

## **TAKING THEIR PLACE IN THE NEW HOUSE: WOMEN AND THE SCOTTISH PARLIAMENT**

*Alice Brown*

### **INTRODUCTION**

At the first meeting of the Scottish Parliament on 12 May 1999, the number of women taking their seats as newly elected members (MSPs) brought Scotland into line with countries such as Sweden and Norway, which are top of the league in terms of women's representation. The total of 48 women MSPs breaks all records in Scotland<sup>1</sup>. This figure is all the more remarkable when one considers that in the first democratic elections to Scotland's new parliament, the number of women elected in one day exceeds the total number of women elected to represent Scottish constituencies in general elections to the House of Commons over the past 80 years, that is since 1918 when women were first eligible to stand for election to parliament. At 37%, the percentage of female MSPs falls well short of the 50:50 representation for which many women activists campaigned. Nevertheless it is a major step forward for supporters of gender balance and is substantially more than the 22% women councillors elected at the local government elections on the same day<sup>2</sup>. Even at the 1997 Westminster election, when there was a much

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<sup>1</sup> *In the first elections to the Welsh National Assembly, 24 women were elected from a total of 60 members, a proportion of 40%. This was largely due to the 'twinning' mechanism operated by the Labour Party in Wales and the willingness of Plaid Cymru to place women high on the regional party lists. In the past, the representation of women in Wales has been lower than that for women in Scotland. It is one of the ironies of politics that the representation rate of women is now slightly higher in Wales than in Scotland, especially as the policy of 'twinning' was strongly opposed in some quarters of the Welsh Labour Party, with threats of a legal challenge being made.*

<sup>2</sup> *Data compiled by the Scottish Local Government Information Unit shows that 276 women or 22.6% were elected on 6 May 1999 in the elections to Scottish local*

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publicised rise in the number of women MPs elected, the representation rate of women for the whole of the UK was around 18%. For Scotland it was less than 17% with just 12 women being elected from Scotland's 72 constituencies.

This short article places the election of Scotland's first women MSPs within the context of the selection processes of the different political parties and the wider campaign to represent the interests of women in the Scottish Parliament.

#### **SELECTING WOMEN CANDIDATES**

In the year prior to the Scottish elections on 6 May 1999, when the political parties were engaged in selecting candidates, all parties stated their concern to see more women in politics and their intention to encourage women to come forward for selection. A research report published by Engender in 1999 and based on work conducted in co-operation with the Heinrich Boll Foundation in Berlin outlines the different approaches taken by the political parties in Scotland both to encourage women to stand for election and in implementing specific mechanisms to help ensure greater gender balance. The Scottish Labour Party offered preparation courses for women which included assertiveness training and public speaking, as well as financial support from the (UK) Emily's List. The Scottish Liberal Democrats organised a series of training days and seminars for women and offered support for childcare for those attending. The Scottish National Party held a women's training day for potential candidates. Lack of resources prevented the Scottish Green Party from undertaking a specific programme, and, according to Engender (1999), when asked what they were doing to encourage women to come forward as candidates, the Conservative and Unionist Party said 'we're waiting for it to evolve and it's evolving nicely'.

Although equal representation was a significant part of the debates in the Scottish Constitutional Convention and the subject of an Electoral Agreement between the two main political parties participating in the Convention - Labour and the Liberal Democrats - the Scottish Labour Party was the only party to operate a specific mechanism to achieve gender balance in representation (Brown 1998a). Recognising that, under the Additional Member System agreed for elections to the parliament, most of its seats

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*government. This is around the same percentage of women elected in the previous elections in 1995.*

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would be obtained on the first-past-the-post or constituency elections, a scheme was designed to 'twin' constituencies to allow both men and women to stand for election. Under this scheme, the woman with the highest number of votes would be selected as the Labour candidate for one of the twinned seats, at the same time as the man with the highest number of votes would be selected for the other. The twinning mechanism was used to select Labour candidates for all constituencies with the exception of four Highlands and Islands constituencies (McKenna, 1998).

The Scottish Liberal Democrats signed the Electoral Agreement published in the Convention's final publication, **Scotland's Parliament, Scotland's Right**, in which they committed the party to the principle of gender equality in the new parliament and to achieve greater balance under the Additional Member System. The party initially proposed that two men and two women should stand for selection in each constituency, and that the additional or 'top up' seats should be 'zipped'<sup>3</sup> to achieve gender balance and redress any imbalance in the constituency selection and election process. However, the party ran into some difficulty in fielding an equal number of men and women for constituency seats and later decided not to implement the proposed 'zipping' mechanism at their conference in March 1998, despite the support given to this strategy by the leader, Jim Wallace. The stated reason was that the party had taken legal advice to the effect that the policy of 'zipping' would be vulnerable to an appeal to the Industrial Tribunal under the terms of the Sex Discrimination Act, and reference was made to the legal challenge to the Labour Party's policy of all-women shortlists for the 1997 Westminster elections. Pressure and attempts from different quarters to find ways of exempting the selection processes of political parties from this legislation by inclusion of an appropriate clause in the Scotland Act (1998) were unsuccessful (Burrows 1999).

In contrast to the Scottish Labour Party, the Scottish National Party was always likely to get most of its seats in the regional or 'top up' lists under the new electoral system. Thus the party stated its intention to use the additional seats and, like the Liberal Democrats, to use 'zipping' as a way of ensuring greater gender balance. However, this approach was also rejected by the party conference in May of last year. Nevertheless, the party did place women at the upper end of their regional party lists.

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<sup>3</sup> Under the particular form of AMS designed for elections to the Scottish parliament, 'zipping' would involve the political parties alternating female and male candidates in drawing up the order of candidates on their lists for the 'additional' or 'top up' seats.

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For their part, the Conservative Party continued to express their opposition to special measures to increase the representation of women. Writing in his capacity at t(e time as Deputy Chairman of the Scottish Conservative Party's Policy Commission and a prospective candidate, the current leader David McLetchie argued that the 'Scottish Conservatives resolved to have no truck with rules and procedures which would create an artificial gender balance among the candidates selected. ... Our candidates will be selected entirely on merit regardless of race, religion or sex and we are confident that among them will be a number of talented women who will be a credit to the Scottish Parliament.' (McLetchie 1998)

### **THE RESULTS**

The results of the election in terms of the distribution of votes and seats between the political parties and independent candidates are discussed in detail in the article in this issue by Denver and MacAllister. The gender composition of the new parliament and the relative performance of the political parties in achieving gender balance are illustrated in table 1<sup>4</sup>.

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**Table 1**

**Gender Composition of the Scottish Parliament**

| Political Party | Elected MSPs<br>(number of seats) |     | Elected MSPs<br>(% of seats) |     |
|-----------------|-----------------------------------|-----|------------------------------|-----|
|                 | women                             | men | women                        | men |
| Conservative    | 3                                 | 15  | 17                           | 83  |
| Labour          | 28                                | 28  | 50                           | 50  |
| Lib Dem         | 2                                 | 15  | 12                           | 88  |
| SNP             | 15                                | 20  | 43                           | 57  |
| Others*         | 0                                 | 3   | 0                            | 100 |
| Totals          | 48                                | 81  | 37                           | 63  |

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<sup>4</sup> It should be noted that, in spite of efforts to have representatives from minority ethnic groups in the parliament, all of the MSPs are white. This has led to pressure to consider special measures in the future.

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*\*Includes two male representatives - from the Scottish Socialist Party and the Scottish Green Party - and one male Independent MSP (Dennis Canavan)*

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In assessing the overall performance of the different political parties, it is clear that Labour is the only party to have achieved 50:50 representation, closely followed by the SNP at 43% representation of women. The main disappointment for those seeking equal representation lies with the Liberal Democrats, especially because of their involvement in the Convention's plans and the fact that they had signed the Electoral Agreement to ensure greater gender equality in the new parliament. As the Conservative Party had stated their opposition to any form of positive action to achieve gender parity, the results are perhaps of no great surprise. It can be argued, therefore, that the increase in the number of women taking their place in Scotland's first democratically elected Parliament has not happened 'naturally'. It has involved the implementation of specific mechanisms and the use of the new electoral system. In addition, the sustained efforts of many women activists who worked together across different political party lines and across numerous groups and organisations to take forward the common aim of giving women an equal voice in Scotland's new parliament should not be discounted (Brown 1998b).

The high number and percentage of women elected in the new parliament has not, however, been reflected in the ministerial appointments that followed the election. As expected, no single party achieved an overall majority in the parliament and, after days of speculation, a Partnership Agreement was finally reached between the Scottish Labour Party and the Scottish Liberal Democrats. In selecting his Cabinet and deciding on other ministerial posts, the new First Minister, Donald Dewar, selected 5 women in making a total of 22 appointments. Wendy Alexander is Minister for Communities, while Jackie Baillie has responsibility as Deputy Minister for Social Inclusion, Equality and the Voluntary Sector. Susan Deacon is Scotland's Minister for Health and Community Care, and Sarah Boyack has been appointed Minister for Transport and the Environment. The fifth ministerial appointment went to Rhona Brankin as Deputy Minister for Culture and Sport. There is some way to go, therefore, before gender balance is achieved in key government positions in Scotland.

### **REPRESENTING WOMEN**

While the representation of women as MSPs is considered important in itself, the representation of women's interests and concerns is also of relevance to

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women activists. Thus the campaign to get more women into the parliament was not seen solely as an end in itself, but as a means to achieve other aims. It was considered necessary for women to have equal access to government and the policy making process, in order that their diverse needs and experiences could be taken into account. For campaigners, there were positive developments in this regard prior to the elections in 1999 and which have continued after the opening of the Scottish Parliament.

Soon after taking up his appointment as the new Minister for Women in 1997, Henry McLeish announced the decision to establish a consultative forum for women and to appoint a Women's Issues Research Consultant to gather information and data on women's organisations. The Women in Scotland Consultative Forum was then established and several conferences and meetings have been held since 1997. The newly elected Minister responsible for equality issues in the Scottish Parliament has indicated her support for the continuation of the Forum. In addition, Equal Opportunities was one of the key principles adopted by the Consultative Steering Group (CSG) which was established by the Secretary of State at the end of 1997 to help draft Standing Orders and Procedures for the parliament. The four key principles - Sharing of Power, Accountability, Access and Participation and Equal Opportunities - have subsequently been endorsed by the members of the new parliament. Under the Standing Orders and Procedures the parliament meets at times that are more compatible with family life and recognises Scottish school holidays. The new parliamentary arrangements also allow the potential for the views of women in the community or from different groups and organisations to be fed into the consultative channels envisaged for the parliamentary committees and the pre-legislative process. It has also been agreed that the parliament should have an Equal Opportunities Committee, that the Scottish Office (now retitled Scottish Executive) should establish an Equality Unit, and that equal opportunities should be mainstreamed in all aspects of the work of the Parliament and the Scottish Executive. There is evidence to suggest, therefore, that the extension of the campaign from getting more women representatives to ensuring that the interests of women are represented in other ways has had some success.

### **CONCLUSION**

Following the elections on 6 May 1999, it is clear that the increase in women's representation to 37% exceeds the 'critical mass' of around 25-30%

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considered necessary for women to have an impact on the political process<sup>5</sup>. The substantial rise can also be interpreted as going some way to meet symbolic arguments for the increased representation of marginalised groups. Symbolic arguments draw a link between social representation and concerns about justice and political legitimacy. In terms of justice, it is contended that it is not acceptable or fair to exclude some groups from public life. All citizens should have the equal opportunity to participate in politics and stand for elected office. In terms of legitimacy, it is argued that the presence of members of all significant social groups in roughly proportionate numbers in political assemblies is seen to signal fairness and is an indicator of a healthy democracy (Phillips 1995).

Arguments for increasing the number of women in politics on symbolic grounds are often linked to substantive arguments. Claims of substantive presence are based upon predictions that the inclusion of under-represented groups will lead to direct change in political agendas and policy outcomes. This 'rhetoric of difference' has more commonly been used in political debates in Scandinavia, particularly in relation to women. It is based on ideas of representing women's interests and the added resources, in terms of experience, knowledge, values and skills, that women can bring to politics complementing those of male politicians.

There are high expectations amongst activists that the new Scottish Parliament will provide a genuine opportunity for the participation of women in the democratic process, not just as elected members, and that there will be different channels and avenues through which the voices of women in Scotland can be heard and can have an impact. A new political institution, together with other plans for new parliamentary arrangements, policy-making and consultation mechanisms certainly offer greater potential for moving beyond symbolic to substantive differences. Future research will be able to judge whether such aspirations have been realised.

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<sup>5</sup> *There is evidence to suggest that a certain proportion of women - a critical mass - needs to be present in a political institution before they are able to make a difference and to challenge the dominant male culture. Research into women politicians in Scandinavian countries which have relatively high levels of representation indicates small but significant differences between male and female politicians in terms of interests, policy orientation and style.*

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