



“QUOTA SYSTEMS IN AFRICA – AN OVERVIEW”

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The Implementation of Quotas: African Experiences

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Introduction

This presentation draws largely on examples from the region of the Southern African Development Community (SADC). It focuses on the application of quotas and other measures to facilitate the increased participation of women in politics and decision-making.

The Declaration on Gender and Development, signed by SADC heads of state and government in 1997, commits member states to use ‘whatever methods available to increase the participation of women at all levels of decision making to 30% by 2005’.

In Article H, the heads of state and government committed themselves and their ‘respective countries to, *inter-alia* (ii) ensuring the equal representation of women and men in the decision making of member states and SADC structures at all levels and the achievement of at least 30% target of women in political and decision making structures by the year 2005’.

In this regard, the SADC Declaration on Gender and Development is in effect a response to critical area of concern number seven of the Africa and Beijing Platforms for Action of 1995, which call on all concerned parties to: ‘take strategic action to address inequality between men and women in sharing power and decision making at all levels’.

Since the signing of the SADC Declaration on Gender and Development there have increasingly been calls to adopt special measures to facilitate the meeting of this commitment. Political quotas for women have been presented as one solution.

A regional Programme on Women in Politics and Decision-making (WIP) has been under in operation since 2000, coordinated by the SADC Secretariat as part of the Sub-Regional Plan of Action for Gender. The aim is to help member states to reach this target by providing female members of parliament (MPs) and political aspirants with relevant skills, and to encourage the sharing experiences and best practices across the region. Heads of state and government receive annual reports at their summit on progress made and measures introduced by member states to ensure that the target is reached.

A region-wide study commissioned by the SADC Secretariat in 2001, as part of the WIP programme, indicated a general trend towards the use of quotas and/or other forms of affirmative action in countries that have these provisions, as well as in those that do not yet have them in place.¹ Most of the national reports have recommended intensified lobbying and advocacy in order to press governments to incorporate quota systems in their structures and legislative instruments.²

However, all of the reports acknowledged that, while quotas are desirable, they are not a panacea for ensuring women's equal political participation and representation, and that they need to be supported in various other ways. Also, quotas have been found to yield different results in different electoral systems at different levels. The region is currently engaged in exploring the best way that quotas can be used to achieve the best results across the board.

Types of Quotas

A conference convened by the SADC Secretariat on 28 March–1 April 1999 identified two possible broad types of quotas: a voluntary party-based quota; and a mandatory quota, which is either legislated or constitutional. These are combined in any number of ways with either a proportional representation (PR) or a constituency-based electoral system and are applied at one or more levels, that is, at the local, provincial or national (government) levels.

In addition to quotas, other affirmative action measures are applied in some countries. And the electoral systems of some countries permit the head of state to make a certain number of special appointments to parliament, such as in Botswana and Swaziland.

Voluntary quotas

Voluntary quotas are usually introduced by political parties under their own initiative either provided for in the party's policy documents and practices or because of the 'goodwill' of the party leadership. The party is not bound by any legislation to implement the provision.

A number of ruling and opposition parties in the region have provisions for such quotas for women, youth and other disadvantaged groups. Successful examples in the SADC region are the African National Congress (ANC) in South Africa and the Front for the Liberation of Mozambique (FRELIMO) in Mozambique. Quotas have ensured that the minimum target of 30 percent female representation in parliament has been met in those countries, as will be shown below.

The Zimbabwe African National Union-Patriotic Front (ZANU-PF) in Zimbabwe and SWAPO in Namibia have also made provision for 30 percent of all decision-making posts to be held by women. However, in relative terms, the performance of these two parties, in

terms of the participation of women in politics, particularly at the parliamentary level, has not been as good as in Mozambique and South Africa.

Similarly, in Botswana, which uses a constituency-based electoral system, the opposition Botswana National Front (BNF) and the Botswana Congress Party (BCP) have both introduced minimum quotas of 30 percent of women within their party structures. However, neither party has put in place mechanisms to ensure that these provisions are successfully implemented.³ The BCP women's congress has debated implementation strategies and proposed 'reserved seats' as the best strategy to facilitate the implementation of the quota, but the party leadership has not accepted this. In the case of the BNF, the provision has only been applied to party structures, not to public office.

Mandatory quotas

There are two types of mandatory quotas: the legislated quota and the constitutional quota.

The former is introduced through legislation that reserves a certain number of seats for women in political bodies and requires that all political parties have a certain number of women on their electoral ballot. An example of this can be found in Namibia at the local government level, where a combination of a legislated quota, a voluntary party quota and a proportional representation (PR) system is in operation. This has resulted in a very impressive 43.8 percent of women in local government,⁴ as compared to three percent at the regional level and 19 percent at the parliamentary level. Both the PR electoral system and the voluntary ruling party quota exist at the regional and parliamentary levels.

Constitutional quotas, meanwhile, are provided for in the constitution, which is the highest law of the land and cannot be overridden by any statute. This quota is mandatory and binding on all parties and the government of the day. An example of this is provided by Tanzania, where 20 percent of MPs and 33 percent of representatives at the local level must be women.

When, Where and How Have Quotas Been Used?

Quotas have been used in numerous settings and combined with various electoral systems with wide ranging results.

Voluntary party-based quota in a PR electoral system

South Africa and Mozambique are the two examples of where a voluntary party quota has been combined with a PR electoral system. As indicated earlier, the two ruling parties, the ANC and FRELIMO, have voluntarily adopted 30 percent quotas. Because of the combination of a PR and a list system, every third person on their respective list is a woman. As the majority parties, this system has ensured levels of female representation of 31.3 percent in South Africa and 31.2 percent in Mozambique, the highest in the region. In the case of Mozambique, however, good performance at the parliamentary level has not been replicated on other levels. For instance, women's representation in the cabinet is 14 percent and in local government it is 17 percent. This confirms that, even in a PR electoral system, the success of a voluntary quota depends on the 'goodwill' of the leadership, the nature of the party, and the prevailing political climate.

Voluntary party-based quota in a constituency-based electoral system

This has been known to work successfully in some parts of the world, such as in relation to the Labour Party in the United Kingdom. However, in the case of the SADC region, the ruling ZANU-PF in Zimbabwe, like the ANC in South Africa and FRELIMO in Mozambique, has a voluntary quota for women and youth. However, because of the constituency based electoral system, the ‘zebra stripe’ system for the selection of candidates (alternating male and female candidates) has never translated into reality and been effectively implemented. As a result, even though ZANU-PF is the majority party, the representation of women has not been as impressive as in the other two countries. The situation worsened in the last elections when the ruling party faced a strong opposition, and the voluntary quota became of less significant. Zimbabwean women make up ten percent of MPs and 16.7 percent of cabinet ministers, down from 14.3 percent and 21.4 percent respectively before the last elections.

Similarly, in Botswana, which has a constituency-based electoral system, the two opposition parties – the Botswana Congress Party and the Botswana National Front – have quotas of 30 percent of women. But they did not actively ensure that the quota was met, by reviewing their procedures to enhance access by women, head hunting women, encouraging them to stand, and facilitating a conducive environment for them in the primary elections for candidate selection. The parties continue to field very few women in national parliamentary elections.

In the last elections of 1999, however, the ruling Botswana Democratic Party (BDP), which does not have a quota for women, yielded to pressure from women members of the party and women’s organizations to field more women candidates, many of who were elected and are now in parliament and the cabinet.⁵ This shows that, while quotas are indeed useful, another crucial factor is action by political parties, either voluntarily or under pressure, to ensure that their structures and culture allow and encourage women to stand for office. This achievement of the BDP itself is not sustainable and relies solely on the ‘mercy’ of the leadership and party whims and sensitivities, and perhaps on the regional quota commitment in the SADC Declaration on Gender and Development, which the government of Botswana has signed up to.

With regard to the voluntary quota, its main disadvantage is that, first, it relies on the party gaining a substantial majority, and, second, that the party has an inclusive culture, with facilitative structures and systems in place to ensure that the voluntary quota is implemented both in the party and in the public arena.

At the broader national level, there is no guarantee of the required ‘critical mass’ being achieved unless every party contesting the election has a 30 percent quota.

Mandatory legislated quota in a PR electoral system

As the example of the local government elections in Namibia indicates, the result is even better when the quota is legislated, as opposed to being voluntarily and adopted by one or other party. In this case, the elections had a guaranteed outcome of 30 percent of women. Since some parties fielded even more women candidates, the overall outcome was over 40 percent. This suggests that a legislated quota and a PR system are the most powerful combination for achieving gender parity in politics, which is the ultimate objective.⁶

Mandatory constitutional quota in a constituency-based electoral system

The example of this in Southern Africa is Tanzania, whose constitution stipulates that at least 20 percent of MPs must be women. With the eight seats that women contested directly and won, this has given them an overall representation of 16.4 percent in parliament. Clearly, the quota has boosted the level of female representation in Tanzania.

Legislated quota in a no party system

Uganda under the government led by the National Resistance Movement provides an example of this scenario. As a result of the government's affirmative action policy, each district is required to elect a female parliamentary representative, as well as to allow women to compete with men in open constituencies. This ensures that women occupy 27 percent of seats in parliament.

No Quota Mixed PR and Constituency System

Seychelles has been the third best performer in the SADC region in terms of the representation of women in parliament – after South Africa and Mozambique with 24 percent female representation. Women make up 27 percent of the cabinet. Seychelles has a mixed PR and constituency-based system, but it does not have a quota provision. Women have always been visible in politics and decision-making in the country because men have been forced to seek work outside of the island,⁷ and because of the inclusive policy of the government. Nevertheless, the Seychelles' national WIP research report recommends that the representation of women and men be legislated, since the gender balance of the cabinet is currently at the discretion of the president. It cannot be assumed that the elected president will always be gender sensitive.

No Quota - Special Nominations and Appointments

The electoral systems of many countries in the SADC region allow the head of state to make a certain number of appointments to parliament (examples include Botswana, Swaziland and Zimbabwe). Of the eight women in the last Swazi parliament, only two were elected. The king appointed the other six. Similarly, in Botswana, two of the eight female members of parliament were specially nominated, which has been a practice for some years.⁸

Sub-Regional and Regional Quota Provisions

As indicated in the introduction to this paper, at the sub-regional level, SADC member states through the Declaration on Gender and Development have committed themselves and their countries to meeting the minimum target of 30 percent of women in decision-making positions at all levels and in all structures by 2005.

Besides ensuring that there is a minimum of 30 percent female representation in all decision-making bodies within all SADC institutions, and in delegations to all meetings, the declaration acts as yardstick for gauging member states' performance at the national level, and as a mechanism for monitoring performance and for peer review at the highest levels of decision-making.

The declaration is also a tool for lobbying, advocacy and mobilization at the national and regional levels to ensure that governments honour their commitments in regard to women's empowerment and the achievement of gender equality in the SADC sub-region.

At the regional level, the African Union (AU) Constitutive Act provides for a 50 percent quota for women in all of its structures. Like the SADC declaration, but more binding, this provision is intended to ensure women's equal and full participation in all AU structures and at all levels. And like the sub-regional declaration discussed above, it is a mechanism and tool for use at both the national and sub-regional levels, to achieve the equal representation of women at all levels of politics and decision-making.

Conclusions

Proportional representation versus constituency-based systems

The experience of SADC countries supports the global observation that a combination of PR and the list system is more conducive to the representation of women than the constituency-based system.

Writing on the situation in the Commonwealth, Colleen Lowe-Morna observes that there is overwhelming evidence to suggest that women stand a better chance of being elected under the PR system than the constituency-based system. The reason for this, she argues, is that, in the former case, 'candidates focus on the party and its policies, rather than on a particular individual. This works in favour of women – at least in getting their foot in the door – because of the in-built prejudices against women'.⁹

Six SADC countries have constituency-based electoral systems, and four have proportional representation systems: Angola, Mozambique, Namibia and South Africa – except at the local level in South Africa (where there is a combination of the PR and constituency-based systems) and at the regional level in Namibia (where elections are constituency based). Seychelles has a mixed PR and constituency-based system.

In other words, two of the three top performing countries in SADC with regard to women's representation in parliament (Mozambique and South Africa) have PR systems. The third top performer, Seychelles, has a mixed system. This begs the question whether there is a definite correlation between the use of PR, either in full or in part, and the increased participation of women in political leadership positions.¹⁰ The absence of a PR system in Zimbabwe and, comparatively, its not so impressive performance, even though the majority party has a voluntary party quota, may further support the argument for the above combination.

While the PR system by itself does not guarantee the increased representation of women, the chance of women being elected is greater when the PR system is combined with a legislated or party-based quota for women.

Writing on the 1994 elections in South Africa, Thenjiwe Mtintso observes that:

'The 1994 national and provincial elections were run wholly on a proportional representation basis. The advantage of the proportional representation system for women is illustrated by the contrast between the national/provincial and local government elections. In the seats contested on the basis of proportional representation, women won 27.9 percent of the seats. In the ward or constituency based seats, women won only 10.84 percent of the seats. This

gave an overall average of 19 percent of the seats in local government being won by women'.¹¹

PR offers the space for political parties to create representative lists. The stage at which political parties nominate candidates and compile lists is critical in ensuring that women are elected to office, as this is when crucial decisions are made about who should stand as candidates and the position that they will occupy on the list. The number of women who make it is dependent on the number of women that the party selects, and also on whether or not the party adopts internal gender quotas. Where women are placed on the list is also a determining factor. Placing them at the bottom of the list obviously reduces their chance of being elected.

Voluntary and mandatory quotas

Tanzania has a constituency-based system with seats reserved for women under the constitution, which are contested on a PR basis. This seems to be a more sustainable model. Legislated and constitutional quotas are more likely to work in both the PR and constituency-based electoral systems.

Special measures

A few SADC countries have increased women's participation through other special measures in the absence of, and sometimes in addition to, quotas. These include special nominations and appointments by the leadership due to a political commitment and sometimes as a response to pressure at the national and regional levels. Translation of commitments made and signed at the global level to the regional, sub-regional and national levels, and their utilization for collective mobilization, for instance, has influenced the rise in female representation in a number of SADC countries. Following recent elections, countries like Lesotho and Swaziland have not only made gains in terms of women's representation in decision-making, but they have also become more sensitized to the need for the equal participation of women.

Lessons and best practices

The evidence from SADC countries shows that those states that have recorded significant increases in the number of women in parliament have achieved this by taking deliberate, positive steps. These include enacting constitutional and legal provisions, and adopting affirmative action policies that include quotas favouring women at the party and national levels. There are best practices that have been shown by combining quotas and electoral systems that are likely to yield better results.

Factors that have combined to establish a conducive environment are set out below.

- The adoption of the 1997 SADC Declaration on Gender and Development, stipulating a 30 percent quota, combined with the implementation of a regional Programme of Action for Women in Politics and Decision-making.
- The introduction of a monitoring mechanism at the highest level of decision-making (through the Summit of Heads of State and Government).

- Concerted lobbying and advocacy efforts to remind constantly the SADC leadership of the commitments it has made to ensure increased female participation in decision-making.

Gender biases and stereotypes that do not encourage women to enter politics remain pervasive at all levels of society. Governments and political parties need to play a leading role in changing attitudes. While quotas can go a long way towards influencing the situation, increased participation of women in politics requires interventions at different levels and the employment of multiple strategies. Over and above that, it requires political will and commitment.

Endnotes

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- ¹ SADC Secretariat. 2001. 'Regional Report on Women in Politics and Decision Making'.
- ² SADC Secretariat. 2001. 'National Research Reports for Malawi, Namibia, Seychelles'.
- ³ 'Botswana National Report on Women in Politics and Decision Making'. 2001. (incomplete reference)
- ⁴ See Iiping. 2001.
- ⁵ 'Botswana National WIP Report'. 2001. Gaborone, SADC Secretariat.
- ⁶ 'National WIP Research Report'. 2001. Iiping.
- ⁷ Lowe-Morna, C. 2000. *Towards Sustainable Democratic Institutions in Southern Africa: Women's Political Participation in SADC*. (incomplete reference)
- ⁸ 'Botswana and Swaziland National WIP Research Reports'. 2001. (incomplete reference)
- ⁹ Lowe-Morna, C. 2000.
- ¹⁰ Lowe-Morna, C. 2000.
- ¹¹ Mtintso, T. March 1999. 'A voluntary party-based quota in a list system'. Paper presented at the Conference on Women in Politics and Decision-making'. Gaborone: Botswana.

References

'National Report to Summit on Women in Politics and Decision-Making'. 2002. (incomplete reference)

Gender and Good Governance: Engendering the Political Process. 1998. (incomplete reference)

International IDEA. 1998. *Women in Parliament: Beyond Numbers*. Stockholm: International IDEA.

Kethusegile-Juru, B.M. 2002. *Intra-Party Democracy and the Inclusion of Women*. (incomplete reference)

Kethusegile-Juru, Bookie M. 2002. *Participation and Percentage: How Can Quotas Increase Women's Participation in Governance – Experience From the SADC Region after the Introduction of the 30% Quota*.

Lowe-Morna, C. 1996. 'Strategies for increasing women's participation in politics'. Paper presented to the Fifth Meeting of Commonwealth Ministers Responsible for Women's Affairs.

Lowe-Morna, C. 2000. *Towards Sustainable Democratic Institutions in Southern Africa: Women's Political Participation in SADC*. (incomplete reference)

Molokomme, A. 2000. 'Gender and Democracy in SADC: A Regional Case Study'. Paper presented to the Commonwealth Workshop on Gender and Democracy. Windhoek: Namibia.

Mtintso, T. March 1999. 'A voluntary party-based quota in a list system'. Paper presented at the Conference on Women in Politics and Decision-making'. Gaborone: Botswana.

Mukhopadhyay, Maitrayee. 2003. *Governing for Equality – Gender, Citizenship and Governance*. (incomplete reference)

Molokomme, Athaliah. 2002. *Representation of Women and Men in Politics and Decision Making Positions in SADC*. (incomplete reference)

SADC Gender Unit. 2003. 'Progress Report on Gender Equality to the August 2003 Summit of Heads of State'.

SADC Secretariat. 2001. 'National and Regional Research Reports on Women in Politics and Decision Making in SADC'.

SADC Secretariat. 1999. *Women in Politics and Decision Making in SADC: Beyond 30% in 2005*. (incomplete reference)