

# In Search Of 50/50

A Scottish Perspective on  
Women and Parliament



the *active*  
learning centre



Catrina Burness

# Acknowledgements

I would like to thank the Active Learning Centre for commissioning this report to add to their work in promoting democracy and rights across the world.

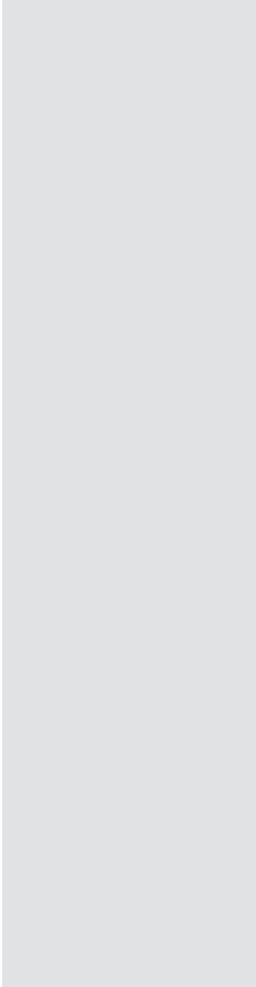
I am indebted to all who agreed to be interviewed; their insights, experience and analysis of this important period in Scotland's history are not only an important historical record, but will inform the continuing campaign for equality and justice across the world.

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## Photography

**Front cover (large image):** Scottish Labour MPs after the 1987 election. Photo in personal possession of Maria Fyfe.



# **Contents**

- 3. Foreword**
- 4. Slow Progress**
- 7. The Scottish Constitutional Convention and Women**
- 9. The Women's Issues Group**
- 11. Electoral Arrangements**
- 16. Electoral Transformation and Constitutional Reform**
- 20. Future Perspectives**
- 23. Results**

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7  
8  
9  
1-1  
9  
9  
7

SHAPING THE FUTURE



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# Foreword

The Active Learning Centre was founded in Scotland 16 years ago, to capacity build and research in support of democracy, community organisation and human rights. Since 1993 we have worked with parliamentarians, councillors and election candidates in countries where democracy is new, fragile or under threat. Powerful interests will always find a way to influence politics. At the Centre we believe that poor communities also need a voice. Dialogue between community and government, lobbying and campaigning are vital to the maintenance of a healthy democracy. International funds and greater freedom have encouraged organisations across the world; developing a voice for the poor, dispensing micro-credit, defending rights, protecting workers and building peace and reconciliation. These organisations are beginning to provide a challenge to unaccountable and ineffective governments worldwide.

Over the last sixteen years we have worked with thousands of groups and for the last five have brought almost one hundred post-graduates from charities and rights campaigns overseas, to the University of Glasgow to observe, reflect and debate the relationship between people and government. The Scottish Parliament, the Scottish Charity Regulator and many others have helped us in this task, forging links between groups across the world and their counterparts in Scotland. We have also trained hundreds of volunteers to give rights education in Africa, China and the Middle East, because we believe that the poorest communities suffer most from discrimination and corruption. Women's rights are a particular priority because women predominate amongst the poor and are active in demanding an end to violence in families and communities and discrimination in access to livelihoods

Women can bring particular values and experience to politics. Scrutiny of policy, budgets and legislation from a gendered perspective depends on the ability and willingness of elected individuals to carry out this task. It also depends on the policy and practice of political parties. Research shows that non-governmental pressures often drive good policy for women. Our work with women politicians discusses party and parliamentary processes and the government's relations with the community.

Women are new to politics, but their presence in increasing numbers makes it possible to record their effect over time. There is support for the idea of a critical mass of women making a difference. Scottish experience would suggest that the level of organisation might be just as important as numbers in driving change. We believe that the study of the political process and institutions, which either hinder or drive the process of inclusion, will yield the most useful results. Understanding the barriers to women wielding equal influence with men in political decision-making is a more interesting enquiry. To contribute to this body of knowledge we decided to record and learn lessons from our own experience here in Scotland. Since the election of the first Scottish Parliament a group of relatively young women has held power. Their insights are one part of an important historical record. The story of how they got there and what they achieved is of the benefit to us all in understanding the process of political change.

**Mike Dailly**  
**Chairperson**  
**Active Learning Centre**

# Slow Progress

“The most striking feature of the position of women in Scottish politics is the lack of significant progress in the past fifty years.”<sup>1</sup>

**Isobel Lindsay, 1991**

Mrs Thatcher’s election as Britain’s first female Prime Minister in 1979 coincided with the return of only one Scottish woman MP, the worst electoral results for female representatives in Scotland since 1923. Up to 1979 Scotland returned fractionally more women MPs than the UK average but has elected fewer since, a fact underlined by campaigners for better women’s representation since the 1980s. *A Woman’s Claim of Right in Scotland* opened its account of women in Scottish politics in 1991 with “*Scotland’s Map of Shame*”, highlighting this poor position.<sup>2</sup>

However, the figures, whether in Scotland or in the UK, are low. At Westminster the ten per cent threshold was crossed only in 1997 and the previous highest levels of Scottish women’s representation occurred in 1959, 1964 and 1992 with the return of five Scottish women MPs - seven per cent - a level overtaken in Finland as long ago as 1906. This was a long way off the irruption of “*petticoated generals, ministers, and legislators*” feared by anti-suffrage campaigners!<sup>3</sup> Only 34 women were elected as MPs for Scottish constituencies between 1918 and 2005 - six Conservatives; 21 Labour; two Liberal Democrats; and five Scottish Nationalists.<sup>4</sup>

**Table 1**

Scotland and the UK: Percentage of Women MPs returned at general elections, 1964 - 2005

## Scotland

1964	1966	1970	1974/F	1974/O	1979	1983	1987	1992	1997	2001	2005
7.0	5.6	2.8	4.2	5.6	1.4	2.8	4.2	7.0	16.7	15.3	15.3

## UK

1964	1966	1970	1974/F	1974/O	1979	1983	1987	1992	1997	2001	2005
4.6	4.1	4.1	3.6	4.3	3.0	3.5	6.3	9.2	18.2	17.9	19.8

Sources: Figures for UK and Scotland from F W S Craig, *British Electoral Facts, 1832-1987*, (Aldershot, 1989), *Times Guides to the House of Commons*, successive elections, *passim*, and House of Commons Library, Research Paper 05/33, *General Election 2005*.

<sup>1</sup> Isobel Lindsay, ‘Constitutional Change and the Gender Deficit’ in *A Woman’s Claim of Right in Scotland: Women, Representation and Politics* [hereafter *A Woman’s Claim of Right*], (Polygon, Edinburgh, 1991), p7.  
<sup>2</sup> *A Woman’s Claim of Right*, pi.  
<sup>3</sup> See Catriona Burness, ‘“Kept some steps behind him”: Women in Scotland, 1780-1920’, in Douglas Gifford and Joyce McMillan (eds.), *Scottish Women’s Writing, Volume 1, 1780- 1920*, (Edinburgh University Press, Edinburgh 1997), pp. 115-6; and Catriona Burness, ‘The Long Slow March: Scottish Women MPs’, in Esther Breitenbach and Eleanor Gordon (eds), *Out of Bounds: Women in Scottish Society, 1800-1945*, (Edinburgh University Press, Edinburgh 1992).  
<sup>4</sup> Drawn from House of Commons Information Office Factsheet M4 Appendix B; and House of Commons Library, Research Paper 05/33, *General Election 2005*.

The debate on women's representation in Scotland took place in the context of Thatcherism which came to dominate British politics of the 1980s. How much Mrs Thatcher achieved for other women during her period in office swiftly became a matter of controversy. One perceived impact of Thatcherism on women in Scotland over the 1980s was that of diverting the energies of women, who had previously involved themselves exclusively within the women's movement, into party political activity, principally although not exclusively within the Labour and Green parties.<sup>5</sup> Labour activist Janet Andrews said, "*I joined the Labour Party in 1983 with the specific purpose of getting Margaret Thatcher out*"<sup>6</sup> and she was scarcely alone. This development played a part in sharpening the focus on women's representation.

Rosina McCrae described the "*hive of activity*" within the Scottish Labour Party from 1978 when the party conference abolished women's seats on the Scottish Executive in the belief that "*the passing of the Equal Pay Act and the Sex Discrimination Act had delivered women's equality and separate representation was unnecessary.*" She reported that "*by 1983, the number of Women's Sections had doubled, and the Scottish Women's Committee was elected by women (for the first time)*" whilst women's seats on the Scottish Executive Committee were re-introduced by the 1984 party conference, with direct representation from the Scottish Women's Conference. Significant pressure groups such as the Women's Action Committee (WAC) became leading campaigners for quotas and women-only shortlists to deal with the under-representation of women in parliament.<sup>7</sup>

From 1987 the Labour Party adopted a series of measures intended to raise the profile of women in the party. In 1988 Labour adopted "*one woman on a shortlist where a woman is nominated for selection*" and from 1989 the Parliamentary Labour Party (PLP) was obliged to vote for at least three women in electing the 18-strong Shadow Cabinet. At the 1990 Labour Party conference the National Executive Committee (NEC) was instructed to establish a programme which would within ten years phase in 50 per cent women's representation within the PLP. These developments marked a radical (and as yet unrealised!) shift. Clare Short, Labour MP for Birmingham Ladywood, commented, "*it's unbelievable ... I keep waiting for the resistance but it doesn't happen.*"<sup>8</sup>

Over the 1980s the Social Democratic Party (SDP), Liberal, and Green parties also began to explore options for improving women's representation. Formed in 1981 as a breakaway from Labour, the SDP adopted candidate selection rules seeking a minimum of two women on every shortlist where possible. In 1987 the Liberal-SDP Alliance put up the highest number of women candidates of all the parties – 105 in the UK and 16 in Scotland.<sup>9</sup> Following the Liberal-SDP merger, the Liberal Democrats continued with a variation of the SDP women and shortlists rule, the obligation to have at least one woman on a shortlist if a woman is nominated. Over the 1980s the Green Party explored a number of options for increasing its proportion of women candidates including quotas and targets.

<sup>5</sup> See Esther Breitenbach, 'The Impact of Thatcherism on women in Scotland' in the *Scottish Government Yearbook 1989*, (Edinburgh University Press, Edinburgh, 1989); Kate Phillips, letter to *Radical Scotland*, April – May 1989; and Alice Brown, 'Thatcher's Legacy for Women in Scotland', *Radical Scotland*, April-May 1991.

<sup>6</sup> Interview with Janet Andrews, 21 February 2010.

<sup>7</sup> Rosina McCrae, 'Women in the Scottish Labour Party', in *A Woman's Claim of Right*, pp50-51.

<sup>8</sup> *Tribune*, 12 April 1991.

<sup>9</sup> Elizabeth Vallance, 'Two cheers for equality: Women candidates in the 1987 General Elections', in *Parliamentary Affairs*, January 1988, p88.

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# The Scottish Constitutional Convention and Women

Assessing Thatcher's legacy for women in Scotland, Alice Brown commented in 1991 that "*an unintended consequence of Thatcherism can be argued to be... the debate within the Scottish Constitutional Convention about the equal representation of women in a Scottish Parliament*".<sup>10</sup> Prior to the 1987 general election, the unpopularity of Mrs Thatcher and her policies in Scotland led to speculation on the political and constitutional implications of the return of a third Thatcher government combined with Tory decline in Scotland. This was the so-called "*Doomsday Scenario*"; and in 1987 it arrived in no uncertain terms. Mrs Thatcher won a parliamentary majority of 102, but in Scotland her party suffered its worst election defeat since 1910 with its representation slashed from 21 to 10 seats. It was an emphatic rejection. Scottish politics had arrived at a crossroads.

Against this background, the cross-party organisation, the Campaign for a Scottish Assembly (CSA), revived the idea of holding a Constitutional Convention to achieve a new form of government for Scotland. The CSA invited a committee of prominent Scots, representing all sections of Scottish society but not including any prominent politicians, to draw up a report on the state of the current government of Scotland, and to make recommendations as to what should be done about it. This committee met from January to June 1988, and its report – *A Claim of Right for Scotland* – was launched on 13 July 1988. Its main recommendation was the setting up of a Constitutional Convention to press the claim for a Scottish Assembly. In the months following the launch of the report there was a series of consultation meetings with the political parties and other Scottish institutions to test the support for the Convention proposal. While it was no surprise that the Conservative party refused to take part, by late autumn of 1988 all the opposition parties seemed likely to participate in the Convention and strong support came from the trade union movement, from the churches, and from local authorities. The SNP, however, withdrew in early 1989. The Green Party withdrew in early 1991 but rejoined in 1995.

An important and fresh dimension within the devolution debate was the question of how best to ensure women's greater involvement in a future Scottish Parliament. Former Labour MP Maria Fyfe recalls the reaction of Dick Douglas, then still a Labour MP and Chair of the Scottish group of Labour MPs, to her saying that she would not be interested in a Scottish Parliament unless that parliament had equal numbers of men and women:

*"His jaw literally dropped. He said, 'You cannot be serious.'"*<sup>11</sup>

This provides a contrast with the 1979 devolution referendum campaign. Although the contribution of individual women on either side of the devolution debate was noted in Bochel, Denver and Macartney's account of the referendum campaign, there was little focus on involving women in a Scottish Assembly.<sup>12</sup> Instead the focus was on the constitutional and financial merits of devolution. The Scottish Convention of Women (SCOW) was one of the few groups which attempted to raise the question of attitudes to women's representation in a Scottish Assembly. Formed in 1977 out of the International Women's Year (1975) and the London-based Women's National Commission, SCOW had a small membership based on representatives from trade unions, local groups including the Women's Guilds, and individuals, with the aim of promoting the quality of life for all women and men. SCOW circulated a questionnaire to the political parties in an attempt to establish their level of commitment in terms of women's representation. Maidie Hart of SCOW later described this exercise as "not very productive... and then the whole [devolution] debate fell apart anyway".<sup>13</sup>

The Women's Legal and Financial Independence Campaign also made a contribution to the devolution debate by preparing a Charter for legal reforms in the areas in which an Assembly would have powers. The Scottish Women's Charter covered areas such as divorce, financial provision, and custody; housing, abortion, contraception and maternity services; childcare and violence against women. It drew on the concerns of the women's movement which was raising issues seen as crucial in the shaping of women's lives but outside the formal structures of the political parties. However, as Esther Breitenbach pointed out, the Legal and Financial Independence Group did not take up a position for or against devolution *per se*.<sup>14</sup> In 1979, the feminist *Msprint* reported that, "On the whole the women's movement ignored the referendum or saw it as irrelevant."<sup>15</sup>

In response to the Claim of Right and the founding of the Constitutional Convention, "A Scottish Woman's Claim of Right" was launched in April 1989, "because 52 per cent of this country's population provide just 4 per cent of its MPs".<sup>16</sup> While Green Party women were prominent in its launch, it was a cross-party and non-party group of women committed to drawing attention to women's low representation in government and to campaigning on four points set out in an April manifesto:

- "An Assembly which deals urgently with obstacles to women in housing, education, employment, childcare, health and personal safety
- A move away from the battleground style of present day politics and a move towards greater co-operation in the cause of social justice, recognising the value of women's experience and wisdom
- Positive support, training and encouragement to enable women from any sector of society to take an active part in public life
- Constitutional reform **GUARANTEEING** equal representation for women in the political arena!<sup>17</sup>

<sup>12</sup> John Bochel, David Denver, & Allan Macartney (eds), *The Referendum Experience: Scotland 1979*, (Aberdeen University Press, Aberdeen, 1980), *passim*.

<sup>13</sup> Interview with Maidie Hart, cited in Emma Simpson, "'Mainly Manly': The Scottish Constitutional Convention and the implications for women's representation", Edinburgh University Politics Honours dissertation, 1990, pp39-40.

<sup>14</sup> Esther Breitenbach, "'Sisters are doing it for themselves': The Women's Movement in Scotland", in *Scottish Government Yearbook 1990*, (Edinburgh University Press, Edinburgh, 1990), p216.

<sup>15</sup> *Msprint*, editorial, Issue Number 3, cited in Esther Breitenbach, *op cit*, p216.

<sup>16</sup> Leaflet issued by 'A Scottish Woman's Claim of Right', April 1989.

<sup>17</sup> *Ibid*.

The campaign mounted a series of conferences in 1989, won a certain amount of publicity and promised to set up a series of working groups, a data and monitoring unit on women's representation, and to form local groups. A submission was made to the Scottish Constitutional Convention and individual members such as Jackie Roddick contributed articles on women's representation to *Radical Scotland*<sup>18</sup> whilst a book *A Woman's Claim of Right* was published in 1991. The organisation thereafter faded perhaps because they were pushing at an open door.

It was not, however, immediately clear that this was so. The first meeting of the Constitutional Convention on 30 March 1989 was memorably dubbed 'mainly manly' by Emma Simpson, as only 23 women attended the first meeting of around 140 delegates from political parties, local authorities, trade unions, churches, business and industry, ethnic minorities and the Campaign for a Scottish Assembly.<sup>19</sup> The Convention unanimously adopted a Declaration acknowledging the sovereign right of the Scottish people to determine its own form of government and pledged to prepare a scheme for an Assembly or Parliament for Scotland to be put to the Scottish people for endorsement. Detailed work was carried out in a series of working groups on constitutional issues and the structure of government, powers and responsibilities, financing Scottish expenditure, and "*making the Scottish Parliament truly representative*".

Criticism of the low numbers of women involved in the Convention's proceedings (albeit a much larger showing than at Westminster) prompted Labour members of the Convention Executive to propose the setting up of a Women's Issues working group to consider the question of making a Scottish Parliament truly representative. The name of the group immediately made the link between women and representation, ensuring that the group focused in particular on the under-representation of women. The Women's Issues Group was chaired by Maria Fyfe, Labour MP for Glasgow Maryhill and then Labour deputy shadow spokesperson for women's affairs. Other members were Yvonne Strachan of the Transport and General Workers Union (TGWU), the Rev Norman Shanks, Labour MP John McAllion, and Bruce Black, Convention of Scottish Local Authorities (COSLA) Deputy Secretary and Secretary of the Scottish Constitutional Convention.

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# The Women's Issues Group

As Maidie Hart of SCOW put it, “*Women had got in at the ground floor for once*”<sup>20</sup>, and the Women's Issues Group wrote to a wide range of Scottish organisations seeking their views on how to actively involve women in a Scottish Parliament. Views were sought on six areas identified as crucial in the shaping of the Parliament. These areas were: working patterns; remuneration; provision of allowances and facilities; the Parliament's format; reflecting women's views; and electoral arrangements. In September 1989 an interim report was drawn up<sup>21</sup> and the submissions received were unanimous on the need to take steps to ensure that the low level of women's representation in Scottish politics was not continued into a Scottish Parliament.

Several barriers to women taking an equal part in the process were identified. The Scottish Trades Union Congress (STUC) Women's Committee summed up the major barrier to women's participation:

*“The present political system is constructed in such a way as to virtually exclude women from participation. In a society where the main domestic responsibility for child and dependent care lies with women, it is not surprising that there are so few women MPs or local government elected representatives. This responsibility or assumption that the responsibility is a woman's is unlikely to disappear in the next few years, if even within this century. A Scottish Assembly should, from the outset, therefore, make itself accessible to women.”*<sup>22</sup>

Domestic responsibility and the range of practical limitations it poses on what kind of work women do and where they are able to do it was clearly seen as the major barrier. Other areas identified included women's lack of confidence and experience in operating in formal power structures, the Westminster timetable and women's discomfort in the formalised slanging match epitomised by Westminster. The submission from “*A Woman's Claim of Right*” expected that “*because a Scottish Assembly would be more local and accessible, we would expect some natural improvement in female representation to follow its introduction in any case*”. Yet Lothian Regional Council commented that “*within the present structures and processes of central and local government women's representation is substantially less than would be expected on the basis of ... population, qualifications and experience*”. Discrimination against women in party selection procedures was not emphasised as a barrier, however; the underlying assumption was that women were ruled out of consideration a long way short of the selection meetings.<sup>23</sup> Simply put, the prevailing attitude was that this was a man's job.

<sup>20</sup> *Ibid*, p40.

<sup>21</sup> See 'Women and a Scottish Parliament', pp85-103, in *Towards Scotland's Parliament, Consultation Document and Report to the Scottish People, Oct 1989*, (Scottish Constitutional Convention, Edinburgh, 1989).

<sup>22</sup> Preliminary Submission prepared by the STUC Women's Committee for consideration by the Scottish Constitutional Convention Working Group on Women's Issues, Glasgow Caledonian University (GCU) Archives; Records of the STUC, Minutes August 1989, p003447.

<sup>23</sup> See 'Women and a Scottish Parliament', pp85-103, in *Towards Scotland's Parliament, Consultation Document and Report to the Scottish People, Oct 1989*, (Scottish Constitutional Convention, Edinburgh, 1989).

The interim report listed a series of proposals intended to boost women's representation. Throughout, Westminster served as a powerful negative model. On the working pattern of a Scottish Parliament, submissions were unanimous in favouring Parliament sitting during office hours and taking recesses in line with Scottish school holidays. There were various options for the Parliamentary week with the option of three days in the chamber and two days in the constituency being mooted. There was a consensus that members of a Scottish Parliament should hold their seat as a full-time salaried post paid in line with Westminster MPs. Submissions were unanimous too on the need for a flexible system of child and carer allowances and crèche facilities. Travel, research and secretarial expenses were also considered necessary. There was considerable backing for fixed term parliaments and for the development of a committee structure to deal with the main business of a Scottish Parliament. The creation of a Scottish Equal Opportunities Commission and a Ministry for Women within the parliament found support as did the idea of requiring each political party to publish an equality audit at elections.<sup>24</sup> The report made by the Convention on 30 November 1990, *Towards Scotland's Parliament*, confirmed that the working structures and patterns of a Scottish Parliament should positively encourage the involvement of women, and ethnic and other minority groups.<sup>25</sup>

<sup>24</sup> *Ibid*, p92 & pp99-100.

<sup>25</sup> *Towards Scotland's Parliament, A Report to the Scottish People by the Scottish Constitutional Convention, Nov 1990*, [Scottish Constitutional Convention, Edinburgh, 1990], p17.

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# Electoral Arrangements

The most difficult area was that of electoral arrangements, especially the means of increasing women's representation. The options which emerged within the Convention included electoral reform, quota systems and the 50/50 option.

The most radical proposal, in the sense of its certain impact on women's representation, was the 50/50 option. Originally proposed by the STUC Women's Committee, 50/50 was based on the premise that 50 per cent of elected representatives should be men and 50 per cent should be women. There was some similarity between 50/50 and George Bernard Shaw's post-war proposal of the *"Coupled Vote"*. This was the suggestion that every constituency should have two representatives, a man and a woman.<sup>26</sup> However, the STUC Women's Committee drew their proposal from the recommendations of the Kilbrandon Commission that a Scottish Parliament should have two-member constituencies.<sup>27</sup> The STUC submission proposed:

*"We would suggest that each constituency should be entitled to return two representatives to the Assembly; one woman; one man ... If current parliamentary constituencies were changed this principle could still apply; and indeed, it would work if [proportional representation] PR was introduced. If constituencies were changed to area groups, two categories of voting would still be applicable."*<sup>28</sup>

Rosina McCrae recalls that Kathy Finn (of the Educational Institute for Scotland) phoned her and Maria Fyfe and asked each of them what they thought of this proposal – *"The STUC were looking for Maria to take 50/50 up as a public figure and for me (Rosina McCrae) to take it forward in the Labour party. Ronnie Macdonald and Yvonne Strachan were not Labour members."*<sup>29</sup> Unfortunately space does not allow for tracing the hard-fought battles over getting women into politics within the Labour Party but the 50/50 option moved to the centre of the political argument on representation when it became Labour policy. At its 1990 Scottish Conference the Labour Party ruled out *"first-past-the-post"* for a Scottish parliament, adopting the following position:

*"The Labour Party In Scotland therefore reaffirms its view that "first-past-the-post" is not an appropriate system for a Scottish Parliament; that both the Alternative Vote and the Additional Members System or some form of it justify further consideration; that whatever system is used it must take account of the Party's declared support for equal representation for men and women in the Scottish Parliament and that the Party should seek agreement on one of these systems."*<sup>30</sup>

<sup>26</sup> Discussed and opposed by Jean Mann, *Woman in Parliament* (Odhams, London, 1962), p42.

<sup>27</sup> Information supplied to the author by Yvonne Strachan and Jane MacKay then members of the STUC Women's Committee.

<sup>28</sup> Preliminary Submission prepared by the STUC Women's Committee for consideration by the Scottish Constitutional Convention Working Group on Women's Issues, Glasgow Caledonian University (GCU) Archives; Records of the STUC, Minutes August 1989, p003449.

<sup>29</sup> Interview with Rosina McCrae, 29 January 2010.

<sup>30</sup> Executive Statement passed at Scottish Labour Party Conference, Aberdeen, March 1991.

Although Labour committed itself to moving away from the first-past-the-post system of election for a Scottish Parliament and to equal representation of men and women, its 50/50 policy was viewed by the Liberal Democrat and Green parties as a potential device to scupper PR within the Convention. Those opposed to 50/50 inside and outside the Labour Party argued that 50-50 could not be combined with PR. The Chair of the Women's Issues Group, Maria Fyfe, firmly defended the 50/50 proposal, seeing it as *"the opportunity to create an equal say for women for the first time in the history of Scottish politics"* and arguing that:

*"As a matter of fact, it would be perfectly possible to ensure equal numbers of women and men under any electoral system ... Under the Alternative Vote, the voter would list male candidates in order of preference, and female candidates likewise. Under the Single Transferable Vote in multi-member constituencies the number of members in each constituency would need to be divisible by two, and odd numbers would need to be avoided. If, say, six members were required, then three men and three women would be elected. In the Additional Member System, a male and female MSP would be elected in each constituency, and each political party entitled to additional members would top up with equal numbers of men and women."*<sup>31</sup>

The Green Party offered electoral reform as the solution to improving women's representation. Any form of PR was regarded as *"almost certainly in and of itself [to] raise the number of female members of any future Scottish Parliament, though it might not do so immediately in the parties which the majority of voters choose"*.<sup>32</sup> The Greens initially recommended the use of a 30 per cent quota of female candidates and the adoption of the Additional Member System (AMS) on the former West German model. The quota policy was later replaced by a *"trigger mechanism"* whereby party members would be alerted if a selection round seemed likely to fail to select over 30 per cent women candidates.<sup>33</sup> They were also closely associated with the idea of requiring each political party to publish an equality audit prior to elections.

<sup>31</sup> Maria Fyfe, 'Women's Voice - Equal Representation', in *Equal Voice*, Winter 1989-90.

<sup>32</sup> 'Women and Scotland's Parliament', Scottish Constitutional Convention, *op cit*, p101.

<sup>33</sup> Information supplied to the author by Irene Brandt of the Scottish Green Party.

The Liberal Democrats adopted a similar approach to that of the Greens – supporting equality audits, attempting to devise internal party structures that would prove appealing and supportive to women, support for would-be women candidates, training and encouragement, and the setting of targets as distinct from quotas. An internal consultation asked Scottish Liberal Democrat women how best to ensure the involvement of women in a Scottish Parliament; the 50-50 option was overwhelmingly rejected.<sup>34</sup> Its radicalism was acknowledged but many objections were raised against it. It was feared that 50-50 would marginalise women; that the men's election would be treated more seriously than the women's election; "that if, for example, the man who came second in the male ballot got more votes than the woman who won the women's ballot, it would seriously undermine the woman"; that it might be unpopular with the voters and so make a Convention package more difficult to sell; that it might in some areas such as in Gordon lead to a decrease in women's representation. [Liberal Democrat women's representation on Gordon District Council was then around 60 per cent of the party group.] The Liberals also rejected quotas.<sup>35</sup> Within the Convention, Liberal Democrat Sheila Ritchie vigorously insisted that she wanted to beat men as well as women.<sup>36</sup> The Liberal Democrats modified their strong preference for the Single Transferrable Vote (STV) form of PR, but retained their belief in the capacity of PR to bring in women:

*"If the Constitutional Convention leads to a Scottish Parliament elected by a sensible system of PR there will be opportunities for women."*<sup>37</sup>

All of the parties involved in the Convention's negotiations on electoral arrangements showed some flexibility. The report made by the Convention on 30 November 1990, *Towards Scotland's Parliament*, reflected this movement and set out three criteria for the eventual selection of an electoral system:

1. *"The present 'first-past-the-post' electoral system is not acceptable for Scotland's Parliament and does not produce a truly representative assembly"*
2. *The Convention seeks for Scotland's Parliament an electoral system which should be assessed in terms of the following principles:*
  - (a) *that it produces results in which the number of seats for various parties is broadly related to the number of votes cast for them;*
  - (b) *that it ensures, or at least takes effective positive action to bring about, equal representation of men and women, and encourages fair representation of ethnic and minority groups;*
  - (c) *that it preserves a real link between the member and his/her constituency;*
  - (d) *that it is as simple as possible to understand;*
  - (e) *that it ensures adequate representation of less populous areas; and*
  - (f) *that the system be designed to place the greatest possible power in the hands of the electorate.*

<sup>34</sup> Report of the Scottish Liberal Democrats' Women's Commission, November 1990, p4.

<sup>35</sup> *Ibid*, pp 4-5.

<sup>36</sup> Sheila Ritchie speaking at meetings of the Scottish Constitutional Convention in April & June 1990.

<sup>37</sup> Report of the Scottish Liberal Democrats' Women's Commission, November 1990, p6.

**3.** *Having secured the firm commitment of all the major participants in the Convention to these principles, including equality of representation of men and women, the Convention will seek to identify the precise electoral system which best meets these criteria.*<sup>38</sup>

However, it took six years of negotiations to agree the plan for a 129-seat, proportionally elected, devolved parliament. On Friday 20 October 1995 the Convention finally gave its formal backing to the document, *Key Proposals for Scotland's Parliament*. Among the difficult issues resolved were those of an electoral system and how to achieve gender balance in a future Scottish parliament. Chair of its Executive Committee, Canon Kenyon Wright, told the Convention, *"We've done it! We've done it!... We've combined the details and the dream."*<sup>39</sup>

The details involved 129 members elected under the Additional Member voting system (AMS), with 73 constituency Members of the Scottish Parliament (MSPs). The *"constituency"* MSPs were to be elected under the *"first-past-the-post"* system with a second vote for a proportional *"top-up"* list of 56 additional members: seven from each of eight constituencies, corresponding to the then eight European parliamentary seats in Scotland.

The scheme did not include statutory intervention to ensure equal representation of men and women in the parliament. There was to be no overnight gender revolution in Scottish politics. Instead there was a so-called, *"Electoral Agreement"*. This accepted *"the principle that there should be an equal number of men and women as members of the first Scottish Parliament ... commits the parties to take into account both the constituency and additional member list candidate to select and field an equal number of male and female candidates for election ... and ensures that these candidates are fairly distributed with a view to the winnability of seats."*<sup>40</sup>

<sup>38</sup> *Towards Scotland's Parliament, A Report to the Scottish People by the Scottish Constitutional Convention, November 1990*, [Scottish Constitutional Convention, Edinburgh, 1990], p17.

<sup>39</sup> *Scotsman*, 1 December 1995.

<sup>40</sup> *Scotland's Parliament. Scotland's Right*. [Scottish Constitutional Convention, Edinburgh, 1995], p22.

The agreement was voluntary and cross-party. Again this reflects what Labour and the Liberal Democrats could live with, and credit for the compromise was given to women in each of the parties. The Convention called upon all the Scottish political parties to implement its principles although the parties outside the Convention, the Conservatives and Scottish Nationalists, did not sign up to it.

In any case it was left up to the political parties to resolve how they might achieve a gender balance of candidates within their own selection procedures. In practice this meant that the Liberal Democrats could set up measures to encourage women rather than quotas or positive discrimination.

Within the Labour party discussions on women's representation in a new Scottish Parliament went alongside parallel developments intended to boost women's representation at Westminster. The 1994 party conference endorsed the policy of having "women-only" shortlists in the next round of parliamentary selections in half of the non-Labour seats. However, this policy was shelved in February 1996 following an industrial tribunal ruling that it was illegal. Two men who wished to stand for selection in constituencies which were using "all-women" shortlists took the party to court under the 1975 Sex Discrimination Act and the 1976 EU Directive on Equal Treatment. They argued that the Labour party was depriving them of possible job opportunities as Labour candidates or future MPs because they were men. The party was found to have discriminated against them on the grounds of their gender. Women activists criticised the failure to challenge the decision in a higher court but the party argued that it did not want to jeopardise the selections that were already made. The policy of "women-only" shortlists is now overwhelmingly recognised as a key factor in the return of a record number of Labour women MPs in 1997.<sup>41</sup>

<sup>41</sup> See Joni Lovenduski, 'Gender Politics: A Breakthrough for Women?' in *Parliamentary Affairs*, 1997/4.

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# Electoral Transformation and Constitutional Reform

The 1997 election was a major turning point, returning the Labour party to office after 18 wilderness years with a landslide majority of 179. In the worst Conservative defeat since 1832 Scotland and Wales became “Tory-free” zones. A record number of women MPs entered the House, 120, or 18.2 per cent of MPs. One hundred and one were Labour women, promptly christened “Blair’s Babes”. This breakthrough took women’s parliamentary representation at Westminster (and Scotland) through the ten per cent threshold for the first time since women won the vote and the right to stand for parliament in 1918. Twelve women were returned for Scottish seats (10 Labour, one Liberal Democrat, and one Nationalist) making 16.7 per cent of Scottish MPs.

The 1997 election also ushered in a period of constitutional reform with direct implications for women’s political representation. On 11 September 1997 the Scottish electorate overwhelmingly supported the setting up of a devolved Scottish parliament in Edinburgh with tax-varying powers. The Welsh referendum gave far narrower support – by a margin of one per cent only – for establishing a Welsh Assembly without tax-raising powers.

The referenda results transformed the preparations for devolution from the stuff of wishful thinking and protracted negotiations into concrete realities. However, dramatic improvements in women’s representation were not guaranteed. In December 1997 it became clear that the Scotland Bill would not offer exemption from the Sex Discrimination Act to cover the first elections for the Scottish Parliament.<sup>42</sup> The Lord Chancellor argued that amending the law would breach European legislation – a claim which seemed far-fetched given the range of positive discrimination measures in use across the European Union and which was challenged by several legal experts, including the Prime Minister’s wife, barrister Cherie Booth QC.<sup>43</sup> “It all comes down to strategy and intervention”, commented the STUC’s Ann Henderson. “In the 1990s we were told that we could not intervene, it could not be done legally. Lies!”<sup>44</sup>

<sup>42</sup> *Scotsman*, 5 December 1997.

<sup>43</sup> *Scotsman*, 31 March 1998.

<sup>44</sup> Interview with Ann Henderson, STUC, 28 January 2010.

However, several parties fell short of targets for gender balance in the new devolved fora. Although the Liberal Democrats co-signed the Convention's voluntary electoral agreement, considerable internal hostility remained towards positive intervention to promote women candidates. By 1998 the preferred Liberal Democrat option emerged as a flexible "zip system" to be applied to the list seats. Under this, two lists of candidates, one male and one female, were to be ranked by the party, and brought together to provide a single list alternating man, woman, and so on. Despite the backing of the Scottish Liberal leader Jim Wallace, MP, in March 1998 the party's Scottish conference resisted intervention in candidate selection as inherently "illiberal".<sup>45</sup> Only two women have held places in the 17-strong Liberal Democrat grouping in the Scottish Parliament since 1999. The Liberals did achieve gender balance in Wales but in a much smaller party grouping of six. The Liberal Democrats' record of electing women is at its highest in local government (31.3 per cent in 2007) where it exceeds the Scottish average of 21.6 per cent and Labour's total of 17.5 per cent women councillors.<sup>46</sup>

An attempt by the SNP leadership to secure a similar "zipping" system for their Scottish parliament elections was also defeated at its 1998 conference by 282 votes to 257.<sup>47</sup> In 1999, however, around 30 per cent of the Nationalist candidates standing in constituencies were female as were around one third of their top-up lists,<sup>48</sup> and women made up 42.8 per cent of the Nationalist MSPs. In 2003 "the SNP failed to place women candidates in favourable places on its party lists, in contrast to 1999 – one of the reasons Margo MacDonald left the SNP to fight as an Independent".<sup>49</sup> The SNP lost eight seats at the 2003 Scottish Parliament election including six female Nationalists.<sup>50</sup> The proportion of Nationalist women declined again in 2007 to a quarter of its parliamentary group although several women have held high profile positions in the present Nationalist administration at Holyrood, notably Nicola Sturgeon, the party's Deputy Leader.

<sup>45</sup> *Scotsman*, 27 and 28 March 1998.

<sup>46</sup> *Herald*, 3 May 2007.

<sup>47</sup> *Scotsman*, 8 June 1998.

<sup>48</sup> *Engender Newsletter*, No.20, February 1999, p.1.

<sup>49</sup> At [www.engender.org/uk](http://www.engender.org/uk), Engender Noticeboard, 5 May 2003.

<sup>50</sup> This figure includes Dorothy Grace-Elder and Margo MacDonald who both left the SNP. Margo MacDonald was re-elected as an Independent MSP.

**Table 2**  
**Gender Composition of the Scottish Parliament, 1999-2007**

Political Party	Elected Women MSPs as per cent (%) 1999	Elected Women MSPs as per cent (%) 2003	Elected Women MSPs as per cent (%) 2007
<b>Conservative</b>	16.6	22.2	29.4
<b>Green Party</b>	0	28.5	0
<b>Labour</b>	50	56	50
<b>Liberal Democrat</b>	11.7	11.7	12.5
<b>Scottish National Party</b>	42.8	30	25.5
<b>Scottish Socialist Party</b>	0	66	0
<b>Others</b>	0	50*	100
<b>Total</b>	37.2	39.5	33.3

\* In 2003 Margo MacDonald and Jean Turner were returned as Independents along with Dennis Canavan (Independent) and John Swinburne (Scottish Senior Citizens Unity Party). Only Margo MacDonald was re-elected as an Independent in 2007.

Sources: *Guardian*, 11 May 1999; and [www.scottish.parliament.uk](http://www.scottish.parliament.uk)

**Table 3**  
**Gender Composition of the Welsh Assembly, 1999-2007**

Political Party	Elected Women AMs as per cent (%) 1999	Elected Women AMs as per cent (%) 2003	Elected Women AMs as per cent (%) 2007
<b>Conservative</b>	0	18.2	8.3
<b>Labour</b>	53.6	63.3	61.5
<b>Liberal Democrat</b>	50	50	50
<b>Plaid Cymru</b>	35.3	50	46.7
<b>Others</b>	0	0*	100
<b>Total</b>	40	50	46.7

\* John Marek was elected as Independent AM for Wrexham.

Sources: *Guardian*, 11 May 1999; and [www.wales.gov.uk](http://www.wales.gov.uk)

The Conservatives meanwhile, until David Cameron's recent determination to apply positive discrimination in candidate selection, continued to stress the need for increases in women's representation to come about "*spontaneously, and not by some artificial regulation which is indeed patronising to women*".<sup>51</sup> In 1999 only three of the 18 Conservative MSPs were female while no Conservative women were elected to the Welsh Assembly. In 2003 two female Tory AMs were elected along with an additional female MSP in Edinburgh increasing to five in 2007. In 2003 the Scottish Socialist party (SSP) used its regional lists to promote women but lost all its seats in 2007 whilst the Greens elected two female MSPs in 2003 and none otherwise.

The Labour party sought a gender balance of candidates for the 1999 Scottish and Welsh elections. This was achieved in the first-past-the-post section via "*twinning*", under which party members in two constituencies were asked to select a man and a woman as candidates. Twinning arrangements were set aside in some parts of Scotland, however (notably in the Highlands) and the party was charged with "*cronyism*" in filling its "*top-up*" lists. The twinning arrangements were also threatened by legal challenge in Wales although this did not materialise.<sup>52</sup> Welsh Labour went on to elect more women than men whilst equal numbers of Labour men and women entered the Scottish Parliament in 1999 – an historic achievement. Overall, devolution pushed women onto a fast track to equal numbers.

<sup>51</sup> *Scotsman*, 4 March 1998.

<sup>52</sup> *Observer*, 15 March 1998.

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## Future Perspectives

So what does the future hold? The historic record and the current situation at Holyrood and Westminster, and in Scottish local government, add up to an uneven pattern of women's political representation. After the Scottish Parliament elections in 2003 the Fawcett Society called on *"the Parties in England to take note of the Scottish example and take positive steps to address the under-representation of women at Westminster."*<sup>53</sup> But what, for example, are the chances of boosting Scottish women's representation at Westminster? Is the *"Scottish example"* confined to the new Scottish Parliament?

In 2005 some factors went against increasing Scottish women's representation at Westminster. The creation of the Scottish Parliament went hand in hand with reducing Scottish representation at Westminster from 72 seats to 59. Cutting seats was not much like creating a new parliament and it was unlikely to increase the number of Scottish women MPs. In July 2002 the UK Labour Party's National Executive announced that it had approved a proposal that in all Labour-held seats where the MP retired, an all-women shortlist should be put in place in 50 per cent of cases. However, Scotland was exempted because of the significant reduction in the number of Scottish MPs. The *Herald* newspaper reported that a party official admitted the exemption was justified by the problem of finding seats for (mostly male) sitting MPs with the number of Scottish constituencies being cut from 72 to 59 adding that *"No-one wants to be in this situation but the massive changes we are going to see in Scottish politics make this temporary exemption necessary"*. The *Herald* concluded:

*"The policy will mean that the proportion of Labour women MPs representing Scottish constituencies at Westminster, already among the lowest in Britain, is set to slip further behind."*<sup>54</sup>

Inescapably, however, increasing women's representation must mean some men losing their seats, especially when as at Westminster they hold 80 per cent of the seats. Policies adopted by Labour are significant because of the party's current dominance of the Scottish constituencies and because of its role as the party most likely to use positive measures to promote women. It is noteworthy that in the context of reducing the UK delegation to the European Parliament from 87 to 78 following European Union enlargement in 2004, Labour continued to use positive discrimination in the placing of sitting women Members of the European Parliament even although this made some sitting men vulnerable. On the other hand, the impact of losing nine European seats across the UK (one in Scotland) was quite different from the political fall-out of losing 13 Scottish Westminster constituencies.

It was widely assumed that the numbers of Scottish Labour women MPs would go down in 2005 and the number duly declined from ten to eight. The Nationalist Annabelle Ewing also lost her Perth seat but Jo Swinson became the second Scottish Liberal Democrat woman MP since 1918 when she won East Dunbartonshire at the age of 25.

In terms of Westminster the immediate prospects for improving Scottish women's representation seem poor. Future prospects will continue to be bound up with the electoral fortunes of the Labour party, the party which has done most to promote female candidates, and constitutional developments affecting the Scottish Parliament. Demand for further change in Scotland obviously exists, pushed by the pro-independence Nationalists in government since 2007, while pressure may come in the opposite direction, should Westminster seek to rein in Holyrood.

Overall, attitudes to positive discrimination and increasing women's representation remain ambivalent both in Scotland and the UK. After the 2005 election the Fawcett Society urged all parties to introduce positive action rather than "soft" measures such as extra training for women and pointed out the slow rate of change. They calculated that *"at the current rate of change it will take the Conservatives 400 years to achieve equal representation ... the Liberal Democrats ... 40 years ... [and] ... the Labour party around 20 years."*<sup>55</sup>

Yet, there are some positive enabling factors to consider such as the effect of the work of the House of Commons Speaker's Conference set up to *"Consider, and make recommendations for rectifying, the disparity between the representation of women, ethnic minorities and disabled people in the House of Commons and their representation in the UK population at large."*<sup>56</sup>

<sup>55</sup> See [www.fawcettsociety.org.uk](http://www.fawcettsociety.org.uk), Women and the general election 2005, Women's representation in British Politics and Press release on Record number of women MPs.

<sup>56</sup> *Speaker's Conference (on Parliamentary Representation)*, HC 239-II, (The Stationery Officer Limited, House of Commons, London, 2010), paragraphs 32-36.

After the number of women MPs decreased in 2001 an important legal move was made. The Sex Discrimination (Election Candidates) Act 2002 amended the Sex Discrimination Act 1975 and Sex Discrimination Northern Ireland Order 1976. It removed the domestic legal barrier to political parties which wish to use positive measures to reduce inequality in the numbers of men and women elected. The legislation covers all mainland Britain and Northern Ireland elections. The Act is permissive, meaning parties are free to choose what measures, if any, they wish to take to reduce gender inequality. Maria Fyfe observed that:

*“The Act clarified matters but frankly it was unnecessary in legal terms. European law allows political parties to use positive discrimination in candidate selection even although this was resisted at the highest levels of the Labour Party during discussion of the Scotland Bill.”<sup>57</sup>*

This Act of Parliament is currently due to expire in 2015 but the Speaker’s Conference recommends that the Act be extended until 2030 under the Equality Bill, which is currently passing through Westminster. The Conference also recommended that if the political parties do not see an increase in the representation of women in the House of Commons at the 2010 general election, parliament should give serious consideration to the introduction of prescriptive quotas, ensuring that all political parties adopt some form of equality guarantee, in time for the following general election.<sup>58</sup> Whether this happens depends on the 2010 election results but it could mark a departure from the slow track to women’s representation.

<sup>57</sup> Interview with Maria Fyfe, 22 January 2010.

<sup>58</sup> *Speaker’s Conference (on Parliamentary Representation)*, HC 239-II, (The Stationery Officer Limited, House of Commons, London, 2010), paragraphs 32-36.

# Results

Getting women into politics has simply not been easy anywhere in the world. The quest to bring women into political positions remains a non-stop global obstacle course. Women make up around 52 per cent of the world's population, and yet remain in a minority in every parliament except that of Rwanda. Winning the vote and the right to stand for parliament has not opened the floodgates for women politicians. Politics is still overwhelmingly male. According to the Inter-Parliamentary Union (IPU), men hold over 80 per cent of the seats worldwide and women occupy 18.7 per cent. Table 4 gives an historical overview of women in parliaments worldwide since 1945.

The IPU does not include the Scottish Parliament or Welsh Assembly in its ranking of women in parliaments worldwide because they are devolved bodies. Westminster is currently ranked at place 60. At the time of writing (February 2010), however, the IPU lists 24 countries in the world that have more than 30 per cent female political representation, the level considered as a "critical mass" of representation.<sup>59</sup> If they could be included, the Welsh Assembly would be in second place after Rwanda (56.3 per cent) and before Sweden (46.4 per cent), and Holyrood in seventeenth place after New Zealand (33.6 per cent). By any reckoning that is a good result! It is certainly not one that would have been predicted in 1979, when, if a Scottish Assembly had been agreed upon, it would have been mainly manly.

**Table 4: Women in Parliament 1945-2010**

	1945	1955	1965	1975	1985	1995	2000	2005*	2010**
Number of Parliaments	26	61	94	115	136	176	177	187	187
per cent (%) women representatives (lower house or unicameral)	3.0	7.5	8.1	10.9	12.0	11.6	13.4	16.2	18.9
per cent (%) women representatives (upper house)	2.2	7.7	9.3	10.5	12.7	9.4	10.7	14.8	17.6

\*Data from 30 September 2005. \*\*Data from 31 December 2009.

Sources: Inter-Parliamentary Union (IPU), 2005. *Women in Politics:1945-2005. Information kit.*

<http://www.ipu.org/english/surveys.htm#45-05> and from <http://www.ipu.org/wmn-e/world.htm>

There are further grounds for some optimism at the international level. The IPU recently found that the past ten years have seen the fastest growth in the numbers of women in parliament worldwide and that “the number of parliaments with female memberships less than 10 per cent has decreased significantly from 63 per cent in 1995 to 37 per cent today”.<sup>60</sup> Holyrood and the Welsh Assembly fit in with the trend of increased women’s representation even if it cannot be taken for granted for the future whilst women in other countries have drawn on the example of the 50/50 campaign.

Women have made up more than 30 per cent of the Scottish Parliament’s representation since 1999 and the accompanying Active Learning Centre (ALC) pamphlet, *Women in power: the impact of women politicians on post-devolution Scotland (1999 – 2007)*,<sup>61</sup> supports the idea that a critical mass of women makes a political difference. Since the election of the first Scottish Parliament a group of relatively young women has held power. The full story of how they got there involves saying more than space allows in this pamphlet about the “herstory” of the generation of women that made the difference – especially, if not exclusively, within the Labour Party – and opened doors for those who are there today:

*“The 50/50 campaign was vital and it was totally focused on getting equal numbers of women into the Scottish Parliament.”*<sup>62</sup>

**Maria Fyfe, 2010**

<sup>60</sup> Data Sheet Number 6, *The Participation of Women and Men in Decision-Making: The parliamentary dimension*, (IPU, Addis Abada, 2005), p2.

<sup>61</sup> Danny Phillips and Susan Dalgety, *Women in power: the impact of women politicians on post-devolution Scotland (1999 – 2007)*, (Active Learning Centre, Glasgow, 2010), *passim*.

<sup>62</sup> Interview with Maria Fyfe, 22 January 2010.





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