

Women's Representation in Scotland and Wales

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Report
and
Analysis



- Electoral
- Reform
- Society

cfwd



Centre for
Women and Democracy

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Introduction

Once upon a time, British democracy assumed that there was a clear difference between being able to vote and being eligible to be elected. Whole groups and classes of people were excluded from the franchise, but not from Parliament, and many would have agreed with Colonel Reginald Applin, MP for Enfield, who observed in 1928, 'It (the vote) is not a right for any individual. The individual who is not capable or fit ought not to have the vote. I have been deprived of a vote all my life because I am a soldier. I have never complained. I have never in my life voted for a Member of Parliament.'¹

This situation, which existed until 1929, seems almost inconceivable to the modern democratic mind, which accepts universal suffrage as the default position and would not consent to be governed by those who could not vote.² Yet the fears of people like Colonel Applin – that once large numbers of women and working class men had the vote they would replace people like him – have only partially turned out to be true. Neither in gender nor class (nor, indeed, ethnicity) do our democratic institutions reflect those who elect them.

In the case of women, this is particularly pertinent. Women constitute 51% of the world's population, yet they are in a minority in every legislature except Rwanda and Andorra. Politics seems everywhere to have remained an overwhelmingly male occupation, with women required either to adapt to it or stay out (something about heat and kitchens is often quoted).

This report is about women in the 2011 Scottish and Welsh elections, and like almost every work of this nature it includes justifications of why it is important to have women in politics, and what can be done to

encourage them to stand and to be elected. However, we need to begin, perhaps, with an understanding of where we are now.

Putting it into Perspective

Let us look at both Britain as a whole, and Scotland and Wales in their own right.

The UK likes to think of itself as being at the forefront of democracy, and in some ways it is, but it also lags behind many comparable countries when it comes to electing women. Of the major western European nations only Italy, France and Ireland have a lower percentage of women in their national parliaments than the UK. Sweden, Iceland, Finland, Norway, Belgium, the Netherlands, Spain and Germany are all in the top twenty worldwide, with Andorra on 54%, – second only to Rwanda in the international league table³. If the Welsh Assembly (40% female) and Scottish Parliament (35% female) were to be included, they would rank eighth and eighteenth respectively. At 22%, the Westminster parliament currently languishes in 55th place. In this context, Cardiff and Holyrood don't seem to be doing too badly.

Whatever the problems of recent years, both the Welsh Assembly and the Scottish Parliament have levels of women members to which Westminster and Stormont can only aspire in the distant future. In Wales the Liberal Democrats are led by a woman (Kirsty Williams, who held her seat in the general rout of her party in 2011), and in Scotland both Labour and the Conservatives have had recent women leaders (Wendy Alexander and Annabel Goldie respectively). At the time of writing, two of the eight Cabinet Secretaries

1. Hansard, 29 March 1928 during the debate on the Representation of the People (Equal Representation) Bill, quoted in A Great Act of Justice: The Flapper Election and After, CPWD 2009.

2. Except, of course, for a few dozen hereditary peers in the current House of Lords.

3. Figures from the International Parliamentary Union website, accessed 21 June 2011 <http://www.ipu.org/wmn-e/classif.htm>

appointed by the Scottish First Minister are women, as are three of the seven appointed by the Welsh First Minister. The picture may not be one of parity, but it compares well with the UK as a whole, and, given that there was actually a small increase in women in Scotland and only a relatively small decrease in Wales, some may feel we are nitpicky in our concern.

We would disagree. In part, it's a matter of expectation. In 2003 Wales achieved the enviable distinction of becoming the first national elected assembly in which half of the members were women, and in the same elections 40% of successful candidates for the Scottish Parliament were women. In both cases, the percentage of women members was more than double that of the Westminster Parliament, which then stood at 18%. There was a feeling that, in both countries, some kind of Rubicon had been crossed, and that they now had something to tell England (and Northern Ireland) about how to make democracy more representative.

It came as a bit of a disappointment, therefore, to find that in both countries there was subsequently a distinct falling away from the 2003 high. Yet we should not be surprised – the achievements of both were always dependent on factors other than the collective political will, and in some cases assumptions were made that have since turned out to be frail, to say the least.

Seizing the Day

When the devolved institutions were set up in 1999, they had a unique opportunity to start from scratch and to think in advance about what kind of legislature they wanted. As a result, both made formal commitments to gender equality that had never been

possible for their evolved progenitor on the Thames. In Scotland this followed a sustained campaign by women's groups, and although it ultimately proved legally impossible to do, there was even an attempt to enshrine 50:50 representation in law. In Wales, women were less organised, but still managed to secure real concessions. Inside and outside both countries, therefore, it has been reasonable to assume that gender equality would remain a priority, and the success achieved in Wales in 2003, in particular, fed this assumption.

Yet 1999 also represents missed opportunities. The failure to resolve the legal problems and include a legislated commitment for both bodies meant that delivering the election of women was effectively left to market forces. Across the UK, responsibility for achieving genuinely representative democracy has been sloughed off onto the shoulders of political parties. These are all voluntary organisations with varying levels of commitment to gender equality, and they have to function at the mercy of varying electoral fortunes. In Scotland and Wales the use of proportional representation (PR) for those elections has enabled the parties to be more proactive than they feel able to be elsewhere under First Past the Post (FPTP), but electoral systems are not in themselves sufficient to ensure diversity.

The results of this approach have been patchy. In both countries, as at Westminster, high levels of women members are both created and sustained by the actions of one or two parties rather than the body politic as a whole. In Wales both Labour and Plaid Cymru use some form of positive action, and although both rowed back a little for the most recent set of elections, between them they still contribute the bulk – 19 out of 24 – of the women elected, with 50% of members of the

Labour group in the Assembly being women.

In Scotland, the position is more stark. Forty-nine per cent of the Labour group of MSPs is female, but only 28% of the SNP's majority group, and although women constitute 40% of Conservative MSPs, their actual numbers are very small, there being only six of them.

Detailed analyses of the 2011 results are contained in separate sections of this report, but even on the most superficial assessment of the results it is evident that any change in policy on the part of a small number of political parties will result in a collapse in the number of women legislators in one or both devolved bodies. Thus, although the high levels of women in both Wales and Scotland are certainly an achievement, they are an achievement for individual organisations, not for politics as a whole.

This situation leads in turn to pressures on sustainability, which has contributed to the recent decline.

Sustainability

Achieving gender balance is difficult, but sustaining it is a real challenge.

Proportional representation, combined with positive action inside one or more of the main political parties, has produced results. But this has a limited remit – it can only get women through the door. It can't keep them there if they choose to leave, and nor can it encourage more women to participate or change the nature of political activity itself.

The expectations raised in the run-up to devolution did not just relate to numbers. There was a real anticipation – particularly

in Scotland – that women would be able to change the political culture, to 'feminise' what had hitherto been a very male activity. It was generally (if perhaps mistakenly) believed that gaining a critical mass of thirty per cent women in any legislature would enable cultural change to take place. Moreover, both bodies made conscious attempts to organise themselves along different lines to those at Westminster and to put equalities issues much closer to the hearts of their governments.

This certainly made for wider discussion of some of the issues seen as being of special interest to women, but whether it caused an irreversible cultural change is a matter for debate. In Scotland there is a strong view that in recent years a 'Westminsterisation' of Edinburgh politics has meant that 'the old adversarial and party-bound style of politics (has) reasserted itself with a vengeance ... not least through the traditional "yah-boo" politics of First Minister's Questions, and through fierce party whipping'⁴. In Wales, a strong attempt to frame the Assembly on a 'consensual' model collapsed when faced with the pressure of day-to-day politics. And although in both countries there does seem to be some evidence for the case that issues have been discussed and dealt with that might not have been, had women not been present in numbers⁵, neither seems to have achieved the great cultural shift that was anticipated.

As a consequence, it appears that the same long list of issues that put women off Westminster politics is now at play in both Edinburgh and Cardiff. These were detailed comprehensively in the Speaker's Conference report published in 2010 and the fact that the number of women councillors is more or less static in both countries (22% in Scotland and 25% in Wales) suggests that the problem extends throughout political life. Clearly the

4. Joyce McMillan and Ruth Fox, *Has Devolution Delivered for Women?*, Hansard Society, 2010.

5. See Sarah Childs, Joni Lovenduski and Rosie Campbell, *Changing Numbers, Changing Politics?* Hansard Society, 2005, and McMillan and Fox, *Hansard Society* 2010.

political parties, who act as the gatekeepers to political candidacy, have a major role to play in removing barriers, but they can only be effective up to a point. The whole political community, as well as the wider electorate, has to be in agreement that institutions lack democratic credibility if half the population is so seriously under-represented, and to date that has never been achieved.

What Next?

If the twentieth century saw the (eventual) triumph in the UK of representative politics, the twenty-first will see the development of the participative model, and the tension between the two will form part of the narrative of our future democratic history. This is not to say that representative institutions will become obsolete, but they will need to change and adapt. For some people, individual judgement already trumps the collective will, and elected politicians are in danger of being seen as irrelevant in a world in which issues can be widely debated before parliaments and assemblies have even realised that there is a problem. How will we ensure diversity in this new world of localism and community decision-making, and how will new ways of doing things involve women when the old ones have failed so often?

In the trend towards smaller, more local decision-making, the institutions of Scotland and Wales are trailblazers. What happens in them is therefore of interest in more ways than just numbers – they are capable of setting both tone and target for others to follow. If Holyrood is becoming more like Westminster, if women in Wales are finding it more, not less, difficult to participate, then we need to be aware of that and to consider how, in future, we can stop new institutions defaulting back

to a monocultural and exclusive norm.

Yet we should also recognise what has been achieved. For all the concerns and reservations expressed here and elsewhere, Scotland and Wales have managed to take the first steps towards breaking away from the traditional mould. Certainly, more needs to be done, and moreover, any diminution or dilution of progress must be viewed with alarm. Cultural change almost always requires leadership from the top, and in both countries this has wavered in recent years. Other pressures may divert attention from the need to keep moving, political parties may not always consider democratic credibility an absolute priority, and women themselves may – and often do – find other battles more important at different points.

So while on the one hand we should continue to celebrate progress made, we should also view the results analysed in this report as a clarion call not to let the successes of the last decade slip away. The recommendations it makes reflect that view. It's now up to both the body politic and the electorate to decide whether or not to take action to turn representative democracy from aspiration into achievement. ■

Women's Representation and Wales

1. This proportion ended up as 42% due to the disqualification of one AM on the basis of conflict of interest. Another AM was exempted from disqualification after a vote on July 6th 2011. In strict legal terms, the Assembly had 58 AMs elected until Eluned Parrot took the place of John Dixon, and Aled Roberts took his seat. This chapter, in looking at the policies of the parties, takes the view that the specific action (or lack thereof) intended by the party in placing candidates in what it took to be winnable seats is more important to understand the dynamics of gender representation than a particularly odd circumstance which adds a distortion to the gender equality and the policies toward it. As such, we use the number of female AMs based on those who were intended to be elected by the parties by being candidates in winnable seats on May 5th 2011.

2. R Rawlings, 'The New Model Wales', *Journal of Law and Society*, 25, 4 (1998), p 466.

3. V Bogdanor, *Devolution in the United Kingdom* (Oxford: 1999).

4. Two AMs could not take their seats due to irregularities in their membership of civil society boards and conflicts of interest under Electoral Commission rules.

5. Following the disqualification of John Dixon, the ratio was 8 of 23, or 35%.

6. The number of new members was 14 in 2003 (nine of whom were women: a 63% return); 13 in 2007 (five women: a 38% return). The return of 2007 coupled with 2011 show a worrying return of

The representation of women in the National Assembly for Wales has been one of devolution's true successes. It was a stated goal of Welsh devolution to include more people in the decision-making process. In the first Welsh Assembly in 1999,¹ women constituted 40 per cent of the Members, rising to a record 50 per cent in 2003 (which rose to 52 per cent after the election of Trish Law in 2006). This made the Assembly a world leader in women's political representation. The 2011 election marked a reduction in the proportion of female AMs and a return to the same proportion of 40 per cent as in the first Assembly in 1999. Although this remains a high figure in comparison to the UK's other legislatures, it also raises questions over continued sustainability.

Background and Context

Prior to devolution in 1997, the Welsh Office was a narrow form of administrative devolution, which tended to pursue 'the humdrum business of implementing policies decided elsewhere'.² It seldom challenged important policy presumptions or worked out a major policy from a specifically Welsh pattern of need.³ Exclusion shaped the discourse of pro-devolutionists, both in terms of appealing to recognition of Welsh nationhood and also excluded groups within Wales. As such, 'inclusiveness' became a term that was associated with equal opportunities, pluralism and cross-party working. Crucially, it signalled a clear break from the exclusive and discriminatory politics of the Westminster model and the Assembly's institutional design was created in opposition to this.

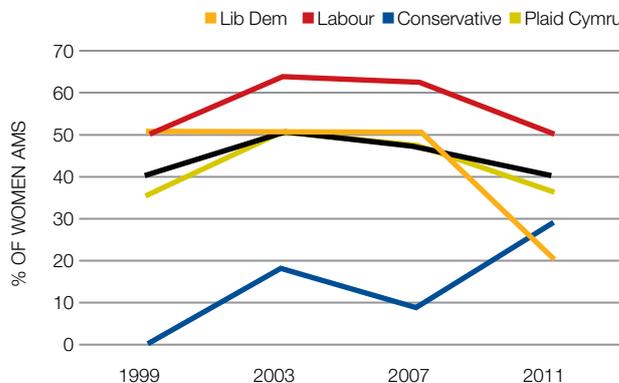
The National Assembly Advisory Group (NAAG) was set up December 1997 to achieve consensus on and produce recommendations for the establishment of the Assembly. Its membership reflected the 'inclusive' ideal, and included five women, and women's organisations in particular lobbied the NAAG on its recommendations. These included family-friendly working practices; terms to coincide with school term-times and gender-neutral titles to be used in Assembly proceedings. The subsequent Government of Wales Act was unique in the UK in placing a statutory obligation on the Assembly to pursue equality of opportunity both within and without. Thus, women's organisations, by fitting their demands within a wider discourse of 'inclusiveness' were able to have significant input into the design of the Assembly's procedures and standing orders, and so build equality 'into the bricks' of the Assembly itself.

The Assembly Election 2011

The headline figure for women is that the proportion of women fell to 40 per cent. An optimistic view would read that in the face of a retreat in formal positive action by Labour and Plaid Cymru, the ratio has remained relatively high and marks a return to the still relatively high starting point of the 1999 election. The fear of a retreat to the 30 per cent mark has, at least, not been realised.

However, an analysis of underlying trends would caution against this view. The relatively high return of women is linked to the resurgence of the Labour vote in 2011 following its nadir in the 2010 UK General Election. Many of Labour's most vulnerable seats were held by women and in November

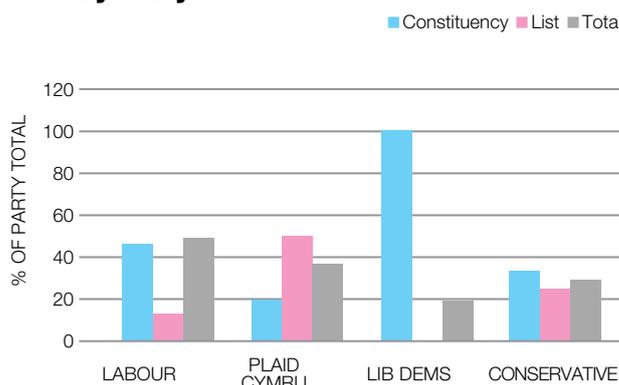
Figure 1 – Women AMs by Party 1999 – 2011



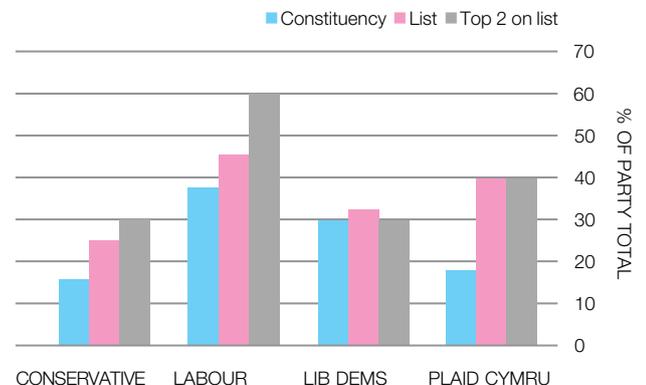
2009, a large swing toward Labour looked unlikely. In the event, all of these seats were safe, given the nine-point national swing to Labour.

Moreover, we would also caution that 'incumbency overhang' accounts for a large proportion of the 40 per cent figure. Of the 37 incumbent AMs following May 2011, 17 are women – a return of 46 per cent. Of the 23 Assembly candidates originally elected in 1999⁴, only

Figure 2 – Women AMs Elected in 2011 by Party



Female Candidates by Party 2011 (%)



seven were women. This is a return of 30 per cent women as a proportion of new members, which illustrates a worrying trend.⁵ The number of new members is by far the highest in the Assembly's history, so this low return of women may be significant for the future.⁶ As more members retire in future, the ratio of women in the Assembly is likely to go down.

As illustrated in Fig. 3, Labour is substantially higher than the other parties in female candidates nominated, on both the constituency and list seats. The lowest percentage of women is in the constituency seats, in particular for the Conservatives and Plaid Cymru. It should be noted that, due to Labour's dominance of the constituency seats, both these parties have a limited amount of constituency seats to fight for in a small institution such as the Assembly. It should also be noted that women were contesting some of the main target seats (Llanelli and Carmarthen West and South Pembrokeshire for Plaid Cymru, the Vale of Glamorgan for the Conservatives, as well as Aberconwy). This is an indication that the parties have no systematic objection in placing women in

winnable seats as such, although more needs to be done.⁷

The problem lies also in the lack of women willing or available to stand. This is an issue that goes beyond the scope of this chapter and goes deeper than the electoral system or devolution, as such, but is a problem with political culture in general. While it seems that there are more women open to stand in the Assembly than Westminster, it is clear that the ideal of inclusivity, which was its goal, has not made enough headway in bringing more women into politics.

Women and the Cabinet

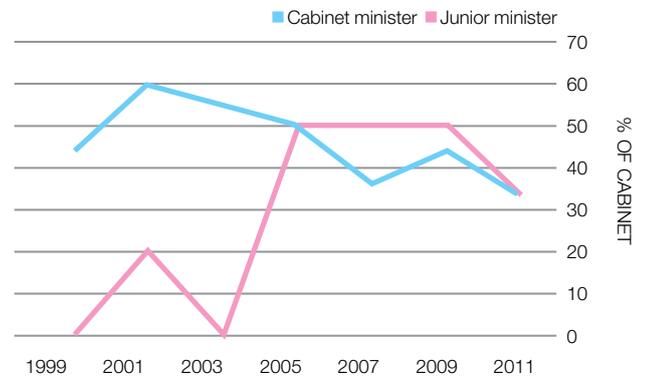
The Welsh Assembly has had a Labour or Labour-led government throughout its history.

There have been two Labour minority governments: the first under the First Secretary Alun Michael from May 1999 until his resignation in May 2000; the second following Peter Law's exit from the party in 2005 until May 2007.

Labour has governed through coalition during two periods. They joined with the Liberal Democrats in October 2000 until May 2003. Following a protracted period of negotiation, Labour joined Plaid Cymru in coalition from July 2007-May 2011.

Given the Labour party's dominance, and their impressive track record on gender balance through positive action in the Assembly as a whole, it is unsurprising that the gender balance in the Cabinet has also been impressive. As Tony Blair stated, 'Nearly half of the Assembly and a majority of the Cabinet are women – a level that puts virtually every other

Figure 4 – Female Welsh Government Ministers 1999 - 2011



* Only 1 deputy minister in 1999

parliament in the world to shame.'⁸

The other parties have also placed women in important positions in coalition. Jenny Randerson was Minister of Culture in the Lib-Lab Coalition, one of two Liberal Democrats with a cabinet minister portfolio. Similarly, Plaid put Elin Jones in charge of Rural Affairs portfolio, and Jocelyn Davies as Deputy Minister for Housing.

Unsurprisingly, given that Rhodri Morgan was First Minister for almost a decade, there has been continuity in Labour Cabinet Ministers, and this applies also to women. Two of the three women in Carwyn Jones' 2011 cabinet, Edwina Hart and Jane Hutt, have been ministers since Alun Michael's first cabinet in 1999. Lesley Griffiths, the Minister for Health and Social Services in Carwyn Jones' 2011 cabinet, is the first woman in any party to serve as a cabinet minister who was not elected in 1999. Three men elected from 2003 onwards have been cabinet ministers. The ratio of women in the government has reduced to a third of cabinet and junior ministers following May 2011.

7. There is an anomaly in the data. Given its modified use of 'zipping' on the list, Plaid's figures should be 50% in the top two places. Plaid Cymru nominated a woman second on the list, following its gender policies, in the Mid and West region in September 2010. However, this person stood down. Plaid placed a man, next on the list, in her place. In contrast, when Labour's Mari Rees passed away when second on the list, her position was taken by the female candidate who was fourth on the list, Rebecca Evans, who is now an AM. We would urge Plaid Cymru to address this in future, in adhering to its own gender policy and in treating it with due seriousness.

8. Assembly Record of Proceedings, 30 October 2001.

Women's Representation, Candidacy and the Parties

Labour

Labour has been in the vanguard of gaining gender parity in the Assembly. All the seats won by the party outside of the Mid and West Wales regions have been constituency seats contested through the First Past the Post (FPTP) system. FPTP is generally thought of to be one of the less conducive systems for electing women. Labour's record in Wales is therefore an illustration to all parties of what can be achieved through political will and positive action. Thanks to all-women shortlists, women consisted of 53.5 per cent of the Labour group in 1999. This figure rose to 63 per cent and 61 per cent in 2003 and 2007 respectively. As the largest party by some distance, this has been the most important factor in achieving gender parity.

In the General Election of May 2010, Labour's share of the vote was 36 per cent – its lowest since 1918. In the 2007 Assembly election, Labour's vote shrank to 32 per cent. Fears of a substantial loss of Labour women due to party performance were not unfounded in the run up to the 2011 Assembly election. Four key targets for Conservative male candidates were held by Labour women AMs: Vale of Clwyd (majority 92); Delyn (majority 510); Clwyd South (majority 1,119) and Wrexham (majority 1,250). In this event, Labour enjoyed a very satisfactory result, and swings to Labour secured all of these seats.

Plaid Cymru

Plaid Cymru is the only other party, apart from Labour, that has used positive action to improve women's representation. In November 1997, a commitment was given to zipping and placing women first on the regional lists. As the majority of Plaid Cymru's seats have been won on the basis of party lists, this has resulted in a fairly good proportion of women AMs. They performed better than expected in the constituencies in 1999 – which resulted in fewer women than might have been the case. The benefits of zipping were reasserted in 2003, with the party achieving perfect parity, albeit on a disappointing overall performance.

In 2007, Plaid regained lost ground, although controversy was caused by the fact that the popular ex-party leader, Dafydd Wigley, was second on the North Wales list due to the policy. As such, Plaid has now abandoned its commitment to placing women on the top of party lists.

The 2011 election brought Plaid's worst ever result in terms of seats and a close second to 1999 in terms of gender balance. Plaid won only 11 seats, four of whom were women. The zipping policy was responsible for guaranteeing the election of two women on the list. It should be noted that one of Plaid's target seats, Carmarthen West and South Pembrokeshire, was contested by a woman, and the surprising loss of Llanelli also affected the gender balance. Now that Plaid has retreated on positive action, it makes reinstalling these policies difficult as this means working against incumbency. A reversion to the previous policy would also be, effectively, an attack on the male incumbents now in place.

Liberal Democrats

Until May 2011, the Liberal Democrats had consistently won six AMs, and is the only party to have a female leader. Throughout, the Lib Dems have achieved gender parity, with the exception that in 2010 Veronica German took over from Mike German when he took his seat in the House of Lords, tipping the balance in favour of women members. However, equal representation was a result of accident rather than design, and in 2011 the Lib Dems only managed to elect one woman (their leader Kirsty Williams) out of a total of five AMs.

Candidate selection was partly responsible for this. A female AM was controversially demoted to second place on the North Wales list in favour of a man. In Cardiff Central, Jenny Randerson took her seat in the House of Lords to be replaced by Nigel Howells. His loss meant that a list seat was won by another man, John Dixon. The Lib Dems' other incumbent seat was lost to a male Conservative candidate.

For such a small party in the Assembly, the allocation of scarce seats is bound to be controversial in terms of positive action, and the party have been fortunate in having experienced women in the right positions in the past. Having lost or sidelined incumbent women AMs, there are obstacles in the way of women being selected. The candidates in other target seats of Newport East, Swansea West, Pontypridd and Wrexham were all male, with only Ceredigion as a possible target being contested by a woman.

However, two of the male list candidates, Aled Roberts and John Dixon, were originally unable to take their seats due to having broken the rules for standing. Of the two, Aled Roberts was exempted from disqualification by a motion on July 6th 2011. John Dixon

remained disqualified, and his seat was taken by the next person on the list, a new female AM, Eluned Parrott. If, previously, parity had been achieved more by luck than design – in this case the increase in the proportion of women was through a minor miracle of chance and circumstance, from the loss of a safe seat, followed by the disqualification of the only winnable seat in that circumstance in the South Wales Central region.

Welsh Conservatives

Following the 2011 election, the Welsh Conservatives remain the only party to have gained more seats with each subsequent election. Indeed, their success in 2011 also led to the loss of their leader, Nick Bourne, due to the party's gaining constituency seats at his list seat's expense. This again raises questions regarding the ban of dual candidacy in a different context.

The Conservatives return of women in 2011 was four out of fourteen (28.6 per cent). The party leadership has felt pressure to be seen within the mainstream on women's representation due to the success of other parties in this field – a process academics refer to as the 'contagion effect'. In the Assembly, the failure of 'soft' measures such as training and mentoring, and the resistance of constituency parties to central control, can be seen in the results of the previous election in 2007, where a single woman was returned. Following this result, the enterprising leader, Nick Bourne, introduced rules that would help women get on the list. In order to avoid attacking incumbents, Bourne set the rule that women or ethnic minority candidates should have priority on the list seats where there was not an incumbent standing, therefore going further than the UK branch of party.

The policy opened up positions for women

on the list in winnable seats. As a result, the Conservatives returned two women on the regional lists and two in constituency seats. A woman was also the Conservative candidate in its main target constituency seat, the Vale of Glamorgan (which Labour's Jane Hutt retained). Whether or not this policy will remain in place depends on future leadership of the party.

Summary

The Welsh General Election of 2011 yielded mixed results for women's representation in Wales. The reduction in the number of women was not as bad as had been feared. The Conservative Party, for the first time, made gains in the numbers of women. However, the retreat in positive action by the two previous larger parties brought the number of women down. In the case of Labour, they retained parity, although the women are now in their most vulnerable seats. For Plaid Cymru, a poor electoral performance coupled with their retreat on positive action makes regaining traction on the issue more difficult. The Liberal Democrats still have the cache of the only female leader, and raised their number of women through chance.

The underlying figures caution against complacency. The relatively low proportion of new women Assembly Members, in the largest intake of new members yet in the Assembly, indicates that the long-term trend may be a retreat. Such 'descriptive' representation not only has symbolic value, important though that is too. Assembly Members are key gatekeepers to policy decisions and in setting the policy agenda. The gender of representatives plays an important role in influencing what policy areas are discussed, both within the institutions and with organisations and civil society on the outside.

Women AMs have been active in raising issues over childcare, domestic violence, equal pay and equality. This has resulted in some concrete policy outputs, for example moves to end gender segregation in schools, longer maternity leave for teachers and housing priority for women fleeing domestic violence.⁹ A retreat on descriptive representation is likely to lead to retreat on substantive representation, and diminish the achievements in creating a more open political culture in the Assembly as a whole.

However, it is incumbent on the parties to continue to push for equality of gender representation in the Assembly, not only as a reflection of their own diversity, but for the continuing development of good governance of the institution as a whole. We recommend that, where at all possible, the three smaller parties should aim to gain women on the top of the list – certainly where there is no incumbent already in place. We would urge the Labour party to continue to select women on the basis of parity, but where possible to install women in safe seats.

Wales remains a UK leader on the issue of gender representation. The National Assembly has been rightly proud of its achievements in gender equality. It is vital that complacency should not allow that record, and its vital consequences for governance, political culture and inclusion to wither away. ■

9. McMillan, J. & Fox, R. 2010. Has Devolution Delivered for Women? Hansard Society and British Council Scotland Available at: <www.hansardsociety.org.uk/files/folders/2559/download.aspx> [Accessed 19 July 2011].

Women in the Scottish Parliament

When assessing the quality of government in any democratic political system, general consensus is that the closer elected representatives are to the constituents that they serve, the better. One of the premises of devolution was to decentralise power away from London and take it closer to the regions and nations of the United Kingdom, making policy more in tune with local communities, and restoring the balance between politics and people. A government that has lost sensitivity to those by whom it was elected, is one lacking trust. Much has been written about the way advanced industrial democracies like the British political system have become increasingly dominated by professional, career politicians who look the same and have similar policies regardless of the party they represent. In particular, under-representation by minorities and women is an ongoing puzzle – both in terms of explaining the reasons behind it, as well as providing workable solutions.

Ironically, women have played a consistently prominent role in Scottish politics. When the Scottish National Party spectacularly won the Hamilton by-election in 1967, their candidate was the charismatic young Glaswegian lawyer, Winnie Ewing. She would later go on to be given the affectionate nickname, *Madame Ecosse*, serving as a Member of the European Parliament for many years. Margaret (Peggy) Herbison was another hugely influential figure in Scotland – the Labour MP for North Lanarkshire, she served as Minister of Social Security in Harold Wilson's 1960s government. She abolished the means-tested national assistance scheme, and replaced it with the arguably fairer Supplementary Benefit, which operated until 1988. Currently, the Scottish Parliament's only Independent member is Margo MacDonald – so popular and well-respected by all sections of voters that she has been able to comfortably win a seat on

the Lothian regional list outright with no party allegiance. In fact, in 2007, she won so many votes that she could have held two seats if that had been physically possible.

Sadly, however, the achievements of these Scottish political 'greats' are not reflected in the aggregate number of women who have been active in politics and government in Scotland. Like so many parts of other established Western European democracies, gender equality remains an aspiration rather than a reality. The prominent role played by Nicola Sturgeon MSP, as Deputy First Minister, cannot conceal the fact her party is dominated, both in terms of electoral representation and at the grass-roots membership level, by men.¹ Helen Liddell's brief tenure as Scottish Secretary between 2001 and 2003 could not compensate for the overwhelmingly male culture that was – and is – the Labour Party, steeped in the post-industrial politics of the various central belt communities that lie between Glasgow and Edinburgh. Annabel Goldie's popularity as a witty and likeable opponent to Alex Salmond at First Minister's Questions is no substitute for the Scottish Conservative Party's relatively poor record in gender balance.

This chapter will seek to analyse some of the factors involved in the continuing absence of gender equality in the Scottish Parliament. It will assess where we are now, especially after the 2011 Scottish Parliament elections, which were the fourth to be conducted since 1999. Certainly, we are in the fortunate position where we can start to detect trends and analyse whether the various aspects of the much-envisioned 'new politics' of devolution have been matched by better gender equality and a greater number of women actively serving in the national legislature in Edinburgh. There are essentially three aspects to this. First, the

hard statistical facts – how many women MSPs are there, and how does that total compare with previous figures? Second – and linked to this – what can we say about candidacy, and the stage that comes immediately before electoral success or failure? Third, what is the position of women holding office in the Scottish Government, either in the cabinet or as a junior minister, and how do they compare with previous Scottish Executives?

Designing Devolution

Before we do that, however, it is also worthwhile reflecting on the original aims and objectives of Scottish devolution. The structures of the Scottish Parliament have been set up and designed to facilitate good government – an inclusive legislature and a responsible executive. In particular, it was founded on four key principles: power sharing, accountability, openness and equal opportunities – and it is that last principle that is perhaps of most relevance to this report. In addition to the setting up of an Equal Opportunities Committee in the Parliament, the Consultative Steering Group (the body responsible for laying out much of what eventually became the Scotland Act 1998) also recommended that:

- The sitting pattern of the Parliament should be 'family friendly';
- The arrangements for the operation of the Parliament should be equally attractive to men and women;
- The Parliament should meet during normal business hours on a regular, programmed basis.²

civic forum involving churches, trade unions and voluntary groups that campaigned for a new Parliament and also a 'new politics'. Indeed, only two of the four main Scottish parties were involved in the Convention, and the convener was a prominent clergyman. The message was simple – devolution is not a partisan project but the 'settled will of the Scottish people'. As a consequence, the devolved model at Holyrood has many merits, including the three provisions mentioned above, as well as a permanent Petitions Committee, an open-doors policy to visitors, and a proportional electoral system.

Indeed, at the heart of any analysis of this kind lies the electoral system. It is the electoral system that sets the rules of the game as far as determining who gets elected in the first place. Electoral systems do not create political cultures, nor can they act as a solution to any existing problems in political cultures, but they are the main instruments available to us that can be used to improve the quality of democracy and government. The Scottish Parliament uses the Mixed-Member Proportional (MMP) system of voting (sometimes referred to as Additional Member or AMS). Each voter has two ballots – one to elect their individual constituency MSP and another that helps determine how many representatives each party gets via the regional 'lists'. This second vote exists primarily to ensure that the overall outcome of the election reflects the proportionality of votes that each party receives, and simply has a list of the party names on it.

Members of the Fourth Scottish Parliament (MSPs), 2011

As Figure 1 below illustrates, the number of

1. See R. Johns, J. Mitchell and L. Bennie (2011 – forthcoming), 'Gendered nationalism? The gender gap in support for the Scottish National Party' *Party Politics*.

2. Consultative Steering Group (1998) *Shaping Scotland's Parliament* (Edinburgh: HMSO).

female MSPs has fluctuated since the first elections to the Scottish Parliament in 1999, and has not exceeded 40 per cent of the total membership of 129 at any point. While the anticipated drop in representation after 2011, partly as a consequence of changing party strategies, did not entirely materialise, the overall percentage did not change much from 2007 – 45 MSPs are presently female, representing 35 per cent of the total number. The highest number of women came in the second parliamentary session, between 2003 and 2007, when 51 women were elected, constituting just under 40 per cent of the total. While not comparing like with like, this does nonetheless represent a steady improvement on the number of female Scottish MPs prior to devolution. In 1997, only 11 out of the 72 members elected were female, representing just over 15 per cent. It might also be noted in passing that the proportion of all female MPs at Westminster currently stands at only 22 per cent.

Although not represented in Figure 1, we should also note the three female Green MSPs, four female Scottish Socialists and two

female Independents, all elected at various points from 2003 onwards. Unfortunately, the rise in electoral popularity of the SNP has brought about a concurrent decline in the number of women elected to Holyrood. As we can see from Figure 1, the percentage of female SNP MSPs has fallen away quite consistently since the first elections in 1999. The equivalent figure for Labour has held relatively steady, as a result of some equality guarantee measures, which will be discussed in the next section. The rise in female Conservative members is healthy but ultimately involves small overall aggregate numbers, while the Scottish Liberal Democrats remain an incongruous example of a party that is publicly committed to equalities but itself rather badly hindered by a distinct gender imbalance.

The MMP voting system mentioned earlier allows us to look in more detail at the way gender representation is broken down by the two votes – constituency and list. Due to their larger numbers, the two parties that are most significant and worth analysing in any detail are Labour and the SNP. As we can see from both Figure 2 and Table 1 below, female

Figure 1 – Female MSPs by party, 1999-2011

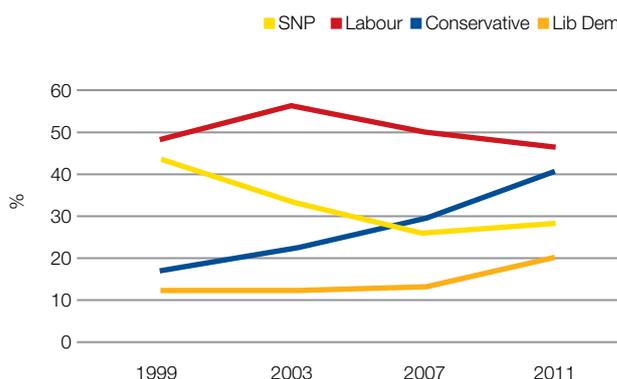


Figure 2 – Female MSPs elected in 2011 by party

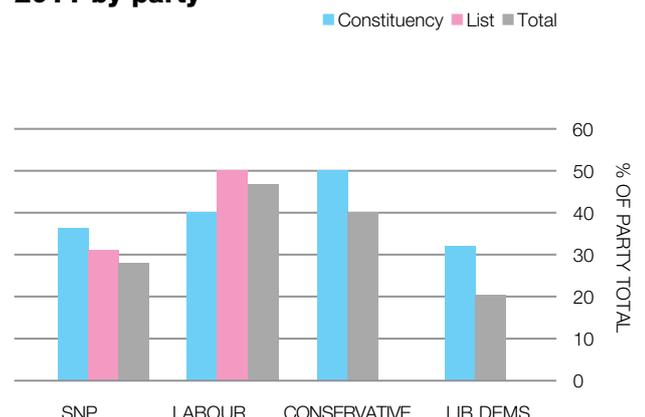


Table 1 – Female MSPs elected in 2011 by party

Party	Constituency (% of total)	List (% of total)	Total (% of total)
SNP	14 (36)	5 (31)	19 (28)
Labour	6 (40)	11 (50)	17 (46)
Conservative	0 (0)	6 (50)	6 (40)
Lib Dem.	0 (0)	1 (33)	1 (20)
Others	0 (0)	2 (100)	2 (67)

Main cell entries are absolute numbers; figures in brackets represent percentage of all MSPs in that category.

Labour candidates appear to have done better via the list than in seats in 2011, while the reverse is true for the SNP.

However, in previous years, more women have been elected in general via constituencies than the lists – see Table 2 below. Indeed, more generally, one might have expected the parties that rely more heavily on list seats to have greater numbers of women, as it is far easier for parties to centrally nominate women to high list positions than it is for local party associations to choose a single candidate to represent their area. Yet as we already know, it is Labour that has always had the highest proportion of female MSPs, despite most of their seats coming as a consequence of winning constituencies. This apparent

conundrum brings us on to the important issue of party strategies.

Party Strategies – Female Candidates in 2011

Having established that the number of female MSPs is far from ideal, it is worth looking in more detail at how candidates go about becoming elected representatives at Holyrood in the first place. Clearly, the problem potentially lies more deeply than simply women proving to be unpopular candidates for the electorate. Are sufficient numbers of

Table 2 – Female MSPs by method of election, 1999-2011

	1999	2003	2007	2011
Constituency	30 (41)	32 (44)	25 (34)	20 (27)
List	18 (32)	19 (34)	18 (32)	25 (45)
Total	47 (37)	51 (40)	43 (33)	45 (35)

Main cell entries are absolute numbers; figures in brackets represent percentage of all MSPs in that category.

women coming through the party ranks to offer themselves for office to start with, and if not, why not? Is there a problem within the culture of the Scottish parties collectively?

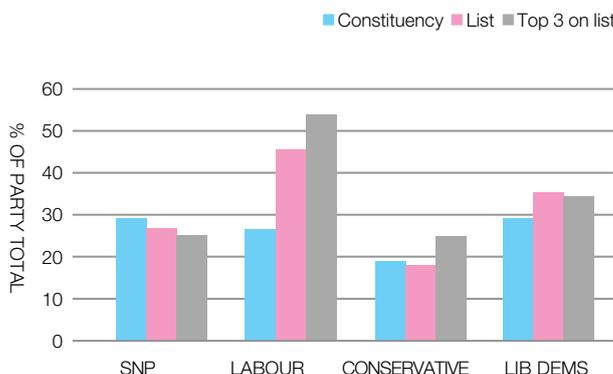
The data presented in Figure 3 below are not surprising, given what we already know about the aggregate numbers of MSPs discussed previously – Labour is nominating significantly more women to Parliament via the regional lists than the SNP. The figures for the Scottish Conservatives and Liberal Democrats are mildly surprising, almost the reverse of what we might have expected. However, given the small number of politicians actually involved here, an element of randomness is clearly also present. For example, as it happened, six of the 10 female Conservative list candidates in 2011 were placed as high as either first or second – and were all successfully elected.

In 2011, the total number of female candidates was 171 out of a total of 579, constituting only 30 per cent of the total. This was down six per

cent from the 2007 total of 36 per cent. Getting to the bottom of why so few women feel inclined to offer themselves for election requires more space than is available here, but it clearly goes much deeper than either the electoral system, or the wider context of devolution. However, given that so many of the policy areas within the remit of the Scottish Parliament and Government are social affairs – for example, education, health and equal opportunities – it cannot simply be a case of disinterest in the work of the devolved institutions.

Party strategies are key – none of the Scottish parties apply the harder versions of positive discrimination that have proven to be effective in the past in other contexts like Westminster. Indeed, only Scottish Labour apply softer strategies for both the constituency and regional lists – for the former, the party requires gender-balanced short-lists, and for the latter, zipped lists that alternate the name of candidates in order i.e. man-woman-man-woman. Indeed, it was Labour's one-off strategy in 1999 of twinning constituencies that explains the conundrum that until 2011, more women were actually elected via constituencies than through the party list. Calculating accurately which constituencies they were most likely to win, Labour then placed equal numbers of male and female women candidate in those constituencies – and to great success. Further, had Labour not zipped their regional lists, the number of female MSPs elected in 2011 might have been much lower.

Figure 3 – Female party candidates, 2011 Scottish Parliament elections



* The aggregate figures are a combination of the author's own and those taken from M. Kenny and F. Mackay (2011) 'Not Failing but Stalling': Women and the 2011 Scottish Parliament Elections, a report for Engender, available here: [http://www.engender.org.uk/UserFiles/File/news/Election%20Report%20\(Scottish%20Parliament%202011\).pdf](http://www.engender.org.uk/UserFiles/File/news/Election%20Report%20(Scottish%20Parliament%202011).pdf)

The Liberal Democrats require one woman to be short-listed for constituency contests but have no provisions for their list candidates. The Greens operate zipped lists, and have no constituency candidates standing, in any case. The Conservatives and SNP have no equality provisions at all. It should also finally be noted that there exists a liberal interpretation

of how the rules are applied by many local associations in all the parties.

In terms of the SNP – now Scotland's largest party – there is no systematic evidence of women being deselected or discriminated against, or incumbency failing to make a difference for female MSPs. For example, while the number of female nationalist MSPs fell from 15 in 1999 to just nine in 2003, four actually chose to retire and / or leave the party for other reasons, and this was a very poor result for the party as a whole, in any case. It should also be noted that in constituencies, the party's figures are broadly in keeping with those of Labour. That having been said, for Labour in 2011, as many as 13 incumbent women MSPs either stood down or lost their seats compared with only eight men.

Nevertheless, as Table 3 below illustrates, parties have nothing to fear from nominating women in constituencies. Here, we subtract the percentage share of the list vote from the constituency equivalent in order to try to detect any differences in levels of support for parties as a result of the gender of the candidate. Only the Liberal Democrats appear to have some reason to favour male candidates but this can be easily explained by the fact that seats with female candidates were often not held by the party.

Table 3 – Comparative performance of male and female constituency candidates

Mean % share of constituency vote – % share of list vote where:

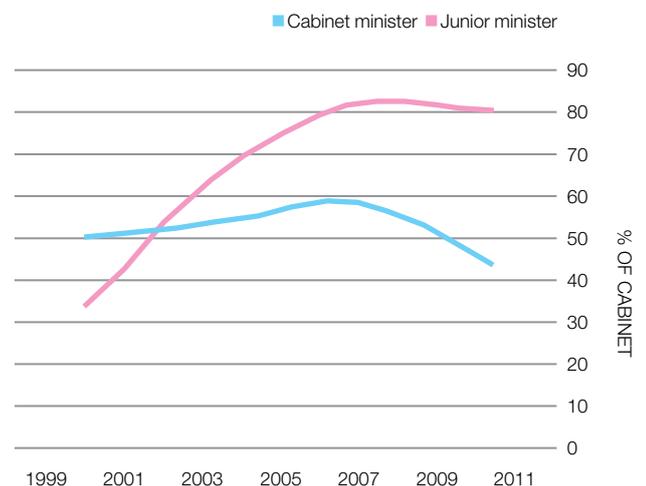
	Male candidates	Female candidates
SNP	1.2	1.3
Labour	4.8	6.7
Conservative	1.4	1.3
Lib Dem	3.2	1.9

Elected to Govern? Female Ministers in 2011

Last, we must also look at women in government. Once elected, are female representatives being given the same type of opportunities to serve in executive positions and manage departments as their male counterparts? Or are many of them simply left to spend their time as MSPs working as backbench lobby or committee fodder?

As we can see from Figure 4, there is a mixed picture with women in promoted positions as well – the SNP minority administration from 2007-2011 had a high of 41 per cent of junior ministers, but there has also been a decline in full cabinet ministers under their watch. The two individuals holding those positions in each administration are the same – Nicola

Figure 4 – Female Scottish government ministers, 1999-2011 (%)



Sturgeon and Fiona Hyslop. Indeed, Hyslop was sacked as Education Secretary in 2009, half way through the parliamentary cycle, after becoming unpopular with Scottish teaching unions and other representatives. Prior to this, the Labour-Liberal Democrat coalition included some high-profile female ministers – Wendy Alexander as Minister for Enterprise, Susan Deacon as Minister for Health and Sarah Boyack as Minister for Transport. Interestingly, two of these ‘star’ names – Alexander and Deacon – have both now chosen to leave the Parliament, citing a desire to spend more time with their families.

Importantly, the new Presiding Officer for the Parliament is Tricia Marwick, the SNP MSP for Mid Fife and Glenrothes. However, while her role as the face of the assembly for the next four years is central, it is also fundamentally ceremonial and involves little real power. Assessing the number of female parliamentary committee conveners over the four sessions produces a similar conclusion – the committees provide an important scrutinising function at Holyrood, and a healthy number of conveners since 1999 have been women, but at present, only four out of 14 serving are female.

Analysis and Conclusions

This chapter has highlighted the problem that Scottish politics continues to have in relation to gender balance and equalities. The dawn of devolution offered a new type of politics, distinct from the adversarial and machismo-driven Westminster model, which, at times, appears more, suited to the Victorian era than the twenty first century. It was hoped by

many that the spectacle of MPs in London shouting abuse at one another like overgrown schoolboys during debates would be avoided, replaced by a more consensual and inclusive approach to policy. A hemispherical debating chamber would lead to a better-spirited style of discussion, while normalised daily and weekly working hours would enable more women to combine their role as an MSP with that of a mother or other type of family member, for example.

Sadly, some ten years on, many aspects of this aspiration remain just that – the Scottish Parliament is dominated by a large number of middle-aged, male, former councillors³ – many of whom represent very accurately the type of career machine politicians mentioned at the start. First Minister's Questions is, if anything, even worse than its Westminster equivalent, in terms of the tone

of proceedings. The worthy and measured work conducted by the various parliamentary committees, away from the glare of the cameras, must be rightly acknowledged as important instruments of policy scrutiny, and, as was mentioned at the end of the previous section, many prominent committees' chairs have been female – for example, Christine Grahame, the SNP MSP for Midlothian South, Tweeddale and Lauderdale, is presently gaining widespread respect as convener of the Justice Committee. Nevertheless, the accusation of ‘politics as usual’ continues to hover around the foot of Edinburgh's Royal Mile.

Social policy achievements, like the Domestic Abuse Scotland Act 2011, along with the development of prominent advisory groups, such as the Scottish Women's Convention, are important and deserve to be acknowledged but women's issues still require a louder voice in the Scottish Parliament, or

3. In 2011, 59 MSPs (just under half) were either councillors or full-time party employees prior to their election.

risk being ignored. The root of the problem appears to be with the parties – and this is two-fold. First, it is hard to believe that women interested in politics across Scotland are not put off by some of the less savoury practices of local party associations – the need for selection panels to be more open and more accountable probably remains. Second, and related to this, parties other than Labour need to consider implementing harder measures in order to make a real and lasting difference. The SNP must demonstrate that their brand of nationalism does not simply appeal to male Scottish voters, while Labour should also reconsider introducing constituency twinning – otherwise the overall proportion of female MSPs is likely to continue to fall in the future.

Conclusion

Since their establishment in 1999, the devolved institutions in Scotland and Wales have been trailblazers for women's representation. The proportion of women representatives in both institutions has never fallen below 30 per cent. Not only did the Welsh Assembly become the first legislative chamber in the world to achieve gender parity in 2003, it also became the first majority female legislature in 2006, thanks to Trish Law's by-election victory in Blaenau Gwent. Compare this to Westminster where the proportion of women elected to parliament only passed the 20 per cent mark in 2010.

Despite the impressive numbers, the 2007 elections saw a decline in women's representation for the first time. This coincided with the relative decline in popularity of the Labour party – historically the dominant party in both countries – and the abandonment of equality guarantees like all-women shortlists and 'twinning'. There were fears that the

devolved institutions were heading into full retreat, and the predictions for 2011 were that the number of women representatives would fall dramatically.

The results were not as terrible as forecast, but the number of women elected to the Welsh Assembly fell from 47.5 per cent to 40 per cent. An even greater fall was only averted by a resurgent Labour party. In Scotland, the number of women MSPs increased minimally from 33 per cent to 35 per cent, which represents only an additional two women MSPs from the previous election.

Women's representation has tended to rise and fall in line with the fortunes of the Labour Party. It was Labour that pioneered the policy of twinning two similar and winnable constituencies together and then selecting a man and a woman candidate for each. The mechanism was used for both the Scottish and Welsh elections in 1999. Labour also used all-women shortlists in the 2003 Welsh Assembly elections, which helped bring about the world record-breaking result. However, having achieved gender parity Labour now appears to feel confident enough to dilute its equality guarantees. With the exception of Plaid Cymru and the Greens, no other party in Scotland or Wales uses equality guarantees such as twinning or zipping party lists.

The exclusion of women from public life is about equality and democratic legitimacy. It also has practical implications for policy-making. Female MSPs and AMs have been actively involved in promoting gender-related issues in debates and the policy-making process. This has produced some concrete policy initiatives in the field of childcare and domestic violence (for example the Protection from Abuse Act (Scotland) 2001) and has been instrumental in creating more family friendly

working practices in the devolved institutions that benefit both men and women.

Women's representation in Scotland and Wales is stagnant or in decline from previous highs. 'Soft' measures like balanced shortlists or training and mentoring have not achieved gender equality for the SNP, Liberal Democrats or the Conservatives. Hostility to measures to correct the imbalance has been allowed to fester, while the prospects of reinstalling effective guarantees appear less and less likely as they work against male incumbents. The initial hope that an alternative political culture could be established that did not mimic the traditional 'yah-boo' adversarialism and Westminster-style point scoring has already begun to unravel in Scotland, and Wales may not be far behind.

- In the 2011 elections, 35% of Scottish MSPs and 40% of Welsh AMs and elected were women.
- Women's representation is closely entwined with the electoral fortunes of the Labour Party.
- The Labour Party has sustained gender parity in Wales but not in Scotland.
- The rise in popularity of the SNP has brought about a concurrent decline in the overall number of women MSPs.
- A Labour surge in Wales prevented an even bigger expected decline in the overall number of women AMs.
- In five Welsh Labour safe seats – Cardiff South and Penarth; Islwyn; Pontypridd; Swansea East; and Clwyd South – women have been replaced by men.

- In Wales, women AMs occupy the six of the eight most vulnerable seats.

- Proportional representation in Scotland and Wales has enabled parties to adopt proactive measures to ensure a better gender balance compared to elsewhere under First Past the Post.

- Proportional representation can facilitate improved women's representation but it is not a guarantor.

- Since 2007 where? , there has been an almost complete abandonment of positive action measures (such as twinning and all-women shortlists), and the proportion of women elected has declined from previous highs. ■