



Commission for Gender Equality

IEC WOMEN'S DIALOGUE ON GENDER PARITY & GENDER-BASED POLITICAL VIOLENCE

Current State of Gender Parity in Politics in South Africa.

30 August 2023



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CGE Mandate

- The Commission for Gender Equality (CGE) is an independent statutory body established in terms of section 187 of the Constitution of South Africa.
- The Commission is mandated to promote respect for gender equality and the protection, development and attainment of gender equality in the Republic.
- The powers and functions of the CGE are outlined in the Commission for Gender Equality Act No. 39 of 1996. Specifically, in terms of section 11(1)(a) of the CGE Act, the CGE has the mandate to monitor and evaluate policies and practices of state organs, state agencies, public bodies and the private sector in order to promote gender equality and the rights of women, and to prepare and submit reports to Parliament.
- The Commission also has the powers to “monitor, investigate, research, educate, lobby, advise and report on issues concerning gender equality”.



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Relevant National Policy and Legislative Frameworks

- Several national policy and legislative frameworks, as well as regional and global instruments, exist to underpin the imperative for greater gender equality in political representation and participation for women and men.
- At the national level, the country has the Constitution as its foundational legal framework that makes gender equality a constitutional requirement.
- Section 9 of the Constitution guarantees a set of basic civil rights, including the right to gender equality. The Constitution also prohibits discrimination on several grounds, among which are gender, sex and/or sexual orientation. This basic civil right of gender equality applies to all spheres of human endeavour, including economics, politics, governance, political participation and representation.



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Relevant National Policy and Legislative Frameworks cont...

- The National Policy Framework for Women's Empowerment and Gender Equality (2000) is an important national policy framework document that brings together and underpins the objectives and imperatives contained in the Constitution and other national policy and legislative frameworks. It brings attention, through its provisions, to the need for gender equality and women's empowerment in all spheres of life, which would include political representation and participation.
- There are several domestic legislative and policy frameworks that are similarly designed to promote and advance the imperative of gender equality as contained in the Constitution. For instance, the Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA) (2000), otherwise known as the Equality Act, seeks to promote equality in all spheres of life and prohibits gender discrimination in political participation and representation.



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Relevant National Policy and Legislative Frameworks cont...

- The Local Government: Municipal Structures Act (#33, 2000 as amended) section 11 (3) is also an important piece of legislation as it mandates the representation of women in local government and specifies a 50% target for women's representation in party candidate lists.
- This provision goes further by specifying that women candidates in party lists should be evenly distributed across these lists, undoubtedly to avoid such candidates being placed at the bottom of party candidate lists where their prospects for successful election would be greatly diminished.
- However, it should be noted that this provision is confined solely to the Proportional Representation category of local councillors and does not extend to the Ward Councillor category. Therefore, this is a limitation that might need to be addressed soon.
- Currently, South Africa does not have legislation in place geared towards the enforcement of equal gender representation at the national and provincial levels.
- The initiative of crafting the equality legislation was made in 2014, but the term of the process lapsed, and the process needs to be started anew (WEGE Bill).
- The country is currently reliant on voluntary quotas by political parties to address issues of gender equality in political leadership.



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Relevant International Instruments

- In addition to the domestic policy and legislative frameworks that underpin the constitutional imperative for gender equality in all spheres of life, the country has also ratified several regional/ continental and global instruments that similarly seek to promote commitment towards gender equality and transformation in signatory countries.
- Article 7 of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) compels signatory states to take all forms of action and measures to eliminate gender discrimination against women in public life, including voting and political participation.
- Article 25 of the International Covenant on Civil and Political Rights makes provision for the right of all citizens to be afforded an opportunity to participate in the conduct of the public affairs of their countries by exercising their right freely to choose their public representatives or to stand for public office.
- Article 2 of the African Charter on Human and People's Rights also requires state parties to do away with discrimination against women through appropriate national legislative and policy frameworks, including designing appropriate institutional mechanisms to promote equality between men and women.
- In 2008, the Southern African Development Community (SADC) Protocol on Gender and Development was introduced with a 50% quota target to be met by 2015, for equal representation between men and women in political leadership and representation. Although this target was largely not met in many of the SADC countries, it remains an important milestone that reminds political leaders of the need for such an imperative to be kept on their national agenda(s).



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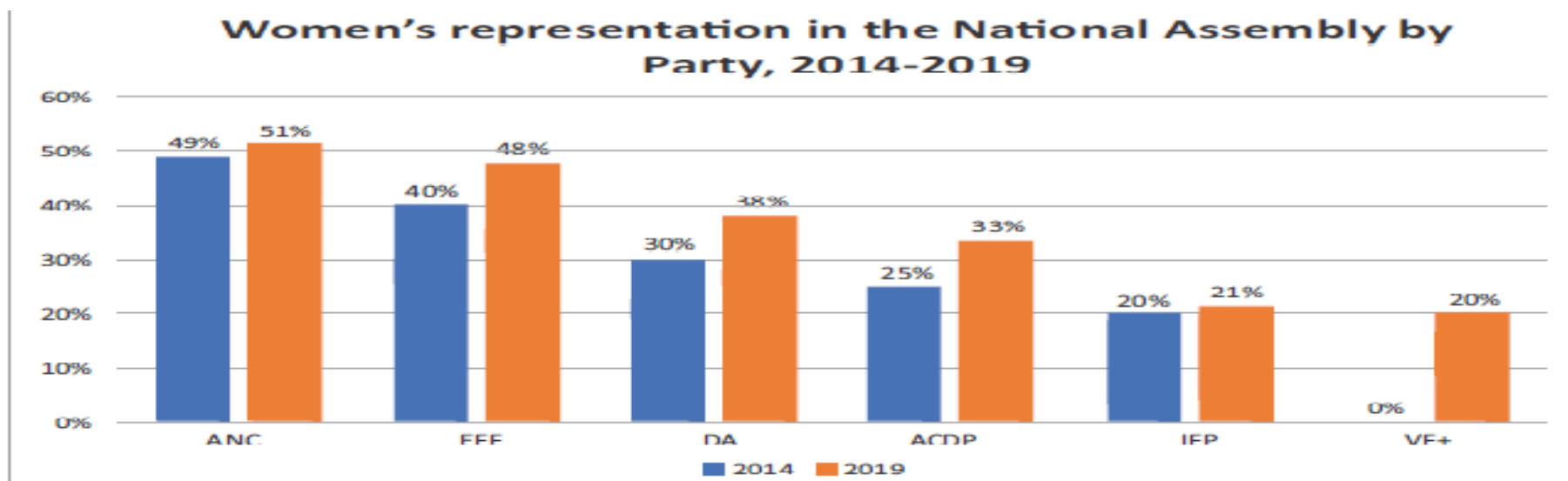
Voluntary gender quotas in political parties

- With regard to party political representation, the African National Congress (ANC), which is the ruling party, is the only party with a zebra stripes quota strategy and 50/50 quota policy.
- The Economic Freedom Fighters (EFF), which is comprised predominantly of youth, has adopted the principle of zebra stripe strategy and 50/50 quota in practice, however this has not been formalised.
- The Democratic Alliance (DA), which is the second largest political party subscribes to the notion of 'equal opportunity', whereby natural attributes such as gender and race are disregarded.
- The party is also known for its resistance towards a system of quotas in the selection of its party leaders as emphasis is placed on the merit of the candidates.
- The merit system, however, has historically disadvantaged women given that very few of them become represented in key leadership structures of the party.
- Other political party policies are silent on issues of gender equality mainstreaming.
- In the 2019 National and Provincial Elections, the ANC had a 51% representation of women in the National Assembly, with the EFF very close at 48%.
- Again, these (ANC & EFF) are the only two parties known to have formally adopted voluntary gender parity measures.



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National Assembly: Women's Representation by 6 major political parties

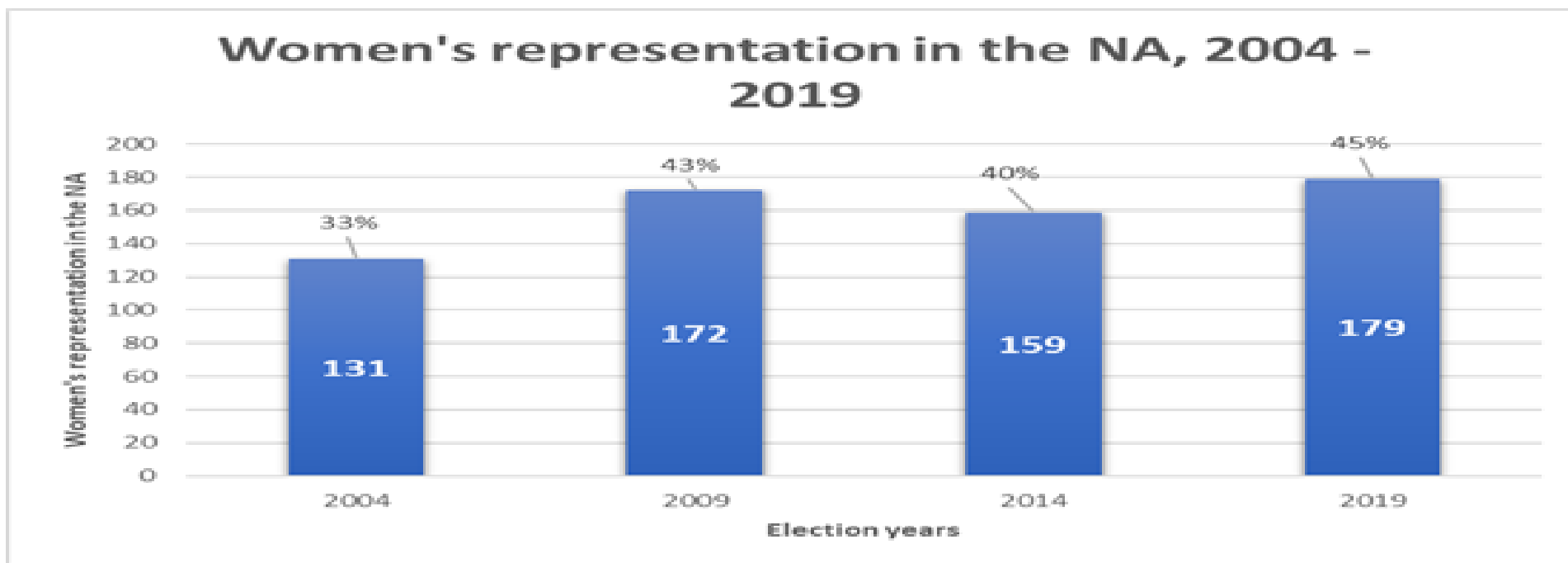


Source: National Assembly, IEC & CGE



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National Assembly

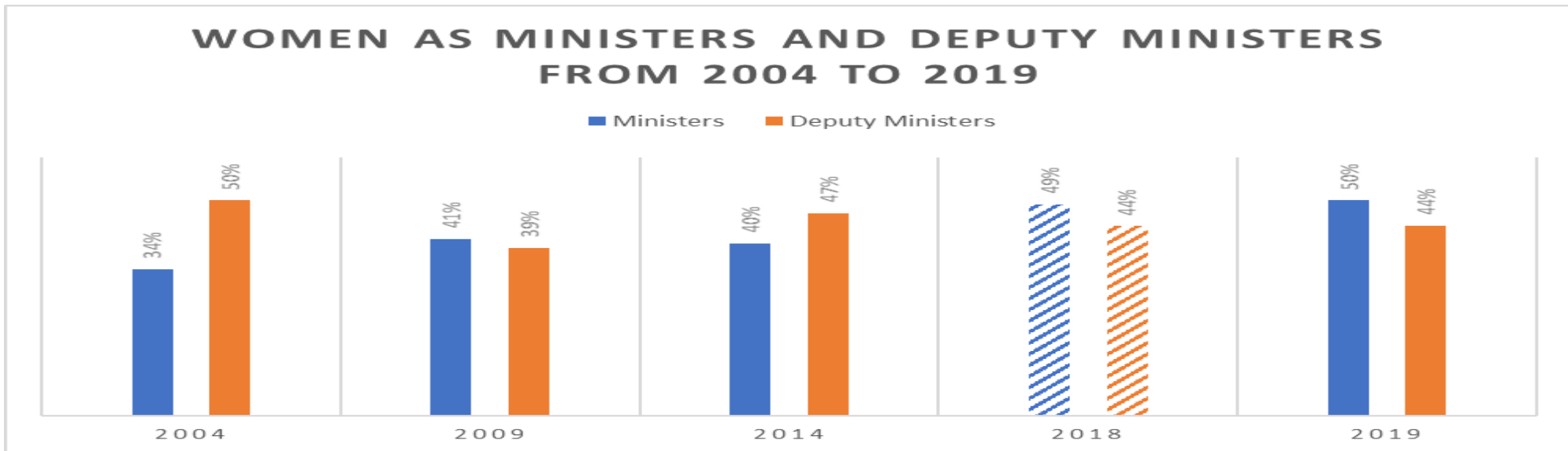




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Women Ministers and Deputy Ministers

- In 2019, South Africa also managed to reach gender parity in the Cabinet. However, this was not the case in the category of deputy ministers.





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Women Premiers

Table 6: Gender profiles of Provincial Premiers

Province	Premiers						Gender profile changes
	2014		2018		2019		
	Male	Female	Male	Female	Male	Female	
Eastern Cape	1		1		1		↔ 😐
Free State	1			1		1	↑ 😊
Gauteng	1		1		1		↔ 😐
KwaZulu-Natal	1		1		1		↔ 😐
Limpopo	1		1		1		↔ 😐
Mpumalanga	1			1		1	↔ 😐
North West	1		1		1		↔ 😐
Northern Cape		1		1	1		↓ 😞
Western Cape		1		1	1		↓ 😞
Total	7	2	5	4	7	2	↓ 😞
%	78	22	56	44	78	22	↓ 😞

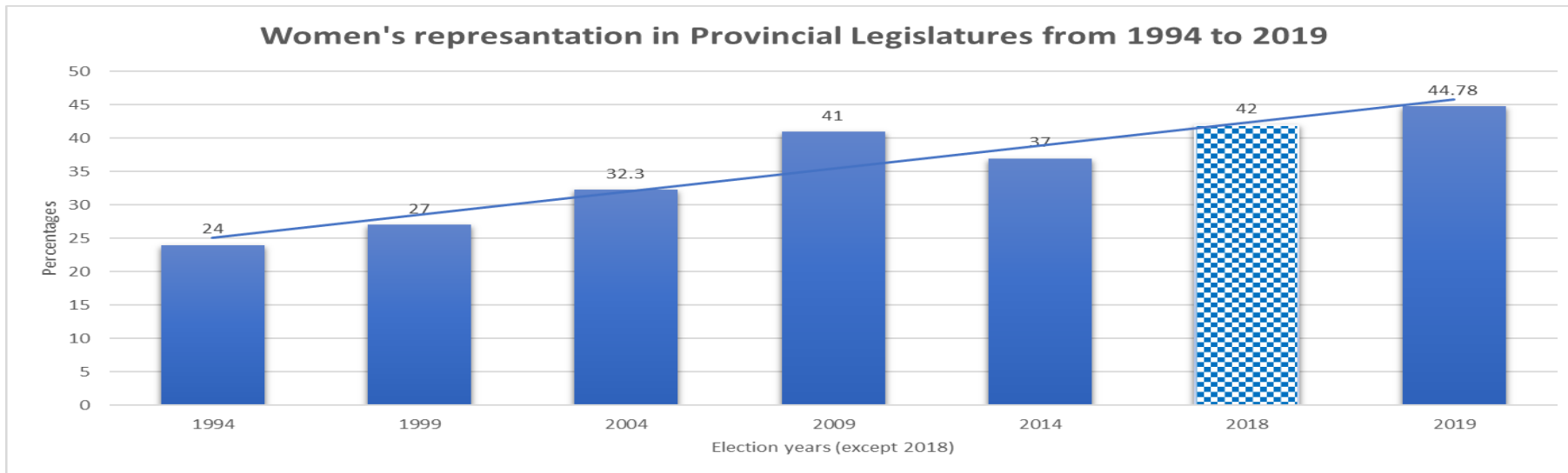
Source: CGE



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Women's Representation in the Provincial Legislatures

- From a gender representation and equality perspective, the overall outcome of the 2019 elections at the provincial level was positive as there was an increase in the total number of elected women representatives compared to the 2014 elections.





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Executive Mayor Positions

Table 9: Executive Mayor positions by gender – 2011 v 2016 v 2021

Executive Mayor (female vs male)						
	Female 2011	Male 2011	Female 2016	Male 2016	Female 2021	Male 2021
Buffalo City	0	1	0	1	0	1
City of Cape Town	1	0	0	1	0	1
City of Johannesburg	0	1	0	1	1	0
City of Tshwane	0	1	0	1	0	1
Ekurhuleni	0	1	0	1	1	0
eThekweni	0	1	1	0	0	1
Mangaung	0	1	0	1	0	1
Nelson Mandela Bay	1	0	0	1	1	0
Total	2	6	1	7	3	5

Source: Various sources, including metro websites, Speaker's offices, media offices, party officials and news media



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General Representation of Women in the Local Government Elections 2021

Year	2011		2016		2021	
	Women	Men	Women	Men	Women	Men
PR	43%	57%	49%	51%	46%	54%
Ward	33%	27%	32%	68%	27%	73%
Total	38%	62%	41%	59%	37%	63%



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General Representation of Women in the Local Government Elections 2021 cont...

- The 2021 local government elections saw some reversal of the past gains made in the overall representation of women at the local government level for the first time since 2011. As shown in the table, women's representation declined by 4% in 2021 to 37% from 41% in 2016. It had only declined by 2% in 2011.
- Political parties also failed to prioritise women candidates in the category of Proportional Representation (PR) Councillors where party leadership tends to have greater authority and power to make decisions regarding nominations based on various criteria such as gender, race, age, geography, religion and other important markers of diversity.
- Historically, the PR Councillor category of representation has presented an easier option for party leaders keen to intervene in ensuring balance based on gender, which is often necessary given the difficulties of ensuring such balance in the Ward Council category where the outcomes of internal local nomination processes are often unpredictable.



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Barriers to women's participation in political leadership

- Multiple factors contribute to the situation of women being underrepresented in political leadership.
- In terms of socio-economic barriers, there is a direct link between the social and economic status of women in society and their participation in political institutions and elected bodies. Socio-economic obstacles include poverty, unemployment, limited choice of professions due to gender stereotypes, gender pay gaps, and the dual burden of family and a full-time career in politics.
- A common institutional barrier to women's participation in political leadership is the absence of comprehensive affirmative action plans or quotas to redress gender disparities created by the patriarchal culture dominant in the political sphere.
- As already alluded to, in South Africa, only two political parties (ANC & EFF) are profiled to have adopted voluntary gender quota systems of 50/50 and the zebra-stripes style of placement on party nomination lists.
- Other political parties tend to adopt an egalitarian stance in their approaches.



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Barriers to women's participation in political leadership

- Women also face cultural barriers in the political arena.
- The current political culture is mainly characterised by traditional attitudes regarding women in decision-making roles, thereby perpetuating the practice of gender insensitive electoral policies, gender neutrality in the distribution of resources, and prevailing gender stereotypes in the day to day influenced by customs and traditions.
- Women are also confronted with 'voter bias', which is a practice that is prevalent in communities with more traditional gender-role attitudes, whereby men political leaders are preferred over women. Another challenge, which is closely related to the issue of 'voter bias', is 'party bias', which alludes to the practice of selection methods that promote men rather than women candidates. This practice typically takes place when there is an awareness of voters' bias against women as a strategy to maximise votes.
- There is pressure for women to lead differently but when they do, they are characterised as emotional, soft, and sympathetic and when they are seen to be assertive, they are labelled aggressive and uncaring.
- Women's rights in leadership are also violated through sexual harassment and violence, gender pay gaps, and sex for jobs, among others.



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Key recommendations/takeaways

- Greater support and encouragement should be provided by civil society organisations, gender activists and other key role players in the gender sector, not only during election times but also in between elections, to put pressure consistently on political party leaders to ensure that their parties are committed to clear and concrete gender equality targets.
- This should be done, among others, by putting in place the necessary internal policies, systems, mechanisms and practices, including adoption of specific numerical quotas, to promote greater women's representation and participation in internal party leadership structures.
- Civil society organisations, through national gender machineries, should lobby leaderships of institutions of government such as Parliament, the Provincial Legislatures and the respective National and Provincial Cabinets to adopt formal gender equality targets and representation quotas.
- This could include drafting the necessary internal regulations (or updating existing ones) on government appointments to leadership positions to ensure such decisions are not entirely dependent on the whims of the political parties in control of such institutions.



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Key recommendations/takeaways cont...

- Political parties must ensure that their policies and priorities are gender inclusive, not only in terms of gender specific policy reforms, but also ensuring that gender is mainstreamed into all the policies of the party.
- This can be achieved through policy committees that addresses gender mainstreaming and signs off on all policies for compliance, or through the provision of capacity building for party members.
- In order to obtain equal levels for women's representation, political parties could ensure that women candidates replace exiting women representatives in any vacant seats in all levels of government. This means that political parties must decide that any vacated seat be filled by a woman as a way to maintain gains in the proportion of women members in the structures of government.
- In the absence of a legislated gender quota, political parties need to be encouraged to apply a 50/50 quota system for women at all levels of political representation, and they should be held to account in line with international, regional and national policy frameworks and obligations.



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Key recommendations/takeaways cont...







- Political parties must investigate other processes to include motivated and qualified women in leadership positions, and sensitise party members about the importance of opening a supportive space for women among their members, leadership, and internal structures.
- Women's wings, where they exist, should advocate for measures to promote women's electoral candidacies and lobby party leaders to ensure that women candidates are given high positions on the lists.
- In addition, women's wings should seek funding for trainings and workshops for women's candidates and conduct civic education and voter outreach.
- Finally, women's wings could ensure that candidate selection procedures are updated where measures to address gender inequality are taken in order to ensure compliance with political party policies.

THANK YOU

**HAVE A GENDER RELATED
COMPLAINT ?
REPORT IT TO
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**FOR MORE INFORMATION
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www.cge.org.za**

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