Bridging the Gender Gap and Promoting Representation of Women in the National Parliament: A Comparative Analysis Study of South Africa and Lesotho

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Abstract

This research paper aims to discuss one of most significant issues that many developing countries are grappling with: the gender representation gap in the African political sphere. The purpose of this research paper is to make a comparison in terms of the available legislative frameworks of South Africa and the kingdom of Lesotho. This research focused on bridging the gender gap and promoting the representation of women in the national parliaments of South Africa and Lesotho. In this article significant efforts were made to explore goal three of the Millennium Development Goals (MDG) which deals with the promotion of equality and empowerment of women. The following aspects were considered: the promotion of access to higher education for women, the protection offered by the constitution and the elimination of discriminatory practices against women, legislative provision in bridging the gender gap and affirmative action policy. The methodology that was adopted in this article was a qualitative approach. An unobtrusive method was employed to analyse the secondary data. The aim of this research is to contribute to and enhance the relevant body of knowledge. Although serious strides have been made in closing the gender representation gap and promoting women in politics, some countries are still lagging behind in the representation of women in key influential positions like parliament. However, other African countries have made progress in empowering women in their respective countries. This includes countries like Rwanda, where the national parliament consists of more than 63% women. Finding are discussed in greater detail as well as the limitations of the study, and lastly possible recommendations are explored.

Introduction and Background

The majority of women across the globe still face under-representation, gender discrimination and are deprived of basic human rights. Parliaments globally are no exception. It is estimated that a global average figure for female representation in parliaments stands at a mere 24.3% (Inter-Parliamentary Union 2019a). South Africa and Lesotho are inimitable in various ways, not least in terms of population size, gender representation and geographical size. These two countries vary fundamentally at a political and democratic level as sovereign states (Mähleck and Thaver 2010). Regardless of equal opportunities legislation, marital status and parenthood interfere with women's progress. Employers are more reluctant to offer job opportunities to women due to career interruption and family commitments (Melamed 1996). For women, marriage and children often constitute a burden that limits career progression (Kirchmeyer 2002). And for women specific activities, like job relocation and employment continuity, may result in them advancing less to decision-making positions than men (Tharenou 1999). Men's career progress is less likely to be affected by parenthood and marriage compared to women. These factors are less likely to be considered by employers when making promotion and hiring decisions (Melamed 1996). Since the dawn of democracy in 1994, one of South Africa's major challenges and concerns of the new democratic government was to grant employment opportunities to women and redress political, social and economic injustices that characterised the old apartheid system under the National Party (NP) government (Groener 2014; Maumbe and Van Wyk 2008; McIntyre and Gilson 2000). South African women, predominately African women, have endured double oppression; this includes more economic exclusion and prejudice than any other race (Canham 2014). In 1992, the Convention for Democratic South Africa (CODESA) talks were held in Kempton Park, now the City of Ekurhuleni, to pave way for a non-racial and non-sexist society and a constitutional democratic state was established under the stewardship of former President Nelson Mandela as the first democratically elected president (Dominy, Boatametse, and Gilder 2010). The new political dispensation under the African National Congress (ANC) entered vigorous discussions with various political parties and drafted a new Constitution that was inclusive of all racial groups. The new Constitution required state institutions to vigorously undergo the government transformation agenda (McEwan 2003; Wittmann 2012). Internationally the participation of women in the world's economy and politics has received unprecedented attention. Such a paradigm shift was dictated by the fact that more women are becoming better educated and economically emancipated. According to the International Labour Organization (ILO), it is estimated that there are 2.9 billion workers and women constitute 40% of this figure (Kiaye and Singh 2013). In South Africa, the Employment Equity Act No. 55 of 1998 (EEA) was promulgated. The aim of this legislation is to promote equal opportunities in the workplace by eliminating unfair discriminatory practices that hinder progress in workplaces (Venter and Levy 2011). Traditionally,

state institutions in South Africa have been male dominated, especially at senior management positions and Parliament (Littrell and Bertsch 2013). Like any other infant democracy undergoing transformation, gender representation for women in many African countries remains a mammoth task and much still needs to be done to ameliorate the under-representation of women in key state institutions like parliament (Lewis and Uys 2007). The kingdom of Lesotho gained its independence from the British before South Africa in October 1966. Lesotho is positioned right within the Republic of South Africa and has a population of over 2 million citizens (UNDP 2015, 15). Women in Lesotho are postulated to enjoy high status in public institutions as well as the national government. But this seems to have regressed a bit (Matlosa and Sello 2005; Monyane 2009).

Millennium Development Goals

Acker (2006) notes that formations of discriminatory practices develop in diverse ways in different institutions. The bases of inequality are socially constructed differences between men and women. It is widely believed that when an appropriate leverage of the talents of men and woman is better diversified it enhances a balance in decision-making processes, and thus contributes positively to a country's development (Gokulsing and Tandrayen-Ragoobur 2014; Maoseno and Kilonzo 2011). Closing gender gaps is therefore not only an issue of equal rights, but also an issue of economic emancipation of women (ILO 2010). As opined by Littrell and Bertsch (2013), goal three of the Millennium Development Goals emphasises the empowerment of women and promotion of gender equality in key positions of responsibility in decision-making. In the rest of the African continent, South Africa and Rwanda have become leaders in campaigning for women's rights and gender equality in the National Assembly (NA). The South African Constitution, as stated in Section 9 (3) (RSA 1996), recognises equality before the law. This right includes also the right of women to be subjected to fair representation and employment practices (UN Millennium Development Goals 2013; RSA 1996). Both Lesotho and South Africa subscribe to the MGDs as set by the United Nations (UN). Lesotho invests in and dedicates a substantial budget to education. Lesotho's government in 2014 allocated 36.4% to tertiary education, 36% to secondary, and 20.5% to primary education. Tertiary education received the biggest portion of the budget. As succinctly articulated by Akoojee and Nkomo (2011, 118–19), tertiary education is usually seen as gateway out of poverty in many African households, particularly for women. This means that the attainment of higher education emancipates women (Adams 2012).

The Promotion of and Access to Higher Education for Women in South Africa and the Kingdom of Lesotho

In South Africa, the Nationalist government deliberately established an inferior and fragmented higher education system which was gender and racially skewed. The National Party government unleashed an unjust and inferior education system known as "Bantu Education" that systematically excluded the African majority, of whom the

majority were women (Reddy 2004). Inequality in terms of gender reflects a structural disparity in society (Assié-Lumumba 2006). The best strategy to eradicate inequality in the workplace, government institutions and society is through the attainment of access to education, specifically higher education. This can only be achieved by making access to tertiary education realizable for women. The term "access" has different connotations and meanings for different people. For the purpose of this study, access is defined as the entry of a candidate into higher institutions of learning following the removal of any barriers which might deny access to such candidates (Mathekga 2012). To narrow the gap of widening inequality, the South African government under the stewardship of higher education and training minister, Dr Blade Nzimande, opened two new universities: the University of Mpumalanga (UMP) and Sol Plaatje University (SPU), which is situated in the Northern Cape to ensure accessibility becomes a reality for many previously disadvantaged groups, especially women (ANC 2014, 37; DHET 2014). The state also has a responsibility to narrow the gap between genders by increasing tertiary funding, which is a colossal challenge for the state as it has other obligations to fulfil (Wangenge-Ouma and Cloete 2008). It is noteworthy that after 25 years of democratic rule South Africa still faces challenges of attempting to eliminate gender discrepancy because of the cruel apartheid system that segregated and classified the population in terms of racial groups. This system created disproportions in terms of education and employment trends in South African state institutions (Seabi et al. 2014). Chapter 3 of the Employment Equity Act No. 55 of 1998 (RSA 1998) requires that all employers and universities strive towards levelling the playing field to achieve gender representation by increasing accessibility of education for women in institutions of higher learning (Venter and Levy 2011). The South African government in 2019 allocated R38.7 billion of its budget to finance higher education (National Treasury 2019). The higher education budget in South Africa accounts for 2.6% of the total government spending (Mählck and Thaver 2010). These amounts do correspond with the massive access to higher education in terms of numbers of females in universities and TVET colleges. This can translate into more women accessing and ultimately occupying strategic positions in state institutions like Parliament (MoE 2001). To strengthen this statement, in 1994 South African universities experienced a massive influx of women entering the higher education system. In 1993 the number of female students in South Africa stood at 43%. Then, in 1999, the percentage of women increased to 53%. This is a clear indication that the South African government through its pro-poor policies has covered a lot of ground in addressing access to higher education for females (Molla 2013, 197–98). In South Africa, there seems to be an upward movement for state institutions in breaching the gender gap and achieving satisfactory gender representation in the high echelons of management. It is evident that South Africa is doing markedly well in making sure that education is accessible so that women can be emancipated economically and play a meaningful role in the society from which they emanate (HESA 2014). The large number of women entering the higher education system can be attributed to the fact that women are in the majority in terms of numbers as compared to their male counterparts in South Africa. Currently the population of South Africa

stands at 58.78 million. Women make up 51.2% which is approximately 30 million (Stats SA 2019).

Table 1: Mid-year population estimates for South Africa by gender.

Gender	Population figures
Male	28.672 747
Female	30. 102 275
Total	58.775 022

 (Source: Stats SA 2019)

The same phenomenon is also evident in Lesotho in terms of access to education as there are more women accessing education and attaining tertiary education than men. According to the Lesotho Election Observation Mission Report (2002), the dearth of jobs has contributed to more men moving to various neighbouring countries, mainly South Africa, to search for better economic opportunities in the mining and agricultural sectors. It was estimated that in 1995 over 25% of men were working in South Africa. Lesotho has one of the highest literacy rates amongst women on the continent. This is a rare occurrence in a country that is classified as a third world country. As mentioned, more men are leaving Lesotho and coming to work as migrant workers in the mines of South Africa. This manifestation has led to more women having an upper hand over men in attaining education, and occupying significant and influential positions in public institutions (Mataga 2008). Women in Lesotho are also in the majority as they constitute 52% of the total population. According to World Population Review (2019), Lesotho has a population of 2.13 million. This figure however is not reflective of positions that are occupied by women in state institutions such as Parliament (Letuka, Mapetla, and Matashane-Marite 2004).

The Protection of the Constitution and Elimination of Discriminatory Practices against Women

Embracing diversity in a workplace is paramount as it enhances the competitive advantage in an organisation and is regarded as a strategic necessity to enable the survival of any organisation. This includes representation of women in parliament (Bagraim et al. 2011). The preamble of the South African Constitution was founded on the principles of equality before the law and social justice. Social justice in this instance includes adequate representation and economic participation of women in Parliament (Bendix 2000; RSA 1996). Section 9 of the South African Constitution, referred to as the "Equality clause," specifies that everyone is equal before the law and has the right to equal protection, enjoyment and benefit of the law. Section 9 (3) of the Constitution indicates that the state may not unfairly discriminate against any person based on the following grounds: gender, race, marital status, age, belief and disability. Subsection 4 of the Constitution further continues to state that national legislation such as the Employment Equity Act must be ratified to prevent unfair discriminatory practices. This

means that when vacancies are advertised through various mediums like the internet, newspapers and the government gazette, preference should be accorded to the designated groups, including women (Schackleton, Riordan, and Simonis 2006). Similar to South Africa, Lesotho's Constitution also recognises equality before the law and prevents any form of discrimination in society and workplaces. Even though Lesotho attained its independence before South Africa, women were not allowed to hold any public office in Lesotho and this was manifested by well-engineered patriarchy in surrounding communities. Similar to the South African Constitution, Lesotho's Section 18 (2) and (3) of the Constitution stipulates that no person shall be treated in a discriminatory manner by any person acting by virtue of any written law or in the performance of the function of any public office or public authority. Section 18 (3) states that no person should be discriminated against on the following grounds: race, colour, sex, language, religion and political opinion (Lesotho 1993).

Legislative Provision in Bridging the Gender Gap

Women continue to bear the effects of snail-paced career progression and marginalisation in many key public institutions. Women are still being underutilised by the majority of employers in the high echelons of management. Research that was commissioned by the Commission on Gender Equality (CGE) in South Africa indicated that one in four vacancies were filled by women in the private sector as compared to the public sector which accounted for two-thirds of women in employment (Grobler et al. 2011). A perfect example of this is the South African Parliament which is performing exceptionally well in employing women. Over 45.25% of posts in the South African National Assembly are occupied by women as compared to the 2014 figures of 42%. This figure makes South Africa the third internationally when it comes to female representation in public institutions such as parliament (Electoral Commission of South Africa 2019). In South Africa, the Employment Equity Act (RSA 1998) became a game changer and a significant instrument to increase the representation of designated groups, especially women (Hedig and Lance Ferris 2014). After intense negotiations by all major stakeholders in government which included business, civil society, labour and the state at National Economic Development and Labour Council (NEDLAC) all the parties agreed on the establishment of the Employment Equity Act. The purpose of this legislation was to include and promote women's participation in the economy. In October 1998, the Act was passed before Parliament (Finnemore and Van Resburg 2002). The Employment Equity Act made provision for fair discriminatory practices based on the inherent requirements of the job and affirmative action as an acceptable government policy to redress the imbalance of the past and foster adequate representation (Grobler et al. 2011). In Lesotho there seems to be no dedicated pieces of legislation that tackle and promote gender equality and representation besides the Constitution. The latter policy will be discussed in detail in the next section.

Affirmative Action Policy

Despite still being paid lower salaries than men, salaries for women in South Africa are far better than their female counterparts in Lesotho. In addition, gender roles in both countries have changed and many women have assumed the role of breadwinner in their households. However, despite changing roles in households, women still suffer tremendous discrimination and oppression in Lesotho because of patriarchy. Traditionally, women must follow and conform to the will of their families without any defiance, which is mostly organised in a patriarchal manner and prefer that women stay at home (Makhema 2009). The phrase affirmative action (AA) was first mooted in the United States (US) in the 1960s by the civil rights movement. In the early 1990s, white males constituted a mere 6% of the total population in South Africa. This figure highlighted a worrying picture as white males continued to occupy 96% of senior positions in organisations. This meant that most Black people occupied lower levels in the workplace. This phenomenon is referred to as the "Irish coffee syndrome" (Bendix 2000). The phrase "affirmative action" is defined as a proactive, conscious effort to redress the disadvantages of the past and to increase the representation of marginalised groups of the population in leadership positions in organisations (Tladi 2001; Visagie 1999). The primary object of affirmative action is to ensure that employees who are qualified and competent from the previously disadvantaged groups be bequeathed fair employment opportunities and that they be fairly represented in all employment categories including parliament. Previously disadvantaged groups in the South African context include the following: Women, Blacks, Indians, Chinese, Coloureds, Asians, and the physically challenged (Venter and Levy 2011). Article 5 of the Southern African Development Community's (SADC) Protocol on Gender and Development addresses the issue of affirmative action measures (SADC 2008). It stipulates that all member states should put in place affirmative action measures to address obstacles that prevent women from meaningfully playing a constructive role in employment. Furthermore, Article 6 outlines that members should strive to abolish all forms of discriminatory practices against any person on the basis of gender (Mahapa 2003; SADC 2008). The Lesotho government should be extolled for trying to narrow the gap of inequality by abolishing discrimination. The Lesotho government took a bold step in implementing radical measures by amending the Electoral Act of 2011, and appointing women in senior positions in public institutions. The Act stated that parties submitting candidates' lists for elections should reflect the demographic and gender inclusivity. This means that one third of the seats should be reserved for women in an attempt to eliminate discrimination in state institutions (Kapa 2013). During the 2007 elections, there were only nine women in Lesotho's Parliament. These were seven ministers and two deputy ministers who comprised 39% of parliamentary seats. After another round of elections in 2012, five females were selected to serve as ministers and three were chosen as deputies. This indicates a serious decline of 12% from the previous cabinet (Bertelsmann-Stiftung 2014). Table 2 below indicates the ranking of African countries in terms of gender representation of women. South Africa has performed immensely well and is ranked number 11. It has surpassed many advanced democracies like the

United States of America, the United Kingdom and Italy in the gender representation barometer of women in parliament (Inter-Parliamentary Union 2019b). This phenomenon can be attributed to the fact that the South African government deliberately made it their priority to eradicate gender inequality in the workplace as well key state institutions like Parliament (Kiaye and Singh 2013).

Table 2: Ranking of women in parliament in Africa

Ranking	Country	Lower or Single House				Upper House or Senate			
		Elections	Seats	Women	%W	Elections	Seats	Women	%W
1	Rwanda	09/2018	80	49	61.25	09/2019	26	10	38.46%
10	Namibia	11/2014	104	48	46.15	12/2015	42	10	23.81
11	South Africa	05/2019	396	181	45.71	05/2019	53	20	37.74
15	Senegal	07/2017	165	69	41.82	–	–	–	–
19	Mozambique	10/2014	250	99	39.6	–	–	–	–
24	Ethiopia	05/2015	547	212	38.76	10/2015	153	49	32.03
29	Republic of Tanzania	10/2015	393	145	36.9	–	–	–	–
30	Burundi	06/2015	121	44	36.36	07/2015	39	18	46.15
31	Tunisia	10/2014	217	78	35.94	–	–	–	–
41	Zimbabwe	07/2018	270	86	31.85	07/2018	80	35	43.75
80	Lesotho	06/2017	120	28	23.33	07/2017	32	7	21.88

(Source: Inter-Parliamentary Union 2019b)

In 1997 the Southern African Development Community's heads of states made a commitment to address gender disparity and ensure representation of women in

decision-making positions such as the National Assembly. A target of 30% was set by the member states to address the disparities in public institutions (Vyas-Doorgapersad and Lukamba 2011). When the member states reviewed their progress in 2005 it was found that only three members complied with and met the target that was set by the Southern African Development Community. These included South Africa, Mozambique and Tanzania (SADC 2009). The country that has surpassed the target and has performed tremendously well in addressing gender inequality is Rwanda, where women occupy the majority of seats in Parliament (Powley 2006; United Nations Rwanda 2012).

Research Methodology

This paper focused on bridging the gender gap and promoting representation of women in governments' National Assembly. For this research the authors relied heavily on available secondary data. As opined by Saunders, Lewis and Thornhill (2012, 259), secondary data includes written materials and non-written materials. In this research paper written material included media reports, newspaper articles, journals and organisations' reports. This research adopted a qualitative method. A comparative analysis of legislative frameworks was conducted between Lesotho and South Africa. Unobtrusive techniques were adopted to analyse secondary data. Lastly a thematic analysis was implemented in this paper.

Limitation of the Study

The under-representation of women in parliaments in many African countries is still evident and there is still more that needs to be done to empower women to be able to play an effective and meaningful role in the body politic by influencing policy. This study was geographically limited to two countries: South Africa and the kingdom of Lesotho.

Recommendations

This study was restricted to only two Southern African Development Community member states: Lesotho and South Africa. However, the researcher further advises for the study to be extended to other countries such as Angola, Botswana, Zimbabwe, and Malawi, which are lagging behind in this area. This will assist other countries to consider their empowerment practices in order to narrow the gender gap and address issues of under-representation of women in parliament, which is a crucial institution in policy drafting. The following recommendations are formulated based on this research. First, remove all discriminatory practices and formulate relevant pieces of legislation that deal with women's empowerment, representation and affirmative action policies in Lesotho. Second, Lesotho should establish institutions that support constitutional democracy such as the Human Rights Commission and the Gender Equity Commission to deal specifically with women empowerment issues. Third, Lesotho's government should establish independent institutions that will dedicate time and resources to

educating the public on issues of equality and unfair practice towards women in society, politics and workplaces. Fourth, there is a need to educate men to relate better to women and promote healthy gender relations in society, political organisations and workplaces. Fifth, eliminate all forms of patriarchal practices in society and set tangible targets that will assist in achieving fair and just representation of women in parliament.

Concluding Remarks

Both countries should be commended for trying to change the status quo of women in public institution like parliament. A country such as Lesotho that does not have dedicated legislation that addresses specifically issues of affirmative action and women empowerment should consider establishing a charter on women's representation, equality and emancipation in the National Assembly. The mindset of men and cultural practices need to be modified especially in far-flung rural areas where gender stereotypes and patriarchy are still deeply embedded in society, as these are the factors that hinder progress. However, a country like Rwanda has made serious progress in the past 25 years under the leadership of President Paul Kagame and should be commended on their deliberate policy of empowering women in key parliamentary positions as 63% of the positions are occupied by women.

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