

Women and Constitutional Change in Scotland, Wales and Northern Ireland

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Constitutional changes in the United Kingdom have opened up opportunities for women in Scotland, Wales and Northern Ireland to mobilise around issues of political representation in its broadest sense. Women activists have played a part in improving symbolic and substantive representation. Devolution has thus meant not only renegotiation of powers between centre and sub-state nation, but also some redistribution of political power between the sexes.

The British state has undergone a dramatic transformation since the Labour victory of 1997. Far-reaching constitutional change has involved processes such as continuing reform of the House of Lords and enactment of Human Rights legislation. The most significant restructuring, however, has been creation of a parliament and an assembly for the historic nations of Scotland and Wales, and a legislative assembly for the troubled Province of Northern Ireland. As a result, substantial power has been devolved from the centre to the sub-state level and Britain has moved from being a highly centralised unitary state to a quasi-federal model of governance.

The devolution experiment has been characterised by a number of features, most notably the speed with which the restructuring has been effected and the asymmetry of the settlements in respect of features such as electoral systems, number of elected

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representatives, committee systems, model of government and legislative powers.¹ Another defining — but under-reported — feature of this reconfiguration of the political landscape has been the historic shift that has occurred in terms of the gendered distribution of political power.

Although women's lives have been equally regulated by politics as have men's, they have not equally shared political power or influence. In international terms the UK record of female political representation has been relatively poor. Within the UK, the Celtic fringe of Scotland, Wales and Northern Ireland has been poorer still. Women, however, have an unprecedented voice and place in the new devolved institutions. Scotland and Wales rank amongst world leaders in terms of their proportions of elected women members (37 per cent and 42 per cent respectively) and far outstrip the 18 per cent female presence at Westminster. In the case of Northern Ireland, although women make up a relatively modest 14 per cent of assembly members, this represents a considerable improvement upon past records in the Province. These high levels of women's representation are not a 'natural' or inevitable outcome of devolution. They are, rather, the result of determined action by different alliances of women in the three jurisdictions.

It is striking how seldom standard accounts of institutional reform and constitution building focus upon gender dimensions. However, we argue that issues of gender — and women activists — have played a significant role in the very different processes of constitutional reform in Scotland, Wales and Northern Ireland in the 1990s.

The origins and dynamics of women's involvement differ across jurisdictions. In Scotland women managed successfully, although not unproblematically, to engender debates about the shape and form of constitutional change over a period of ten years or so and to entrench themselves visibly as actors in the reform process. In Northern Ireland the concern to end violent conflict was the primary motivating factor for the most powerful players and it was only at the last stage of the process that women were able effectively to intervene in debates and promote broader ideas of inclusion into political dialogue. In Wales, opportunities were constrained by the relative lack of public and political debate on constitutional reform and the prevailing ambivalence about the devolution project; nevertheless women were able to press for significant concrete gains. In all three places, the prospects of devolution sparked off debates about democracy and representation and demands for new, more inclusive, constitutional arrangements and institutions. In this context, the fair representation of women became a powerful symbol or shorthand for the new sort of politics to which many campaigners aspired: a move away from the old 'command and control' model to more fluid models which promote wider participation and inclusion.

¹ For a detailed discussion of constitutional change 'in the round' throughout the UK, including the impact on the centre, see the Constitution Unit edited collections: R. Hazell (ed.), *The State and the Nations: The first year of Devolution in the United Kingdom*, Imprint Academic, Thorverton, 2000 and A. Trench (ed.), *The State of the Nations 2001*, Imprint Academic, Thorverton, 2001. A useful summary of the different settlements can be found in Hazell, *op cit.*, 3–5.

Women activists in all three jurisdictions mobilised to place gender within reform agendas, to promote women's political representation, and to influence the process and form of constitutional change. The pressure exerted by women campaigners for gender concerns to be integrated into the design of new assemblies and parliaments was grounded not only in the belief that women's political representation mattered, but also in the understanding that institutions mattered and that it was important to get women and women's ideas in at the start. In exploring the question of women's representation and whether devolved institutions can alter traditional patterns of politics we distinguish between two different meanings of political representation.² On the one hand we use symbolic representation to denote the presence of women as elected members of parliaments and assemblies. On the other hand, substantive representation is used with regard to the opportunities for the concerns and interests of women to be heard and taken into account in the policy-making process.

This article maps the participation of women activists in the campaigns for devolution and their strategies to improve the representation and voices of women in the political process. Preliminary comparisons and contrasts are drawn between the experiences of process and outcomes in the three jurisdictions and to the structures of political opportunity.³

Scotland

The road to the Scottish Parliament has been a long one. Devolution — or, indeed, full independence — has been a live issue in Scottish politics for more than a century and has been driven forward by pressure groups, the use of petitions and referenda, the establishment of constitutional conventions and, with the Scottish National Party (SNP), the creation of political parties. Despite the failure to achieve a Scottish Assembly at the end of the 1970s, campaigns continued and gathered pace throughout the 1980s and 1990s. In addition to long-standing aspirations to greater autonomy and self-determination, demands were fuelled by dissatisfaction with Westminster politics and neo-Liberal Thatcherite social and economic policies, the perceived 'democratic deficit' in Scotland and debates about new forms of democratic institutions. A broad-based and popular movement was built up involving some of the political parties, trade unions, business, churches, academics and a wide range of groups and organisations. This partnership was facilitated by the tradition of approaching devolution as the re-establishment of popular sovereignty. Although there were periods of conflict and stalemate, particularly in the wake of Labour's defeat in the 1992 General Election and the surprise return of a fourth

² See, for example, A. Phillips, *The Politics of Presence*. Clarendon, Oxford, 1995.

³ This comparative research on gender and constitutional change in Scotland, Northern Ireland and Wales is funded by the Economic and Social Research Council under its Devolution and Constitutional Change Programme (L219252023). The Scottish and Northern Ireland cases are discussed in more detail in A. Brown, T.B. Donaghy, F. Mackay and E. Meehan, 'Women and Constitutional Change in Scotland and Northern Ireland' *Parliamentary Affairs* 55(1). The Welsh material was gathered with the assistance of Haf Elgar.

Conservative — and anti-devolution — government in succession, the campaign held firm. By the time a Labour government was elected to Westminster in 1997 with a manifesto commitment to constitutional change, devolution was taken to be ‘the settled will of the Scottish people’. This was demonstrated by the referendum results later in 1997 with three-quarters of voters in favour of a Scottish parliament.⁴

Although individual women have always been active in the devolution and independence movements — and some have achieved prominence within them — there was little evidence of women mobilising as women and across the political party divide on issues of political representation or equality matters. However, this changed in the late 1980s and women then struggled successfully for the next decade to raise gender equality concerns and to make gender balance one of the key issues of campaign

In 1988 the Campaign for a Scottish Assembly (later renamed the Campaign for a Scottish Parliament) produced a document called the Claim of Right for Scotland. This asserted the sovereignty of the Scottish people and proposed that a Scottish Constitutional Convention (SCC) be set up to discuss and plan the future government of Scotland. Established in 1989, SCC comprised representatives from the Scottish Labour Party and Scottish Liberal Democrats, the Greens and Democratic Left⁵ together with members from a broad range of civil society groups and organisations. This wide ranging alliance was to consider carefully and plan the shape of the Scottish Parliament over the next five or six years. Its eventual blueprint for a Scottish Parliament was largely adopted in the White Paper in 1997 and the subsequent *Scotland Act* 1998.

Women comprised only 10 per cent of the Convention and this relative exclusion provoked a swift reaction from female activists. Women became alert to the danger that without determined action they might be excluded from shaping constitutional change and this provided a trigger for the developments that followed. A growing number of groups and individuals put gender representation on the agenda and maintained the pressure throughout the different stages of the Convention. Although few in number, the female Convention members were influential and well-networked and were backed in their internal lobbying by a groundswell of grassroots women and party women and with the support of some key men.

The campaign for gender balance took place under the rallying banner of ‘50:50’ which took its name from a proposal originally made by the Scottish Trades Union Congress (STUC) women’s committee in 1989 to the Scottish Constitutional Convention. It was argued that with the creation of a new legislature there would be

⁴ For Scottish devolution see A. Brown, D. McCrone and L. Paterson, *Politics and Society in Scotland*, Macmillan, Basingstoke, 1996 (1st edn), 1998 (2nd edn); J. Mitchell, *Strategies for Self-Government*, Polygon, Edinburgh, 1996; and P. Lynch, *Scottish Government and Politics*, Edinburgh University Press, Edinburgh, 2001.

⁵ The SNP withdrew after the first meeting. Membership of the SCC was seen to compromise the party’s commitment to an independent Scotland in Europe.

no problem of incumbents. Equal representation could be achieved simply by electing one man and one woman to represent each parliamentary constituency. By 1991, the proposal had become the official policy of both the STUC and the Labour Party in Scotland. Although the proposal was not enacted in this form because of subsequent decisions about electoral systems, the 50:50 demand quickly became the official title of a broad based campaign.⁶

Women's demands were strengthened by a number of discursive opportunities: the frustration of being governed by an administration that the majority of Scottish people had not supported and the sense of grievance at the imposition of unpopular neo-Liberal policies had provoked claims of 'democratic deficit' and a wide-ranging critique of Westminster politics. Devolution campaigners aspired to a 'new politics', more inclusive and representative than that of Westminster. Within this context women sought to introduce a gender perspective. They claimed that women in Scotland suffered from a 'double democratic deficit' on the grounds that they were not only governed by a party which they did not support, but also that they were relatively excluded from decision-making positions within Scottish and UK political parties and were poorly represented in elected office. As Brown *et al.* note, 'Gender equality thus became an intrinsic part of the broader campaign for reform in the 1990s and in building a more democratic, accountable and representative Scottish Parliament.'⁷

The 50:50 campaign

An effective and strategic network of women swiftly emerged around the issue of 50:50 and it was instrumental in mobilising grassroots women and women in political parties in building a consensus around the key aims of improving the representation of women in political office and in institutionalising gender concerns in the new Scottish Parliament. There was an early understanding that symbolic representation was not enough and that there was also the need to institutionalise gender concerns through structures and mechanisms such as policy machinery, parliamentary committees and consultative fora. Therefore there was a dual strategy to promote both the symbolic and the substantive representation of women.

Activists worked under the umbrella of the Scottish Women's Co-ordination Group (SWCG) which was driven by the STUC women's committee and women's organisations such as Engender. The SWCG was successful in bringing together women of different political persuasions, both party political women and non-party women, women in the trade unions, women in the voluntary sector, women from the churches, women in business and the professions, and women from different communities throughout Scotland. It was a loose alliance built upon existing networks and a history of joint campaigning.

⁶ For a collection of accounts of the campaign for gender balance see E. Breitenbach and F. Mackay, eds, *Women and Contemporary Scottish Politics*, Polygon at Edinburgh, Edinburgh, 2001.

⁷ Brown *et al.*, 2002 *op cit*, 72.

The SWCG used a range of tactics in different situations to entrench their concerns. They worked through the myriad of groups and alliances that made up the popular movement for devolution to engender campaigns. They worked within trade unions and other organisations to put their weight behind the 50:50 campaign. They lobbied the Convention and other bodies such as think tanks who were considering potential blueprints for a Scottish parliament to ensure that women were taken into account. Crucially they lobbied political parties — both from the outside and from within — to press them to adopt the principle of gender balance in their candidate selection procedures.

Underpinning this was detailed research and briefings on the gender implications of various proposals for electoral systems, recruitment and selection procedures, and institutional practices. For example, support for more proportional electoral systems was based not only on the idea of fair representation for parties, but also on the recognition that proportional representation systems can offer the opportunity to achieve better levels of gender representation.

The scale and diversity of women's mobilisation was such that the Constitutional Convention, political parties and other organisations could not afford to ignore these demands. All the Scottish political party leaders (with the exception of the Conservative Party) spoke at SWCG rallies and gave public commitments from the platform that they would deliver substantial improvements in the levels of women's representation.

A major achievement of the SWCG was their success in brokering an agreement between representatives of the Scottish Labour Party and the Scottish Liberal Democrats in which both parties accepted the principle of gender balance and gave a commitment to field an equal number of male and female candidates in winnable seats at the first elections for the new parliament. This Electoral Contract was subsequently endorsed by the Scottish Constitutional Convention and included in its final report, published in 1995, alongside proposals for a parliament with 129 Scottish MPs elected using an Additional Member electoral system (AMS).⁸

Party measures to achieve equal representation in the Scottish Parliament

All the parties stated their concern to see more women in politics and their intention to encourage women to come forward for selection. In addition, several of the parties improved their recruitment and selection procedures, for example introducing equal opportunities procedures. However, in the final event, the Scottish Labour Party was the only party to operate a specific mechanism to achieve gender balance in representation.

Under the new system, 73 of the 129 MSPs are elected from constituencies. The remaining 56 members — the 'additional members' — are selected from eight

⁸ Scottish Constitutional Convention, *Scotland's Parliament, Scotland's Right*, CoSLA, 1995.

regional party lists (based upon the former European Parliament constituencies). Voters cast their first vote for a constituency MP and their second vote for a political party of their choice. Votes for constituency MSPs are counted on a first-past-the-post basis. Additional Seats (also known as 'top-up' seats or List seats) are then allocated correctively to reflect the percentage of votes received by political parties.

Labour was likely to get the majority of its seats from the FPTP constituency contests. Therefore a positive action scheme was designed to 'twin' constituencies. Under this scheme, constituencies were matched as far as possible in terms of a variety of indicators, including winnability. Both men and women could stand for selection for a pair of constituencies.

This mechanism was devised by Labour women activists and academics as a way around any possible legal challenge to positive action in the aftermath of an earlier Industrial Tribunal ruling in England that the Labour Party's policy of all-women shortlists prior to the 1997 General Election contravened the *Sex Discrimination Act*. Under twinning, the woman applicant with the highest number of votes was selected as the Labour candidate for one of the twinned seats, at the same time as the man with the highest number of votes was 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.⁹

As noted earlier, the Scottish Liberal Democrats signed the Electoral Agreement, brokered by women activists, in which they committed the party to the principle of gender equality in the new parliament. However, fears that the party might be vulnerable to legal challenge resulted in a decision not to implement proposals to 'zip' their party lists (zipping involves alternating female and male candidates on party lists). Attempts to find ways of exempting the selection processes of political parties from the *Sex Discrimination Act* by the inclusion of an appropriate clause in the *Scotland Act* were unsuccessful.

The Scottish National Party was likely to get the majority of its seats in the regional or 'top-up' lists under the new electoral system. Thus the party stated its intention, like the Liberal Democrats, to use 'zipping' in their party lists as a way of ensuring greater gender representation. However, this proposal was narrowly defeated at a special party conference in May 1998. Nevertheless, the arguments had persuaded many in leadership positions within the party and as a result the party did place women at the upper end of its party lists, and this contributed to the party's success in achieving more than 40 per cent women's representation. As the main competitor to Labour, the SNP could not afford to appear to be lukewarm on the issue of gender balance.

⁹ Discussion of party selection and recruitment policies is found in A. Brown, A. Jones and F. Mackay, *The 'Representativeness' of Councillors*, Joseph Rowntree Foundation, 1999 and M. Russell, *Women's Representation in UK Politics: What Can Be Done Within The Law?*, The Constitution Unit, University College, London, 2000.

The Conservative Party continued to express its opposition to special measures to increase the representation of women on the grounds that they were selecting candidates on the basis of ‘merit’ and that any specific mechanisms would be patronising to women. We can see the outcomes of the different party approaches in Table 1.

Table 1: Gender Composition of the Scottish Parliament, 1999

<i>Party</i>	<i>Scottish Parliament</i>					
	<i>Constituency seats</i>		<i>List seats</i>		<i>Total</i>	
	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>	<i>Seats</i>	<i>% women</i>
Labour	27	26	1	2	56	50.0
SNP	5	2	15	13	35	42.9
Conservative	0	0	15	3	18	16.7
Liberal Democrat	10	2	5	0	17	11.8
Green	0	0	1	0	1	0.0
Scottish Socialist	0	0	1	0	1	0.0
Independent	1	0	0	0	1	0.0
Total	44	29	38	18	129	37.2

Representing women

As the figures above demonstrate, a significant number of women were elected to the Scottish Parliament. This was largely as a result of formal positive action in the case of Labour, and informal measures in the case of the SNP. In addition, women hold important ministerial posts and committee convenorships: around a third in each case. Women’s interests and concerns are also represented in the Parliament through other channels. The Parliament and the Scottish government (known as the Scottish Executive) have adopted four key principles — sharing of power, accountability, access and participation, and equal opportunities. For example, the Standing Orders of the Parliament require that all Executive Bills are accompanied by a statement of their potential impact on equal opportunities. In addition, under the Standing Orders and Procedures the Parliament meets at times that are more compatible with family life and recognises Scottish school holidays. An Equal Opportunities Committee has been established within the Parliament and an Equality Unit has been set up within the Scottish Executive. The Executive has adopted a ‘mainstreaming’ approach, endorsed by the Parliament and championed by the Equal Opportunities Commission in Scotland, whereby equalities

considerations, including gender, are integrated into the everyday work of government including policy development. Opportunities to feed in the views of women in the community or from different groups and organisations have been enhanced by the consultative channels and mechanisms that operate for the parliamentary committees and for the Scottish Executive through the pre-legislative process. A Civic Forum has been established with the support of the Scottish Parliament and provides another opportunity for women's organisations to be represented and to engage with the policy-making process. Thus, we can identify evidence of the improved symbolic representation of women in Scotland as well as the potential for significant progress in terms of substantive representation.

Wales

Devolution developments in Wales were rather different to those in Scotland: this was a process driven largely from the top down rather than involving any significant mobilisation of social groups. Some parallels can be found with Scottish arguments for devolution regarding democratic deficit and accountability: themes brought sharply into focus by the long years of Conservative rule without a Conservative majority in Wales. However, ambivalence characterised much of the process, public debate was hesitant and low key and political debate was largely internal to individual parties. In particular, the Welsh Labour Party's reluctance to become involved in wider public debates — and its antipathy to the nationalist party Plaid Cymru — prevented the establishment of a constitutional convention based on the Scottish model and limited the potential for a mobilisation of civil society. In any event, Welsh civil society was under-developed and unused to political dialogue without political parties.¹⁰

A cross-party and non-party campaigning group, the *Campaign for a Welsh Assembly*, was established in the late 1980s (becoming *The Parliament for Wales Campaign* in 1993) in which individual members of Labour, Plaid and the Liberal Democrats all played a role. It was hampered by lack of official party support and consequent lack of resources and profile. In reality, there was little opportunity for effective engagement with the issue until the 1996 announcement that a public referendum would be held by any incoming UK Labour government to endorse its plans for constitutional change.

¹⁰ No indigenous Welsh institutional structures survived the Acts of Union, in contrast to Scotland which retained its distinctive legal, educational, church and local government systems. Therefore civil society in Wales developed within a British context instead of being distinctly 'Welsh'. The primary distinguishing feature to survive was the Welsh language and culture and consequently struggle for autonomy in cultural spheres and cultural regeneration was the dominant way of expressing nationhood in Wales, as compared to constitutional change and politics in Scotland. R. Wyn Jones, Richard and L. Paterson Lindsay 'Does civil society drive constitutional change?', in B. Taylor and Thompson, eds, *Scotland and Wales: Nations Again?* University of Wales Press, Cardiff, 1999.

It was only at this stage that the cross-party group ‘Yes for Wales’ (YFW) was established. The campaign proper did not start until after the general election in May 1997 and had only a few months to try and engage public debate and interest and promote arguments of new ‘inclusive’ politics which would bridge the gaps between geographic, political and linguistic communities in Wales and between communities of interest. Events tended to concentrate on celebrity support and media campaigns — a top-down strategy dictated by the constraints of time and money. In the final event, the devolution referendum in 1997 was won by the narrowest of margins.¹¹

Women and devolution in Wales

Against this backdrop of political division and public indifference, a small group of key women activists struggled to incorporate a gender perspective and to link devolution debates with arguments for gender balance of political representation and improved channels for women to voice their concerns.¹²

An early example of this can be seen in the ‘engendering’ of the PWC’s Democracy Declaration. This symbolic statement followed the Democracy Conference in Llandrindod Wells in March 1994: one of the few large-scale events of the period and described by commentators as ‘a rare collective moment’ when Welsh civil society came together to debate the democratic future of Wales. Equality considerations were conspicuously absent from the draft declaration but, after key speeches by prominent women, a clause supporting the principle of gender balance was added.¹³

This network of strategic women were also members of political parties, many in senior positions. They therefore worked within their respective parties to push for positive action to promote women candidates (see below) and to link gender equality with internal programs of party modernisation and arguments about winning female votes.

Labour was the party, if any, that would deliver devolution. Therefore there was sustained campaigning within Welsh Labour specifically to integrate equality issues. This eventually resulted in a commitment that the assembly should have a

¹¹ For details of the campaign for devolution in Wales see: B. Jones and D. Balsom (eds) *The Road To The National Assembly for Wales*, University of Wales, Cardiff, 2000; K. Morgan and G. Mungham, *Redesigning Democracy: The Making of the Welsh Assembly*, Seren; Llandysul, 2000.

¹² For discussion of developments around women’s representation see J. Edwards and L. McAllister ‘One Step Forward, Two Steps Back?: Women in the two main political parties in Wales’, in *Parliamentary Affairs* 55/1, 2002; J. Edwards and C. Chapman, ‘Women’s political representation in Wales: waving or drowning?’ in *Contemporary Politics* 6/4, 2000. For post-devolution developments and the equality agenda see P.Chaney ‘Women and the post-devolution Equality agenda in Wales’ paper presented at the Cabinet Office Women and Equality Unit meeting of the Gender Research Forum, London, 11 February 2002.

¹³ Chaney, *op.cit.*

wider responsibility to drive forward equality issues. As Chaney notes, ‘this idea fitted neatly into the prevailing concept of “inclusiveness” that became a buzzword of the devolution campaign’.¹⁴

Finally, women activists utilised the brief and intense period of opportunity between the referendum in September 1997 and the passing of the *Government of Wales Act* in 1998 to influence the shape and operating practices of the new institution and to institutionalise gender equality. Many matters remained undecided and most of the legislation had not been debated openly. A National Assembly Advisory Group (NAAG) was established by the then Secretary of State for Wales, Ron Davies, to work out the detail of devolution. In line with Davies’ model of ‘inclusive politics’, NAAG comprised representatives from all the political parties together with other stakeholders, it also had gender balance. Women on the ‘inside’ together with activists on the outside worked together with the statutory equality agencies to draw up a statutory equality duty¹⁵ and other equality provisions in the founding blueprint of the National Assembly for Wales.

In contrast to the patterns of activism in Scotland and Northern Ireland, where we see a grassroots mobilisation of women activists from community groups and feminist organisations, the story in Wales is, instead, one of a small but strategic coalition of powerful and highly influential women in Wales: academics, femocrats, trade union and party officials. With little appreciable mobilisation of women around *either* devolution *or* the campaign to engender such debates and processes, these were leaders without a movement.

Weak infrastructure, internal division and lack of strategic capacity all provide some explanation of why the women’s movement failed to recognise the opportunities that constitutional change might present for women’s representation in its broadest sense. The first semblance of a mass mobilisation came relatively late in the process when, on the initiative of the EOC Wales Director, women’s organisations were brought together in 1997, many of them meeting formally for the first time, to form a coalition to press for gender provisions in the Act and to provide the ‘strategic women’ with the necessary weight of mass membership organisations at this crucial point. The grouping subsequently developed into the Wales Women’s National Coalition (WWNC) and marked the point where women’s organisations began to recognise the potential of joint working in the new devolved context.

¹⁴ Chaney, *ibid.* 4. See also V. Feld, ‘A new start in Wales: How Devolution is Making a Difference’ in A. Coote (ed.), *New Gender Agenda*, IPPR, 2000.

¹⁵ The Government of Wales Act includes two important equality clauses: it has the power to promote due regard to equal opportunities in its own work and the work of assembly sponsored public bodies it is required to report annually on the arrangements and the progress of equal opportunities. See Government of Wales Act 1998, Sections 48 and 120.

Party measures to improve women's representation

Turning to women activists in political parties: many individual Labour and Plaid women were active in broader campaigns and within their respective parties, but Welsh debates were not as thoroughly 'gendered' as was the case in Scotland. In many senses developments in Wales represented a politics of 'catch-up' with Scotland. For example, early Labour Party Wales proposals mirrored the Scottish 50:50 model and would have seen an Assembly with 80 seats, comprising one woman and one man elected for each Westminster constituency.¹⁶ However, as in Scotland, the idea of dual seats was abandoned in 1996 when, again shadowing Scottish developments, it was proposed that a smaller Assembly be elected using AMS.

The White Paper *A Voice for Wales* had stressed inclusivity, progressiveness and democracy as key principles for devolution. Although there was no legal requirement placed on political parties to ensure gender balance in their candidates, political parties were urged to keep equal opportunities in mind in their internal selection processes. The need to select people of real merit was emphasised and it was stated that greater participation by women was 'essential to the health of our democracy.'¹⁷

In the final event, the two main parties, the Welsh Labour Party and Plaid Cymru, both operated specific mechanisms to try to achieve gender balance in representation. They also improved their selection and recruitment procedures for candidates seeking to join the national panel of candidates.

As in Scotland, the Labour Party recognised that most of its seats would be obtained on the first-past-the-post or constituency vote. In the absence of a home-grown alternative, 'twinning' — the scheme designed in Scotland and reluctantly endorsed by the UK party leadership — was proposed for Wales. The women's organisation in Welsh Labour was relatively weak and disorganised as compared with their Scottish sisters. They nevertheless maintained pressure for positive action in candidate selection and were able to use unfavourable comparisons with Scotland as a means to press for action. In 1997 a new network — *Twin to Win* — was formed, comprising senior Labour women officials and politicians together with key male supporters from the modernising wing of the party to lobby Labour members to endorse positive action.

The strong centralising and standardising tendency of the Labour Party at UK level had acted initially as an obstacle to Scottish feminist activists trying to press for twinning in Scotland. Once it had accepted the twinning proposals, however, it was a powerful ally to feminist Labour activists in Wales in pushing through the policy in a hostile Welsh party context. Eventually the policy was adopted in Wales by the

¹⁶ Edwards and McAllister *op. cit.*

¹⁷ Welsh Office, *A Voice for Wales*, Stationery Office, 1997, 24–25.

narrowest of margins – and in the teeth of bitter opposition from traditionalists and many trade unions.¹⁸

In Plaid Cymru, the Women's Section (or *Adran y Menywod*) had been campaigning for a number of years for positive action within the party's internal structures and in candidate selection. As McAllister notes, Labour's debates on twinning had both a positive and negative impact on the discussions within Plaid. On the one hand, as Labour's main electoral rival the party had to take the issue of women's representation seriously. On the other hand, the internal turmoil within Labour caused by twinning meant Plaid became increasingly wary of pursuing a similar policy. After a series of heated discussions, a compromise position was agreed in late 1997 which used a 'gender template' for the regional lists to correct for any under-representation of women selected to fight constituency contests.¹⁹

The results of the first elections to the National Assembly for Wales are shown in Table 2. They represent a striking departure from tradition: with women comprising 40 per cent of AMs (Assembly members). Twinning delivered more than 50 per cent of Labour's seats for women and Plaid Cymru's 'gender template' delivered 30 per cent.

Table 2: Gender Composition of the National Assembly for Wales, 1999

<i>National Assembly for Wales*</i>						
<i>Party</i>	<i>Constituency seats</i>		<i>List seats</i>		<i>Total</i>	
	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>	<i>Seats</i>	<i>% women</i>
Labour	12	15	1	0	28	53.6
Plaid Cymru	7	2	4	4	17	29.4
Conservative	1	0	8	0	9	0.0
Liberal Democrat	1	2	2	1	6	50.0
Total	21	19	15	5	60	40

*When First Secretary Alun Michael resigned in February 2000, he was replaced by the next Labour candidate on the regional list, Delyth Evans, raising the number of women AMs to 25 (42%).

There were no serious moves to adopt positive action for the selection of Liberal Democrat or Conservative candidates in Wales. Without positive action, the Liberal Democrats did significantly better in NAW elections than the Scottish Parliament elections: with women comprising three of the party's six successful candidates.

¹⁸ Although the vote was won the argument was not and a backlash ensued in which some opponents of twinning vented their frustration and anger on women candidates. See Edwards and Chapman, *op cit.*

¹⁹ L. McAllister, *Plaid Cymru: The Emergence of a Political Party*. Seren, Bridgend, 2001.

However, Liberal Democrat Assembly Members admit that this was ‘more through good luck than good judgement.’²⁰ The Conservative Party returned an all-male team.

Women in the National Assembly for Wales

Women have achieved prominent positions in the Assembly — comprising half of the first Welsh Cabinet, including the Health, Education and Finance ministries. Currently women hold five out of eight seats in the Welsh Cabinet (62.5 per cent) which some claim is a world record. One of the five deputy minister appointments is female (20 per cent). Women comprise 72 out of the 177 committee members (41 per cent) and are six of the 15 committee convenors (40 per cent). As in Scotland, family-friendly working hours are observed in the Assembly.

In addition, gender concerns have been further institutionalised through the statutory equality duties previously discussed, establishment of an Equality of Opportunity Committee and creation of an Equality Policy Unit. Equality mainstreaming, including gender equality, is being promoted in the Assembly and is also being rolled out into public bodies that receive their funding from NAW such as Health Boards. There is statutory annual reporting on the progress NAW and public bodies have made with respect to promoting equality, and an annual debate.

Furthermore, the Wales Women’s National Coalition has been provided with funding from the National Assembly to facilitate involvement of hitherto marginalised women’s organisations in the policy-making process. Thus, improved symbolic representation has gone hand-in-hand with establishment of channels through which substantive gains may be progressed.

Northern Ireland

Northern Ireland has the poorest record in the UK in terms of women’s representation against a backdrop of extraordinary politics and armed conflict. Since the advent of the troubles, Northern Ireland has gone virtually without female political representatives. However, women have a considerable presence in community politics in local networks and beyond and it has been through these informal arena that they organised in the 1990s to campaign for inclusion in the political process.²¹

²⁰ B. Gill, *Winning Women: Lessons from Scotland and Wales*, Fawcett Society, 2000.

²¹ For developments in Northern Ireland politics in the 1990s see P. Mitchell and R. Wilford, eds, *Politics in Northern Ireland*, Westview Press, 1998. For women’s campaigns and related background see Y. Galligan and R. Wilford, ‘Women’s Political Representation in Ireland’, in Y. Galligan, E. Ward and R. Wilford, eds, *Contesting Politics: Women in Ireland, North and South*, Westview Press, 1999. B. Hinds, ‘Women Working for Peace in Northern Ireland’, in Galligan *et al.*, 1999 *op. cit.*; and K. Fearon, *Women’s Work: The Story of the Northern Ireland Women’s Coalition*, Blackstaff Press, 1999.

A key moment, in respect of mobilising women around the issue of political representation came in May 1992 when the Opsahl Commission was established to hear the views and experiences of Northern Ireland people, along with their opinions about possible solutions to the political conflict. This thirteen-month initiative provided one of the first opportunities for a range of women, amongst others, to engage in Northern Ireland's political process. The Opsahl Commission concluded that the development of women's groups had been 'one of the most positive areas of growth within the wider political arena'.²²

The Commission also provided the first significant opportunity for women to express publicly their frustration at their relative exclusion from formal politics. Concern was raised that Northern Ireland's political process did not facilitate the practical involvement of women in politics nor did it represent their interests. It was argued that the concentration on one-dimensional 'constitutional' politics was especially alienating and disempowering for women. In the period following the Opsahl Commission, momentum built up around the issue of women's political under-representation through a range of meetings, rallies and the mobilisation of women's organisations around the theme.

The devolution campaign

Optimism was growing in the early to mid-1990s that an inclusive constitutional settlement was realisable, encouraged by political developments such as the 1993 *Joint Declaration* (Downing Street Declaration) and the 'first' of the crucial cease-fires (called in 1994). By 1995 it had become clear that Northern Ireland's political landscape was undergoing significant change. The British and Irish governments produced *Frameworks for the Future*, which outlined important elements of a settlement, including the proposed structures of an Assembly, the establishment of North/South institutions and a reiteration of the principles of the 1991–92 round table talks.

A discursive opportunity arose for women to begin to stake a claim and a place at the table. Terms such as consensus, equity and representation had become central to the dialogue of this period — and therefore questions were starting to be asked about what would be the role of women in this process. Women realised that if they were to be included in the political process, they needed to have their contributions heard in devolution debates. In response to this, several key conferences were held of which, arguably, the most significant was 'Women, Politics and Ways Forward', held in Draperstown. Organised by the University of Ulster's Centre for Research on Women, it sought to develop a strategy for promoting women's formal political participation in Northern Ireland. It received support from both high profile women

²² M. McWilliams and A. Kilmurray, 'Athene on the Loose', *Irish Journal of Feminist Studies*, 2, Summer 1997. For Opsahl Commission see A. Pollak, *A Citizens' Enquiry: the Opsahl Report in Northern Ireland*, Lillput Press, 1993.

and the Northern Ireland Office who recognised the policy expertise of the women's sector that had grown up during the period of direct rule.

Nevertheless this was still regarded as a peripheral issue for the Province's main political actors and decision makers.²³ We see this demonstrated in 1996, when the NI Women's European Platform produced a paper entitled 'Genderproofing the Election System and Talks Fora'. The paper was sent to all the main political parties and the British Government, after it was announced that individuals and parties would be elected to participate in negotiations for a constitutional settlement. It was hoped that the paper would raise interest and go some way towards promoting fairer gender representation at the proposed Forum and the Multi-Party Talks. In practice, however, it elicited little response.

This indifference set in motion a process which would result in formation of the cross-community Northern Ireland Women's Coalition (NIWC) to contest the Forum elections in May 1996. The growing frustration of women provided the momentum and, with just seven weeks to go before the election, various women's organisations from both the Nationalist and the Unionist communities formed a political coalition. They managed, through late night phone calls and much arm-twisting, to find and register 70 candidates. At the subsequent elections they were ranked the ninth most popular party out of 24, which gave them two elected Forum members and a team at the Multi-Party Talks. Overnight they had brought the issue of women's political representation into the public and political arenas and had attracted international attention.

It is important to note that NIWC was not considered as the next 'natural step' in the movement to promote women into Northern Ireland's formal political arena.

Rather it was a response to a set of political circumstances: the lack of interest of the main political actors and the opportunities presented by the forthcoming elections.

Women and the Good Friday agreement

Within the Forum, the main parties dominated the political debate and the talks with their opposing constitutional agendas allowing little space or interest to broader political issues such as gender equality. The NIWC struggled in an adversarial arena and in the face of antagonism from the main political parties.²⁴ There were few possibilities for building alliances with women from other parties, although they

²³ T.B. Donaghy, 'Women, Political Recruitment and Candidacy in Northern Ireland and Scotland: 1996–1998', unpublished PhD thesis, The Queen's University Belfast 1999.

²⁴ Women faced derisive opposition and the sexualised insults from the Unionist camp. As Ward reports one 'favoured insult was to moo when Coalition delegates began to speak'. See M. Ward 'Gender in Transition? Social and Political Transformation in Northern Ireland', paper presented at the University of Ulster Transitional Justice Seminar Series, Belfast, 2 November 2001, 6.

sometimes supported the same issues. Nevertheless the influence of the NIWC can be discerned in The Good Friday Agreement which was the result of the Forum and the Multi-Party Talks and provided the blueprint for a new devolved settlement. At the instigation of the Coalition, the Agreement acknowledges the 'right of women to full and equal participation.' The Coalition also worked with human rights organisations and other equality groupings to broaden the dominant conceptions of equality in Northern Ireland as relating primarily to religion and political allegiance to include gender and other equality groups. The Coalition and other parties such as Sinn Fein and the new Loyalist parties ensured the inclusion of women under the Agreement's section on Economic, Social and Cultural Issues.

Women and the Assembly

After the proposals received support at referendum, the elections for the Northern Ireland Assembly were set for June 1998 using a multi-member PR-STV electoral system.

What impact did the creation of a women's party have on the main parties and their candidate procedures? We have noted that in Scotland and Wales the issue became one upon which the parties felt they might be compared and judged. However, in Northern Ireland gender equality did not feature as an electoral issue. In a fractured polity, competition for electoral support exists not between communities but within. Therefore, different approaches to gender equality policies by Unionist and Nationalist camps were of little electoral consequence, as long as the parties within the different camps were consistent (which was the case). As a consequence there was little electoral incentive for parties to be seen to be promoting gender equality and no special measures or mechanisms were implemented.

Women were less than half of the candidates selected by each of the main parties, many in un-winnable places. As Table 3 shows, a total of 14 women (13 per cent) was elected to the Assembly. Women also took two ministerial positions. They hold 17 out of 110 places on assembly committees (15.5 per cent), including three deputy chair positions. However, it must be noted that no female chairs were appointed and several committees had no women members at all.²⁵

Although women are less visible as elected members of the Assembly, the Good Friday Agreement reflects their contribution in, for example, its declaration of women's right to participate in political life. In addition, as in Scotland and Wales, the Northern Ireland Assembly has promoted more family-friendly working practices. As in Scotland, a Civic Forum has been established by the Assembly as a consultative body. It was proposed by the Women's Coalition as a means of preserving the policy expertise and commitment of community actors, including women, built up over the period of Direct Rule and women comprise 37 per cent of

²⁵ M. Ward, *The Northern Ireland Assembly and Women: Assessing the Gender Deficit*, Democratic Dialogue, 2000.

the membership. An extensive equality mainstreaming program is also underway which centres around a powerful statutory duty (Section 75) placed upon all public bodies, including government departments, to have due regard to promote equality of opportunity and to draw up equality schemes. Although primarily driven from a community and 'fair employment' perspective, it does allow the opportunity for gender equality concerns to be integrated into the work of government and public authorities in the Province. Devolution has therefore resulted in modest improvements in the symbolic representation of women with the opportunity for significant progress with respect to substantive representation.

Table 3: Gender Composition of the Northern Ireland Assembly, 1998

<i>Political Party</i>	<i>Elected members (No. of Seats)</i>		<i>Elected members (% of Seats)</i>	
	<i>women</i>	<i>men</i>	<i>women</i>	<i>men</i>
Ulster Unionist Party	2	26	7.1	92.9
Socialist Democratic Labour Party*	3	21	12.5	87.5
Democratic Unionist Party	1	19	5	95
Sinn Fein	5	13	27.8	62.2
Alliance	1	5	16.7	83.3
NI Women's Coalition	2	0	100	-
Progressive Unionist Party	0	2	-	100
Others (Unionist)	0	8	0	100
<i>Totals</i>	14	94	12.9	87.1

*As of December 2000, SDLP's John Hume resigned and was replaced by Annie Courtney, which increased their number of female MLAs to 4 (16.6%), which in turn increased the overall total to 15 female MLAs (13.8%).

Conclusions

Women's agency has been significant in shaping reform agendas in Scotland, Wales and Northern Ireland but the opportunity to do so has been shaped by markedly different political conditions in general and in respect of the situations of women.

In Scotland generally more favourable circumstances have enabled women to maximise their influence through pluralist coalitions. At each stage of the long campaign women, with the support of some men, successfully intervened in the process to make specific claims about women's representation and to gender wider campaigns to redress the so-called 'democratic deficit' and promote the case for greater democratic participation. In the context of broad civil and political consensus, the issue of women's political under-representation received an audience and a recognition unparalleled in Northern Ireland. Whilst they have not achieved

everything they wanted, women have secured considerable gains in terms of both the proportion of women MSPs sitting at Holyrood (symbolic representation) and the enhanced influence for women in policy development (substantive representation). The presence of women in the new parliament and the continued advocacy of women's groups may prove vital in maintaining the momentum of the broader equalities agenda and representation of women's concerns.

In Wales, matters were complicated by the general indifference of many sections of civil society to the devolution project, the weak infrastructure of the women's movement and the insular nature of the Welsh Labour Party. However, against this rather unpromising backdrop, a small group of influential women activists did manage to insert themselves and concerns about gender equality into political dialogue. In a process that mirrored the top-down character of the general reform project in Wales, these 'strategic women' staked a claim for women and promoted measures for their improved symbolic and substantive representation. In the absence of a wider grassroots mobilisation, the network took advantage of a short period of intense planning and campaigning between 1997 and 1999 to achieve significant gains. Ironically, the 'politics of catch-up' with Scotland resulted in outcomes that not only caught up — but, in many respects, overtook Scotland. The National Assembly for Wales has one of the highest proportions of female representatives in any elected body in the world, national or regional, and one of the highest proportions of women in Cabinet. Most of the 'strategic women' involved in the campaign are now in the Assembly and many have a place in the Assembly Cabinet. Prospects for substantive representation are also promising: with increased opportunities for women's organisations, although issues of capacity and infrastructure will need to be addressed before women's organisations can take advantage of this new regime of inclusion.

In Northern Ireland, inimical political and institutional constraints have prevented development of the pluralist coalitions possible in Scotland. The legacy of divided communities and violence meant there was less space in which women *as women* in Northern Ireland could mobilise. Nevertheless grassroots women worked across significant divisions in pursuit of the common purpose of playing a part in shaping new constitutional settlements. The advent of devolution in Northern Ireland has resulted in improvements in both the place and political voice of women. There is now an established and articulate movement committed to extending women's contributions from informal political activity to the formal political arena. There are 15 female MLAs — the largest group of Northern Ireland women ever to have legislative powers — and two female Ministers. The Civic Forum is likely to give women's organisations a powerful voice as mainstreaming equality through Section 75 is already proving to do so with its strong emphasis upon consultation and participation. It must be concluded, however, that the main parties continue to give little priority to the importance of women's contributions to the political process. It may also prove to be more difficult to keep women's substantive concerns on the agenda in the absence of a strong presence of women within the Assembly to exert pressure from within.

Constitutional change has opened up opportunities in Scotland, Wales and Northern Ireland for women to mobilise around the issues of political representation in its broadest sense. Being involved, albeit in different ways, in the design of new electoral systems and new institutions has meant that women activists have played a part in improving symbolic and substantive representation. As such, the process of devolution has resulted not only in renegotiation of powers between centre and sub-state nation or region but also some redistribution of political power between the sexes. Devolution is increasingly understood as ‘a process not an event.’ It is clear from this preliminary assessment of events in Scotland, Wales and Northern Ireland that gender has been and will continue to be an important dimension of that process as it evolves and develops throughout the United Kingdom. ▲