries quotas are a necessary first step to reach the critical mass of female parliamentarians needed to introduce more gender equal policies and practices. We have seen that several factors influence recruitment and leverage of women representatives. Traditional gender roles and expectations can prevent women from choosing a political career and the public from supporting female candidates. Thus potential female candidates depend much on their husbands and families for practical, as well as political and sometimes even financial support. Several female MPs said they could not travel to meet with their constituencies, participate in election rallies, attend meetings etc., due to family chores and / or lack of permission from their husbands.

"Men used to own the cows and women owned the milk. When milk became a commodity, men owned both the cow and the milk"

Ugandan respondent

Funding for their electoral campaigns is another frequent obstacle for women candidates, while the risk of being intimidated and subject to harassment by fellow politicians, media and the public were mentioned as a third reason why many women are reluctant to go into politics. The election system with single electoral districts where the winner takes all, a legacy of the British colonialists, is yet another disadvantaging factor for women in Uganda where only 22 out of 143 women in Parliament were elected for the regular seats in the 2016



elections. In comparison Rwanda, which has only one constituency and divides the 53 regular seats proportionally, elected as many as 27 women to these seats in 2013. In addition come the 24 seats reserved for women.

-"Most of the electoral processes exclude women as candidates, voters and campaign agents" according to Helen Kwzie- Nwoh, the director of FOKUS' partner organisation Isis- WICCE in Uganda. In connection to the 2016 election, she commented to FOKUS website that women voters do not have time to listen to candidates due to chores connected to traditional gender roles. As a result, they miss out on critical information, especially from candidates who use campaign platforms to conduct voter education.

- "As candidates, women face negative attitudes, and they are judged based on their marital status. Most single women are perceived not qualified to take leadership positions. Another issue is the quota system that reserves seats for women. It is generally believed that women should not stand for the open seats, but settle for the quota seats. Women who run for open seats are seen as intruders."

Many quota women are seated without a mandate, political networks or political skills. It is even more

problematic that they have less defined constituencies that they are accountable to, and can lean on for support and advice. Thus, quota women are easier to subdue, manipulate and control by other political interests. The ties to the women's movement and the women's caucus in parliament have loosened during last decade in Uganda and more female parliamentarians have neither the mandate, nor the interest in promoting woman's political issues. On the contrary, they have acted against elementary women's human rights legislation, such as "The marriage and divorce act". According to Miria Matembe, a pioneer in Ugandan politics, "It is as if slaves were in favour of slavery!"

"On the contrary, they have acted against elementary women's human rights legislation, such as "The marriage and divorce act". According to Miria Matembe, a pioneer in Ugandan politics, "It is as if slaves were in favour of slavery!"

In Rwanda, the collaboration between quota women, women elected to the open seats, and civil society has contributed to real change in policies and legislation on many important issues for women and gender equality. The majority of female parliamentarians are elected from regular party lists where they have a clear mandate and constituency they are accountable to. Important issues are brought to the table along with credible documentation. Strong support for gender equality from the executive has contributed to the establishment of various support services that are very unusual in Africa, such as helplines and shelters for victims of gender-based violence, inheritance rights for married women and 3-months paid maternity leave. The new legislation and support services may not be very well known, nor yet adequate to the total needs. It may also be true that the majority of Rwandan women have no sense of being empowered. Nevertheless, they are important signals of a recognition of some of the core challenges women face and political will to solve them.

In sub-Saharan Africa, we see that countries in post-conflict situations have a stronger female representation. The success Rwanda has had on gender equality is related to the conflict and genocide and the peace process in the aftermath, where women's organisations had a very visible role. After the genocide all available resources was needed. Women's participation at different levels was essential for the reconstruction phase. This led to inclusion of the goal on gender equality, and women's rights, in the Constitution, and paved the way for female majority in the Rwandan parliament today.

During Museveni's first twenty years in power from 1986, Uganda took the lead on progressive politics in Africa and women's rights were very much on the agenda. Miria Matembe says the country made important progress on many laws, but the next step, implementation, failed, as there was not the political will to provide necessary resources and support services for legal enforcement. She sees only one strategy to overcome the current stagnation and even setbacks, "we must bridge the gap between civil society organisations and the parliament. We need to engage with vocal, educated and informed men. Parliamentarians need advisors that can provide them with eloquent and informed arguments and it will require passionate women MPs with a base in, and clear sense of accountability to civil society. That could be a wonderful strategy with a very big impact!"





"Gender equality in every sector is not a favor, it is your right. It is the way it should be. The right to equality is not something that can be given or taken. It begins with each of you believing in your equal ability to achieve."

Speech by Rwanda's president Paul Kagame 5 July 2013.





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