

"Women's Political Participation in Libya: Quotas as a Key Strategy for States in Transition"

Remarks by Megan Doherty. As prepared for delivery to the Global Gender Forum, Feb. 28, 2013.

My name is Megan Doherty and I am a program manager on the Middle East and North Africa team at the National Democratic Institute – NDI. I spent the last year living and working in Libya managing NDI's women, youth, and public opinion research programs. It was a real honor to work with such incredible women activists and women politicians in Libya. I am here to share some of their experiences with you, particularly looking at the performance of women in Libya's July elections and the quota.

Libya's July elections were historic for a number of reasons: they were the first democratic elections held in Libya in decades, the first election to be held after the death of Muammar Gaddafi who had been in power for over 42 years and more than 1.7 million Libyans voted.

For many people, perhaps the most surprising and celebrated success of these historical elections were the many roles played by Libyan women. Six hundred and forty-seven brave women registered as candidates, more than 687,000 voted, and thousands of women participated as campaign volunteers, polling station workers, and domestic election observers.

In order to understand and appreciate where women are now, we need to take a look at the context before the revolution. Women were largely excluded from politics under Gaddafi's regime.

To be fair, pretty much everyone who didn't have the last name Gaddafi was excluded from politics under the former regime. Civil society organizations were mostly banned (other than the Aisha Gaddafi foundation). Women who wanted to be involved in politics could join the local revolutionary committees which were tightly controlled by the regime. So there was no space.

The second reason women were not active in politics was because of the stigma attached to the few women who were politically visible. We've all seen the pictures of Gaddafi's bizarre personal female guards and most Libyans were familiar with Benghazi's former mayor, Huda Ben Amr, a Gaddafi crony known as Huda the Executioner for her role in killing a Gaddafi opponent. There were very few positive images of women in politics in Libya. As a result, a stigma developed and many women began to self-exclude from politics. This led to a tradition in which women shied away from overtly political roles and men expected them to do so.

This changed in the February 17, 2011, revolution. During the eight-month conflict, Libyan women mobilized, taking on myriad roles, from smuggling arms, food and ammunition to rebels to caring for injured fighters in hospitals and clinics. Many women who eventually ran as candidates in the July elections claimed that participating in the revolution provided them with the opportunity to contribute to their country and that it inspired them to want to continue the momentum and play a role in Libya's unfolding transition.

Despite their lack of experience, women immediately began seeking opportunities to organize around issues of common concern and to transition their wartime activism and humanitarian assistance into more traditional civil society advocacy.

Although women's activism increased, opportunities to participate in politics did not. Two women were appointed to the National Transitional Council (NTC), which then selected two women for the transitional cabinet, leading many Libyan women activists to joke that Libya's unofficial quota for women in politics was two. One of the women NTC members, Salwa Boughaigis, resigned, claiming that she had been chosen for the sake of a photo op to show the NTC was being inclusive but that nobody actually took her seriously.

Similarly, in the early days of their development, the membership and leadership of Libyan political parties were dominated by men. Everybody talked about the importance of women's participation, but male leaders rarely followed through by providing women with access to leadership positions. I can't tell you how many times I had meetings with political parties and I was the only woman in the room. One time I told a party that the next time they came for a workshop they had to bring some women. And they did! I was thrilled when they showed up the next time with 10 women. Until the coffee break when I talked to the women and realized they'd all been pulled off the street because the party was too embarrassed to admit it didn't have any women.

So although some women were interested in politics, they faced barriers. NDI conducted three public opinion research studies with hundreds of Libyan men and women to try and identify prevailing perceptions of women's roles in public life. The studies revealed that while many Libyans were broadly supportive of women playing roles in public life and decision-making, there was significant disagreement over what type of political engagement is best-suited to women. Both men and women were uncomfortable with women in leadership positions and claimed that it would be culturally inappropriate or conflict with women's responsibilities to their families.

Near the election, we asked men and women for their opinions on women candidates and whether they would vote for women. While some people said they had no problem supporting women candidates, many others claimed that women were too emotional to adequately handle the stresses of political life, particularly at a time when the country needs strong leadership. Many of the male voters who participated in the study claimed they fundamentally did not believe that a woman could represent a man.

So with this background in mind, let's take a look at the elections. In early January of last year, the NTC's Election Committee released a draft election law for public comment. The law largely ignored political parties and established a majoritarian election system. It included a 10 percent quota for women, but no information on how it would be implemented.

Almost immediately the election law draft was decried by political parties for failing to include them and by women's rights activists for the vaguely worded quota language. Within days, the draft law had garnered 13,000 responses submitted to the NTC Election Committee. One of the most criticized aspects of the law was the 10 percent quota. Some women thought the quota was too low and due to the poor wording of the language, other women thought the law was imposing

a maximum of 10 percent. Some women's rights activists were offended by the quota, claiming that they did not need special help and that they wanted to compete under equal conditions as men.

The debate over the quota galvanized women's activists who wrote letters to the NTC Election Committee, organized lectures and media commentary by prominent women academics, protested in front of the NTC and prime minister's offices, and held a national "Day of Anger" on February 2 to demand revisions to the electoral law including a 30 percent quota for women.

After all the uproar the law was revised. There were many changes, but one that is most relevant for our discussion today – whereas there were no political parties in the first law, the new law decided that of the 200 seats in the General National Congress (the GNC), 80 would be for political party lists. The other 120 seats were to be reserved for individual candidate not affiliated with political parties.

Article 15 of the final election law adopted a closed-list horizontal and vertical zipper system, requiring political parties to alternate genders on their candidate lists and to place a woman candidate at the top of half of their lists.

The zipper system is widely considered to be among the most advantageous special measures available to ensure that women are elected. In requiring both vertical and horizontal zippering, Libya's election law drafters tried to learn from the experiences of Tunisia, in which only a vertical zipper system was used.

I want to point out that the quota was only used for the 80 political party seats and that there was no comparable requirement for the 120 individual seats.

There were some problems with the quota – some smaller conservative parties put women at the tops of their lists in districts where they already expected to do poorly. And anecdotal evidence suggests that a handful of very conservative parties registered lists under multiple party names to avoid the requirement of putting women at the top of half of their lists. I want to be clear that that is the exception. By and large, most political parties complied with the regulations. This was a paradigm shift for women – suddenly political parties needed them. Women were in the unprecedented position of being sought after by political parties that had previously mostly ignored them.

Larger parties including the moderate National Forces Alliance (NFA), exiled Gaddafi opposition group the National Front (NF), Muslim Brotherhood affiliated JCP and the conservative Islamic Al Watan began to aggressively pursue women candidates to lead their lists in battleground cities such as Tripoli and Benghazi. The JCP and Al Watan made additional efforts to recruit women candidates who were younger and, in the Al Watan's case, even some who were unveiled, to help broaden the appeal of their parties to youth and women voters.

While the proactive recruitment of women candidates was positive, there were some problems. Very few of the women being recruited by parties understood that they could have negotiated higher positions on a party list. I know some women candidates who agreed to run for a party and didn't even know until a week before the election where they were on the list.

Ultimately, 142 political parties registered to compete for the 80 seats reserved for parties. A total of 647 women registered as candidates. Five-hundred and fifty-nine women (559) stood as candidates on political party lists (vs 711 men). Of the 2,501 candidates who contested the 120 individual seats, only 88 were women.

Interviews with women candidates reveal that many did not realize the challenges they would face, especially in two areas 1) fundraising to produce campaign posters and materials and 2) recruiting and managing volunteers. While the degree to which candidates on party lists received support from their parties depended considerably on the size and organizational capacity of their political party, some of the larger parties provided training, campaign staff, volunteers, and modest budgets to support their candidates. Individual candidates did not have that advantage. In fact, before the end of the candidate registration period in early May, some independent candidates either became openly affiliated with parties or joined party lists to benefit from support from parties.

Whether women were running on political party lists or as independents, both groups faced challenges. Some women were afraid to appear in media or to publish pictures of themselves because they did not want to anger conservative forces. Many posters – of both women and men candidates – were defaced.

Let's take a look at the election results – as I mentioned earlier, many people consider Libya's elections to be a victory for women. Women made up 45 percent of registered voters and 39 percent of the total voter turnout.

Thirty-three women were elected - 32 of these women (97 percent) won on political party lists. One woman (Amnah Tkhikh from Bani Walid) won as an independent.

Of the 20-some parties now represented in the GNC, six have women among their new MPs. Women comprise 16.5 percent of the GNC's membership, placing Libya slightly below 20.2 percent, the Inter-parliamentary Union (IPU) estimated global average of women's representation in national parliaments. The IPU ranks Libya 83 of 144 countries, below Tunisia (27 percent), comparable to Morocco (17 percent) and considerably higher than neighboring Egypt (2 percent).

It is clear that the horizontal and vertical zipper system played a decisive role in the victories of 33 women to the GNC. Not only did most women candidates choose to run on the party system (559 party candidates compared to 88 independents), but only one of the 88 women competing for the 120 individual seats won.

Other than the one independent woman who won, all the other independent women candidates received fewer votes than most of their male competitors and were often clustered towards the bottom of the lists for individual candidates. I'll give you some examples:

In Benghazi, there were a few hundred candidates. Fifteen women ran as independents and only two women candidates placed in the top 100 candidates, ranking 25th and 56th. The two women candidates who ran in Tajura, a constituency outside Tripoli, placed 12th and 19th out of 19 candidates. In Derna and Tobruk, the independent women candidates who earned the highest numbers of votes placed 19th and 52nd respectively. In the southern city of Sabha, the best performing woman candidate ranked 53rd of 96 candidates.

So based on these election results, decision makers seeking to promote women's participation in Libya's new political structures would benefit from considering more robust mechanisms for gender parity.

It would be short-sighted to assess the success of Libyan women solely through the lens of their performance in the elections. While the election of 33 women to the GNC is an admirable accomplishment and a key step forward by many Libyan women's activists, challenges persist.

There are three main obstacles in the short term – supporting women MPs, ensuring that women are involved in the constitutional drafting process and continuing to combat backsliding and negative perceptions of women in power.

The new women members of the GNC began their terms with high expectations, little previous experience and a society that favors men in leadership roles. The women MPs have an opportunity to set the standard for women's leadership and provide positive images of women leaders. To do this, they need training and support to build legislative and representative skills. I'm happy to report that they've already formed a multi-party women's caucus to advocate for their rights within the congress.

Looking at the ministries, proving my earlier theory that Libya's preferred women's quota is two, there are only two women ministers in the cabinet – the minister of social affairs and the minister of tourism.

There's also the constitution. The Libyan government recently announced it would hold elections for a 60 person drafting committee to write a constitution. There is no quota for including women in this process and the committee charged with drafting the new election law is made up of three men. Women will need to play a role in the drafting and also in engaging in a broader debate over the substance of the constitution and whether it will include provisions to protect women's rights.

In addition to challenges in the political and constitutional spheres, Libyan women must also contend with backsliding and some resistance to women's participation. Recently a male member of parliament claimed that the reason the GNC is performing so poorly is because it isn't gender segregated.

The election of 33 women to the GNC is a significant accomplishment and provides Libyan women with access to decision-making structures that previously eluded or ignored them. The use of the horizontal and vertical zipper quota clearly contributed to women's success in the election and will hopefully inform future debates over special measures and electoral laws. More broadly, Libya's unfolding political transition continues to offer the country an unprecedented opportunity to address both the inequities in political institutions and the harmful perceptions of women's role in public life.