

The 5050 GROUP**SUBMISSION ON THE ROLE OF WOMEN/WOMEN IN POLITICS**

**Constitutional Convention
February 2013**

**“A society that is without the voice and vision of a woman is not less feminine. It is less human.”
(Mary Robinson)**

Who we are?

The 5050 Group is a single issue national advocacy group dedicated to achieving equal representation in Irish politics. We are politically non-aligned and fully inclusive, welcoming both men and women as members. The group is run by a team of dedicated volunteers in five branches nationwide – Cork, Dublin, North-West (Sligo and Donegal), Kerry and Meath. We believe that the under-representation of women in Irish politics is an affront to the democratic ideals of justice and equality. Our vision is to seek gender parity in Irish electoral politics.

What we do?

The 5050 Group raises public awareness of the under-representation of women in Irish politics through public meetings, social media and campaigning.

The under-representation of women in Irish politics - the facts

Dáil Éireann & Cabinet Government

- Only 25 (15%) of the 166 Dáil seats are held by women. This is an all-time record for women's representation in Dáil Éireann.
- Only 91 women have been elected to serve in Dáil Éireann since the foundation of the State.
- Of the total 4744 Dáil seats filled since 1918, only 260 (5.48%) have been occupied by women.
- Only 5 more women were elected in 2011 than in 1992.
- Of the 181 people who have served in cabinet in the Republic of Ireland since 1922, only 12 (7%) have been women.

Seanad Éireann

- Only 86 women have ever served in Seanad Éireann.
- 18 of the 60 seats (30%) in the current Seanad are held by women.

Local Government

- Women account for 16% of the members of local authorities.

Comparative Context

- The Republic of Ireland occupies:-
 - 109th position out of 190 nation-states in a global league table of women's parliamentary representation¹;
 - 23rd place amongst the 27 EU member states.

General Election 2011

- Only 86 women out of a total of 564 candidates contested the 2011 general election.
- In four constituencies (Cork South-West, Kildare South, Limerick, Roscommon-South Leitrim), voters were presented with all-male ballots.
- Currently, in 21 of the 43 constituencies, there are no women TDs.

¹The Republic of Ireland occupies 89th ranked position in the Inter-Parliamentary Union rankings. However, when tied ranked countries are counted separately, the Republic of Ireland occupies 109th position out of 190 nations (data accessed from <http://www.ipu.org/wmn-e/classif.htm> on 7th February 2013).

Why is the under-representation of women in Irish politics a concern?

As a core principle of democracy, the composition of the Oireachtas and other public bodies needs to reflect population diversity. This is necessary to ensure that their decisions have legitimacy.

What prevents women from accessing politics?

In October 2009, the Oireachtas Joint Committee on Justice, Equality, Law Reform and Women's Rights published *Women's Participation in Politics*² under rapporteur Senator Ivana Bacik. This report identified a number of barriers to women's political participation, namely the **5Cs**.

- **Candidate selection** - political parties act as 'gate-keepers' to the selection of women candidates.
- **Care** - there is a bias towards traditional gender roles in the Republic of Ireland. In 2011, half million women were looking after home/family compared to just 9600 men (CSO, 2012³). Women oftentimes have less time than their male counterparts to dedicate to a life in politics.
- **Culture** - Irish political culture is shaped by masculine norms advantaging men's access to politics.
- **Confidence** – women need greater encouragement to run for politics.
- **Cash** – women have less access to cash resources than men. In December 2012, an OECD report⁴ showed that Irish women aged 25 – 44 with children take home 14% less in their pay packets than men of a similar age profile with children.

Irish political culture

The low representation of women in Irish public life has owed much to a dominant conservative culture, which placed women firmly in the private sphere. A highly traditionalist Roman Catholic doctrine had substantially informed State policy on marriage, 'the family', divorce and so forth.⁵ Article 41 of Bunreacht na hÉireann had defined women's place as primarily in the domestic sphere. This Article was formulated at a time when the Roman Catholic Church and other elites in Ireland, as elsewhere, sought

² This report can be viewed at http://www.oireachtas.ie/documents/committees30thdail/j-justiceedwr/reports_2008/20091105.pdf (accessed 7th February 2013).

³ The 'Women and Men in Ireland 2011' report can be viewed at <http://www.cso.ie/en/media/csoie/releasespublications/documents/otherreleases/2011/Women%20and%20Men%20in%20Ireland%202011.pdf> (accessed 7th February 2013).

⁴ The 'Closing the Gender Gap: Act Now' report can be viewed at <http://www.oecd.org/gender/closingthegap.htm> (accessed 7th February 2013).

⁵ See for example, P. O'Connor, *Emerging voices: Women in Contemporary Irish Society* (Dublin: Institute of Public Administration, 1998).

to inhibit women from taking so-called 'breadwinner' jobs.⁶ The male 'breadwinner' model had potentially adverse consequences for women and children, particularly in terms of increasing their economic vulnerability alongside limiting a woman's capacity for autonomy in decision-making.⁷ Furthermore, the Church/State nexus also maintained that women should hold a certain morality, especially in relation to areas of sexuality and reproduction.⁸ Over recent decades, a progressively secular society has facilitated some significant change to women's role in Irish society.⁹ However, the number of women in electoral politics remains very low. Dáil Éireann has always been at least 85% male.

What can be done to increase the number of women in politics?

Last year, *the 5050 Group* campaigned successfully for the introduction of legislation to increase the number of women on the ballot paper at general elections in the Republic of Ireland (please see Appendix 1 for our reasons for doing so). On Saturday 28 July 2012, the President of Ireland, Michael D. Higgins, signed that legislation - *The Electoral (Amendment) (Political Funding) Act* - into law. The Act ensures that women comprise 30% of party candidates in the next general election. The figure will increase to 40% seven years thereafter. Parties that do not comply with the provisions of the Act will see their State funding cut in half. Significantly, the Act received widespread cross-party support in the Oireachtas. Fundamentally, *the 5050 Group* believes that the Electoral (Amendment) (Political Funding)

⁶ The male breadwinner family constituted a form of family organisation whereby the husband was expected to be the main, preferably the sole breadwinner, while his wife was to take responsibility for the home, preferably on a full-time basis. This model of family organisation was established first among the middleclass and later spread throughout the working class from the mid-19th century. For further reading see C. Creighton, "The rise and decline of the 'male breadwinner family' in Britain" (1999) 23 *Cambridge Journal of Economics* 519.

⁷ G. Esping-Andersen, "Welfare states without work: the impasse of labour shedding and familialism in Continental European social policy" in G. Esping-Andersen, ed., *Welfare States in Transition: National Adaptations in Global Economies* (London: Sage, 1996), 66–87; G. Esping-Andersen, *Social Foundations of Postindustrial Economies* (New York: Oxford University Press, 1999); P. Emmenegger, "Catholicism, Job Security Regulations and Female Employment: A Micro-level Analysis of Esping-Andersen's Social Catholicism Thesis" (2010) 44 *Social Policy & Administration* 20.

⁸ The use of symphysiotomy and pubiotomy points to the power of the majority Church in Ireland for a very significant period. Furthermore, 'women' as a social category were often subject to punishment for their supposed transgression of socio-sexual norms. Many women were incarcerated in Magdalene Asylums. Arguably, these Asylums were singularly emblematic of the potency of the Church / State nexus in women's subordination. The women were typically admitted to these institutions at the request of family members or clerics. They were required to work, mainly in laundries. Many of the inmates were discouraged from leaving and were sometimes detained for life. Marie O'Connor found the operation, which involved the use of a wire saw to widen the pelvis, was generally performed without the consent of women and "amounted to battery in law". M. O'Connor, *Bodily Harm: Symphysiotomy and Pubiotomy in Ireland 1944–92* (Cathair na Mart, Co. Mhaigh Eo: Evertype, 2011).

⁹ As Tom Inglis asks: "And even within the home, has being Catholic become removed from the living room and more confined ... and the private life of the individual?" T. Inglis, "Catholic identity, habitus and practice in contemporary Ireland" ISSC Discussion Paper Series (University College Dublin, Institute for the Study of Social Change (Geary Institute), 2004) <<http://www.ucd.ie/geary/static/publications/workingpapers/isscwp2004-13.pdf>> (date accessed: 7th February 2013).

Act 2012 is a correct course of action on the part of the Oireachtas to create what Galligan (2010)¹⁰ terms ‘a gender democracy’. ***The Electoral (Amendment) (Political Funding) Act 2012 enacted provides an appropriate mechanism for addressing the issue of the under-representation of women in Irish politics.*** No constitutional changes are necessary to enable the adoption of such a measure. The Republic of Ireland is the 7th EU member state to introduce this type of legislation. In other EU member states where legislation of this nature has been implemented, the numbers of women in politics have increased significantly. For example, prior to the introduction of the Smet-Tobback Law in Belgium in 1994, which specifies that 50% of party candidates in general elections must be women, just under 11% of the seats in the Belgian Parliament were held by women. Today 38% of the seats are occupied by women. In 2006, Slovenia adopted legislation to ensure 35% of candidates on Slovenian ballot papers are women. Prior to the introduction of the measure, just 12% of the seats in the Slovenian national parliament were held by women. Today the figure stands at 32%.

The Next Step

Firstly, the traditional role of women as carers, legitimised and perpetuated by Article 41.2 of the Constitution, is of particular concern. Clearly, care is an essential task for human survival and human development. The *5050 Group* fully acknowledges that for many women - and men - their ‘care’ role, indeed their role in the ‘care’ economy is central to their identity. Furthermore, their often selfless dedication to the ‘care economy’ is critical to the advancement of the common good. The Constitution’s privileging of the ‘care’ role for women, however, constitutes a powerful symbolic barrier to women’s participation in the public sphere of paid work and politics. Furthermore, even now in the early 21st Century, the ‘care’ role tends to disproportionately fall on the female, limiting her life choices. We ask that the same possibilities for self-actualisation are accorded to the female as are currently accorded to the male. In essence, the Constitution needs to reflect men and women’s right to make choices in relation to their intimate lives. Thus, the *5050 group* strongly commends that the clause on the role of women in the home be appropriately amended. The Constitution needs to reflect a changing Ireland. There needs to be constitutional recognition of the need for reconciliation of work and family life in Irish gender policies, especially the role of men and their participation in family life, for example, as currently reflected in Northern European gender policies.

¹⁰ For more see Galligan, Y. (2010) ‘Thinking about Gender and Democracy’, http://www.apf.gov.au/About_Parliament/Senate/Research_and_Education/pops/pop53/Syvonnegalligan (accessed 7th February 2013).

Secondly, the text of the Constitution is a product of the patriarchal times in which it was written. Currently there is much use of the masculine pronoun, particularly in relation to the Presidency, as well as words such as 'Chairman'. In the late 1990s the Constitution Review Group¹¹ noted that Bunreacht na Éireann "like most constitutions...is insensitive on the issue of gender and invariably...presumes that officeholders will be male" (p.86). The *5050 Group* strongly recommends that gender inclusivity should be a guiding principle observed in the wording of the Constitution.

What can the Constitutional Convention do?

- Recommend amending Article 41.2 to reflect a broader statement about the importance of care work done by women and men in Ireland.
- Recommend the use of gender neutral and inclusive language in the Constitution.

For information about the *5050 Group* see:

Email: info@5050-group.com

Twitter: @5050Group

Facebook: www.facebook.com/5050Group

Blog: <http://5050-group.com/blog>

APPENDIX 1

Why does the *5050 Group* support the Electoral (Amendment) (Political Funding) Act 2012?

- It provides an **opportunity** to ensure a certain percentage of women are present on the ballot paper.
- It offers the electorate with a greater **choice** to vote for a man or a woman.
- It is a mechanism to **compensate** for the many gendered barriers (5Cs) women face when accessing political office.
- Similar legislation introduced **worldwide** has acted as a process of **change** and a facilitator of women's political **inclusion**.
- The legislative route provides parliamentarians with the **flexibility** to introduce special temporary measure to redress gender imbalances in political representation.

¹¹ First Progress Report (April 1997) of the The All-Party Oireachtas Committee on the Constitution - <https://www.constitution.ie/Documents/Oireachtas%201st-%20Progress%20Report%201997.pdf> (accessed 7th February 2013).