



Forgotten by families

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## CHAPTER 2

# Governance

## Articles 12-13



Professor Nkandu Luo, former Minister of Local Government and Housing, now Minister of Chiefs and Traditional Authorities.

Photo: daily-mail.co.zm

### KEY POINTS

- Zambia's SGDI score dropped from 24% to 21% following the September 2011 elections, ranking the country 14th out of the 15 countries in the SADC region.
- Zambia's SGDI score dropped from 21% in 2012 to 19% in 2013, ranking the country 14th together with DRC in the SADC region.
- The CSC score is at 68% compared to 52% in 2012.
- The last election was in 2011 and Zambia failed to meet the 50/ 50 target.
- At six percent, Zambia has the lowest representation of women in local government while women constitute 14% of cabinet.
- Zambia uses First Past the Post System (FPTP) and has no proportional representation. The constitution does not provide a quota for women.
- However the draft constitution has the 50/ 50 provision.

Table 2.1: SGDI and CSC score for governance sector

	SGDI	CSC
Scores	19%	68%
Ranks	14	11

Zambia's SGDI for the governance sector score fell from 21% in 2012 to 19% in 2013, ranking the country 14th out of the 15 countries in the SADC region. The country will not meet the SADC target of 50% women's representation in politics and decision-making. The SGDI measures - the percentage of parliamentarians who are women (this measure includes both lower and upper houses of parliament for countries that have more than one house);

the percentage of local government councillors who are women and the percentage of members of the Cabinet who are women (the measure includes the deputy ministers; ministers of state and President/ Prime Minister if s/he is a member of Cabinet).

Overall, citizens gave a higher score of 68%, up from 52% in 2012. Women however scored government higher at 69% compared to men at 67%. This higher score may have been influenced by the appointment of women in key government positions. The 50/ 50 provision in the draft constitution is progressive and may have influenced a higher score by citizens. The CSC score is based on perceptions.

## Background

Achieving gender equality requires women's active participation and involvement in decision-making at all levels, starting in the home and extending to the highest levels of government<sup>1</sup>.

Elections are one opportunity to increase women's representation, raise issues of gender inequality and women's human rights, and to press for greater government accountability on gender sensitivity.

The Protocol thus demands equal representation of women and men in all decision-making positions by 2015.

Article 5 of the SADC Gender Protocol calls for a strategy of affirmative action. This has been crucial to the rapid increase in women's political participation where there has been implementation. Gender activists in many countries are calling for deliberate measures, such as legislated quotas, to increase women's representation in decision-making positions.

## Representation



Malowa Moddy giving a group presentation at COE Workshop in Kafue District Council. Photo: Albert Ngosa

Zambia missed the opportunity to increase women's representation in the September 2011 results, which made it clear that Zambia will miss the 50/50 target set for 2015.

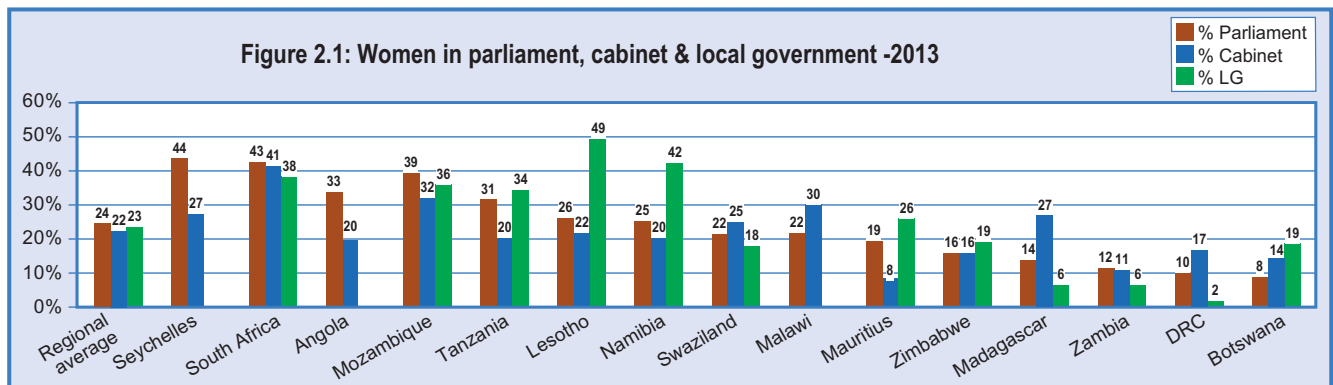
The constitution review process currently underway presents an opportunity to legislate quotas and other measures that will result in an increase in the proportion of women in political decision-making positions as well as in the public entities. The private sector should not be let off the hook, 50/ 50 also applied to them.



The Protocol provides for state parties to ensure that, by 2015, at least 50% of decision-making positions in the public and private sectors are held by women, including the use of affirmative action measures as provided for in Article 5.

It further provides for member states to ensure that all legislative and other measures are accompanied by public awareness campaigns which demonstrate the vital link between the equal representation and participation of women and men in decision making positions, democracy, good governance and citizen participation are put in place at all levels.

Figure 2.1: Women in parliament, cabinet & local government -2013



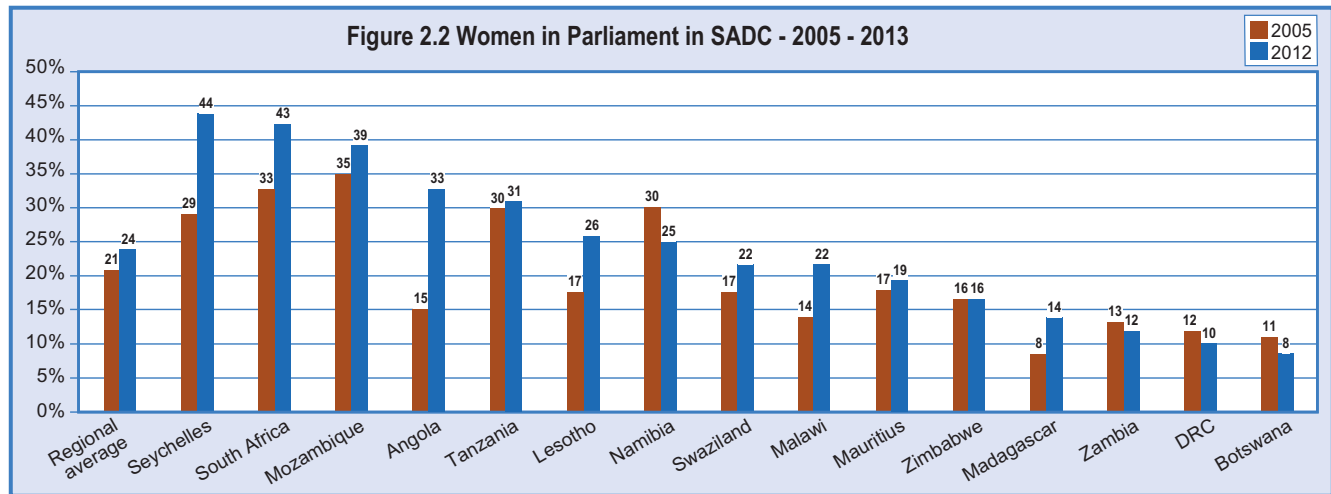
Source: 2013 SADC Gender Protocol Barometer

Figure 2.1 shows that Zambia is among the bottom three in the region when ranked according to the proportion of women's representation in parliament at 12%. Women won only 6.1% of the local government election in 2011, a 1.2% decrease from the previous

election in 2006. The country has failed to meet the 50/50 mark and the next election is in 2016. The President failed to use his powers to nominate more women into cabinet posts, and women constitute 11% of cabinet.

<sup>1</sup> 2011-2012 Progress of the world's women: In Pursuit of Justice, UN Women 2011

## Parliament



Source: 2013 SADC Gender Protocol Barometer

Figure 2.2 shows that women's representation in parliament has decreased by one percentage point, from 13% in 2005 to 12% in 2013. Zambia is among the ten countries in the region which are yet to reach at least 30% female representation in parliament. Angola, Mozambique, Seychelles and South Africa have witnessed substantial increases in women's representation in parliament between 2005 and 2012. Zambia, DRC and Botswana have moved backwards.

Patriarchy is one of the reasons why few women stand for elections. Men usually snub female candidates, media's representation of female parliamentarians is often biased and this in turn pushes away women who are likely to stand for elections for the first time. The case involving Member of Parliament Dora Siliya that follows, which occurred in November 2012, clearly demonstrates that more still needs to be done to make parliament a more accommodating space for women and men.

### **Patriarchy alive in the hallowed halls of parliament!**

In November 2012, Deputy Speaker of Parliament Mkhondo Lungu stirred a hornet's nest when he cautioned Member of Parliament Dora Siliya over her outfit. The incident is one in a long line of insults to women who dare occupy "male" spaces in our society - a stark reminder that patriarchy is alive and well even in the hallowed halls of parliament as we observe another Sixteen Days of Activism on Gender Violence.

Siliya rose to contribute to the budget debate in parliament, only to hear a point of order being raised by Nathaniel Mubukwanu, Deputy Minister of State. Mubukwanu demanded to know from the Deputy Speaker whether it is "in order to enter the chamber while improperly dressed", referring to Siliya's dressing.

The *Zambia Daily Mail* reported that Siliya wore a tight black skirt, green silver sleeveless body top, black high-heeled shoes and silver bangles which matched her ear rings.

Ironically, the incident happened on 24 November, the eve of the international Sixteen Days of Activism Against Gender Based Violence

Any fair-minded person might have expected the Deputy Speaker to protect Ms Siliya from such blatant and vulgar male chauvinism. After all, the Deputy Speaker is a former Minister of Home Affairs and one would expect him to be familiar with Article 23 in the constitution that protects citizens from gender discrimination.

Instead, Lungu cautioned Siliya over her dressing, advising her "to dress properly in parliament" because improper dressing "lowered the status of the house." The Deputy Speaker did not send Siliya out of the house as has often happened in the past, even to a serving cabinet minister.

Sexist references and blatant stereotypes about how women should dress and conduct themselves in public are still rife the world over. Male politicians often make sexist remarks to their female counterparts and this pattern of verbal abuse has trickled to the streets where male touts verbally or physically harass women that they view as "improperly" dressed.

In Zambia, the parliamentary dress code requires men to wear a jacket and tie, whereas women are "required

to cover up properly." In practice, this seems to mean that they cannot reveal their arms or knees and are not allowed to wear trousers.

If the same rules were applied in the Mother of Parliaments in Britain, then both the Queen and Margaret Thatcher would have been denied entry to parliament.

Women who hold high-level political posts the world over are still treated unfairly in the public space by the media and their male counterparts. Men and the media often reference women leaders by their sex appeal, power dressing and looks, or the lack thereof. Men on the other hand are generally ranked by their abilities, strengths and achievements.

The media has sarcastically said that for Angela Merkel, the Germany Chancellor, fashion does not come to her as natural as economics and some bloggers describe her as the world's most scruffy politician. Yet, she is a powerful president leading a powerful nation. Joyce Banda, the first female president of Malawi has been criticised about the way she dresses.

In South Africa, Helen Zille made headlines when she admitted to using Botox to "boost her looks." Zille, the leader of the strongest opposition, has never received such extensive reporting on her progressive traits as a female leader.

In October 2012, Australian Prime Minister Julia Gillard criticized opposition leader Tony Abbott for misogyny and sexism. Abbott is well known for his comments and views on abortion and single women. Abbott has said in the past that "abortion is the easy way out" and "what housewives of Australia need to understand as they do the ironing" during a debate on the carbon tax. In response, Gillard came said that, "if he wants to know what misogyny looks like in modern Australia, he doesn't need a motion in the House of Representatives. He needs a mirror."

Ironically the Speaker himself insists on dressing up in weird medieval European fashion, wearing a long wig and long skirt - an obvious case of cross-dressing.

Although the Speaker is allowed to wear a skirt, Siliya is not allowed to wear trousers in parliament.

The incident involving Siliya and Mubukwanu is just the tip of the iceberg of the various forms of sexual harassment suffered by female members of parliament at the hands and tongues of male chauvinist MPs.

The most common form of harassment takes the form of endless sexual remarks and insults, along the line that women members of parliament are sexually loose, or 'hule' (prostitutes), and have achieved their positions by means of "bottom power."

Outside of parliament, the situation is worse. Edith Nawakwi, the leader of a small opposition party, the Forum for Democracy and Development (FDD) is currently giving testimony in court against a former national youth chairperson for another opposition party, the United Party for National Development (UPND), Joe Kalusa.

Kalusa publicly threatened to organize a gang to rape Nawakwi after she called the leader of UPND, Hakainde Hichilema a "male chauvinist pig." Hichilema has a history of making sexist remarks in public.

It is precisely the same psychological disorder, usually known as male chauvinism, which affects male parliamentarians, when they see the small minority of women in parliament outwitting men. The male chauvinists are still living in the dark ages where women were not allowed to claim their space in public.

Parliament should champion legislative initiatives to counter sexual harassment, instead of being part of the problem. Only when male politicians start respecting their female counterparts will they be able to speak strongly against the *kaponyas* who harass women on the streets.

*Sara Hlupekile Longwe is a gender activist based in Zambia and GL Board Member. This article is part of the GL Opinion and Commentary Service series for the Sixteen Days of Activism Against Gender Violence (2012).*

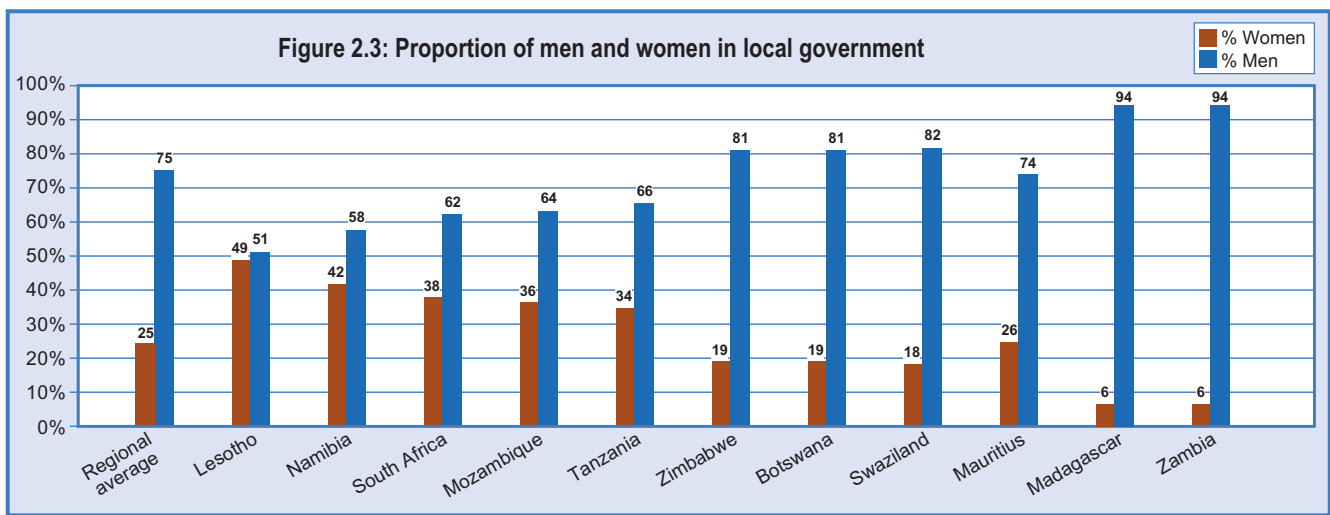
## Local government

Figure 2.3 alongside shows that women's representation in local government is below 10% in Zambia, Madagascar and Mauritius. Only five countries (Lesotho, Namibia, South Africa, Mozambique and Tanzania) have achieved 30% or higher.

With women's representation at 6.1% at local government level, it is clear that Zambia has missed the

2015 mark by far. The constitutional review provides an opportunity for the country to achieve 50/50 parity in the next round of elections which will be held under the auspices of the new constitution to be adopted in 2013 or 2014, and within the context of the post-2015 development agenda.

Voting patterns show that 1382 people were elected on a FPTP basis. Candidates were selected from seven parties with Movement for Multi-Party Democracy (MMD) – 547, Patriotic Front (PF) - 528, and United Party



Source: 2013 SADC Gender Protocol Barometer

for National Development (UPND) – 274 obtaining the highest number of votes respectively. Thirty-one independent candidates won seats.

Only 85 women out of the 1382 successful candidates made it into local government. The party with the highest number of women is the PF with 44 women. PF women represent 51.8% of women in local government. However, PF women only represent 8.3% of their party in local government and 3.2% of the total elected.

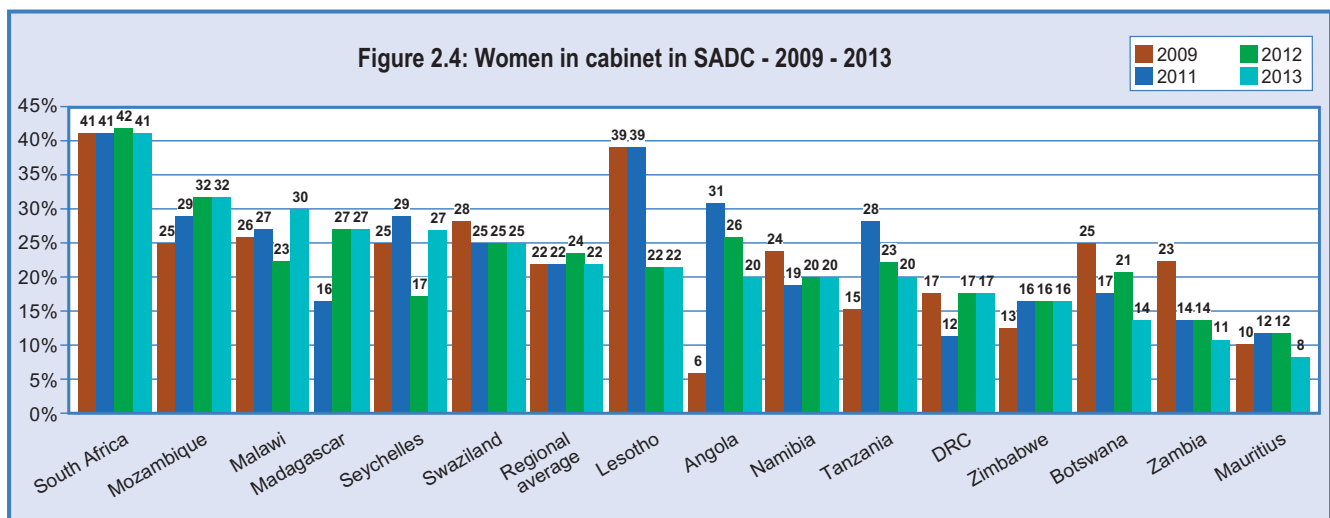
MMD came in at second place, with women having won 24 of the 85 seats (28.2%). Women in the party won 4.4% of the party total and 1.7% of the total number of women elected in local government across parties. The United Party for National Development (UPND) saw

15 women elected to represent their party at local government level; 17.6% of the total women elected. This in turn represented 5.8% of the party total and 1.1% of the overall elected population.

Two independent women candidates out of a total 31 were successful. This accounted for a mere 2.4% of the total women candidates, 6.5% of the independent seats and less than 1% of the total elected councillors.

In the 2011 elections, voting patterns shifted. The Zambian electorate voted the opposition party into power. Political parties seemed to be more concerned about getting into power and did not pay particular attention to ensuring gender equality in election outcomes.

## Cabinet



Source: 2013 SADC Gender Protocol Barometer

Figure 2.4 shows that the average representation of women in cabinet has decreased from 23% in 2009 to 11% in 2013. Zambia ranks 14th out of the 15 SADC

countries. The President missed the opportunity to appoint women ministers and redress inequalities in other levels of politics and decision-making.

**Table 2.2: Ministries led by women in Zambia**

Ministry Portfolio	Minister
Minister of Local Government & Housing	Hon. Emerine Kabanshi, MP
Minister of Tourism, Arts and Culture	Hon. Sylvia T. Masebo, MP
Minister of Gender & Child Development	Hon. Inonge Wina, MP
Minister of Chiefs & Traditional Affairs	Hon. Prof.Nkandu Luo, MP

Source: Gender Links, 2013

Table 2.2 shows that women head the traditional female portfolios. The key gender-related Ministries – Agriculture and Livestock, Health, Labour, Youth, Sports, Finance, Mines, Foreign Affairs, Defence and Home Affairs – are all headed by men.

Honourable Sikazwe, a man has replaced one of the female deputy Ministers in the MGCD.

### Gender and political parties

Political parties play a critical role in “opening the door” for women to enter and participate in decision-making. In parliamentary systems, women can only be elected into office via political parties.

Zambia National Women’s Lobby (ZNWL) launched a campaign aimed at increasing the number of women in decision-making structures, especially in political parties, to 50/50, as mandated by the SGP.

The only political party that has enshrined the 50/50 representation of women and men is the United Liberal Party (ULP). The policy has been implemented at national

level but has yet to be decentralised to the provincial and district level structures. Other new political parties indicated that they are interested in mainstreaming gender in their party policies and manifestos.

The women’s movement and other gender activists have continued to lobby for more appointments of women to political decision making positions. Although the PF government has appointed several women to key decision making positions, the numbers of women relative to men have remained incredibly low.

During by-elections, political parties continue to field men. UPND fielded women in the Livingstone and Feira by-election and UNIP and PF also fielded one candidate each for Chipata (UNIP) and all of them did not win the seats. In Mukushi however, a female PF candidate, Mpande (a business woman and farmer) won the Mukushi by-election and is the first female parliamentarian in the Central Province since the 2011 tripartite elections.<sup>2</sup> The box that follows is a media clip that encouraged political parties to field female candidates.

### UPND Praised for Adopting Female Candidate

By Peter Adamu

The Zambia National Women’s Lobby has urged political parties in the country to consider adopting female candidates in the forth coming by-elections in a continued



quest to meet the 2015 target for equal opportunity for women participation in decision making positions.

Zambia National Women’s Lobby executive director Juliet Chibuta says the eleven percent of women participation of decision making position at Parliament level is not impressive enough for Zambia to meet the 2015 target.

Chibuta however noted that allowing opportunities for women to hold decision making positions should not only be limited to parliamentary positions but also to political party structure levels.

Chibuta has since commended the United Party for National Development (UPND) for adopting a female candidate in the Feira by-election scheduled for June 20th. She urged other political parties in the country to emulate the UPND, who will field Euralia Chilala, as they plan for the other four anticipated by-elections.<sup>3</sup>

Source: Accessed May 2013

<sup>2</sup> Zambia Daily Mail, Saturday, July, 27th 2013, p. 1 <http://www.daily-mail.co.zm>

<sup>3</sup> Source: <http://zambiareports.com/2013/05/13/upnd-praised-for-adopting-female-candidate-in-feira/> Accessed May 2013

## Women's wings

Most women's wings in political parties face challenges of participating in decision-making. They need to be empowered to influence the opening up of political spaces within the parties.

## Election processes

None of the political parties consulted had concrete strategies with resource commitments to promote increased participation of women in the various structures of the party organs. All the political parties indicated that they do not discriminate against women and yet most of the women were found to be in the lower strata of political party structures.

## Electoral systems and quotas

There are two main types of electoral systems, *Proportional Representation* (PR) or the "party list system". In this system citizens vote for parties based on allocated seats in parliament according to the percentage of vote they receive. Individual candidates are awarded a seat in office according to where they are placed on the party list. In an *Open List* system, voters determine where candidates are placed on the list. In a *Closed List* system, the party determines where candidates are placed; this is usually based on democratic nomination processes within the party.

The second system is the constituency or *First Past the Post* (FPTP) system, citizens vote for both the party and the candidate who represents the party in a geographically defined constituency. Thus, a party can garner a significant percentage of the votes, but still

have no representative in parliament. This system is also referred to as a *winner-takes-all* system and perhaps not the most ideal for consolidating democracy or ensuring women have a place at the table.

In Zambia, elections are conducted on an FPTP or *winner-takes-all* basis whereby the number of seats won is determined by the party with the majority of votes. Furthermore, there is no quota or system of reserved seats for women. Women and men compete on the same platform "from different vantage points"<sup>4</sup>. Outcomes of elections show that women's chances of entering politics are limited more so in a situation like 2011 elections where the electorate voted for an opposition party. A quota for women in decision-making was mooted in the currently dormant Constitution making process.

## Political party manifestos and systems

No political parties in Zambia have quota systems. The President of Zambia has the powers to nominate Members of Parliament (MPs) and it is at his discretion whether to appoint women or men. This could be used to increase the number of women in the legislature. For this to happen, the Parliamentary Caucus needs to intensify its advocacy efforts working in collaboration with GIDD and NGOs. The desire by political parties to have a "winning candidate" affects women, as does the absence of women in the top management structures of the political parties where candidates are selected and adopted. The perception that a winning candidate is a man is another stereotype that should be addressed within political parties.



Colleen Lowe Morna, CEO of Gender Links, explains electoral systems at an Alliance governance cluster meeting in Harare attended by Zambia representative August 2011. Photo: Trevor Davies

There is no relationship between the number of women in decision-making positions in the party and their presence in legislative and local government. Women play key roles in helping the parties gain popularity in the communities and yet they are denied key decision making powers in the various structures.

Under the MMD manifesto, gender is not mentioned at all in the foreword by the President of the Party.

It is imperative for the women's movement to start lobbying for a legislated quota in the run up to the 2016 election. A legislated quota at local government (2011 New Local Government Act) level increased the number of women elected in the 2012 local government elections.

<sup>4</sup> Gender and Local Government in Zambia (2007).



**Table 2.3: Gender in political party manifestos, 2011**

Party	Quota & Nature/ No	Women Specific Projects	Gender Mainstreamed in Manifestos
MMD	None	<p>In the next five years the MMD government will:</p> <ul style="list-style-type: none"> <li>• Continue to strengthen the operations of the Gender in Development Division to ensure that there is greater participation of women at the highest level;</li> <li>• Implement all treaties regarding gender and women participation in national affairs in general and in particular achieve the Southern African Development Community (SADC) and African Union 30% and 50% threshold respectively;</li> <li>• Continue women empowerment programmes through creation of more women clubs;</li> <li>• Initiate programmes that benefit the girl child;</li> <li>• Review legislation that disadvantages women.” P. 19</li> </ul> <p><b>Under Land, “Beyond 2011</b></p> <p>In the next five years the MMD government will:</p> <ul style="list-style-type: none"> <li>•Continue with the policy requiring that 30% of land allocated in Zambia is reserved for women;” No indications of increasing it to 50:50. (p.30)</li> <li>• Under Science and Technology, MMD seeks to increase female participation in science and technology related courses from 6% to 15% by 2014 (p.33).</li> <li>• Under Health- Reduce child and maternal mortality in line with Millennium Development Goals (MDGs) (p.34).</li> <li>• Under Benchmarks for Development, MMD seeks to : “7.17 Ensure that there is greater participation of women in economic and Social affairs. The MMD Government will implement all treaties regarding gender and women participation in national affairs in general and in particular to achieve the Southern African Development Community (SADC) and African Union 50% and 30% threshold respectively; continue women empowerment programmes through creation of more women clubs; initiate programmes that benefit the girl child and review legislation that disadvantages women.” P.46</li> </ul>	<ul style="list-style-type: none"> <li>• General pronouncement in the revised 2011-2016 manifesto <b>“Country men and women,</b> I have the pleasure and privilege of presenting to you, the people of Zambia, this manifesto, whose theme is “Development by all, for all”. (MMD).</li> <li>• Gender is not mainstreamed in the manifesto but in various parts of the manifesto, “gender” and women issues are raised.</li> <li>• In the last but one paragraph of the manifesto Item 7.17 should have been in the first part of the manifesto.</li> </ul>
UPND	None	<ul style="list-style-type: none"> <li>• Article 5: “to work towards greater participation of women in public life and decision-making with a goal of attaining at least thirty percent representation for women in decision making bodies and wherever possible engage in affirmative action in favour of women.”</li> <li>• to work towards greater participation of women in public life and decision making with a goal of attaining at least 30 percent representation for women in decision making bodies and wherever possible engages in affirmative action in favour of women.” (UPND Constitution).</li> </ul>	<p>Article 5: of the Constitution: Objective</p> <ul style="list-style-type: none"> <li>• Objectives: b)” to harmonize tribal, racial and gender relations in the country”(p.5)</li> <li>e) to protect every citizen`s and resident`s fundamental human Rights such as” Rights of the woman and the child” (p.5)</li> <li>• Gender not mainstreamed in the manifesto but as separate parts</li> </ul>
PF	None	<ul style="list-style-type: none"> <li>• Promotion of Girl Child Education and implementation of the SADC Protocol on Gender and Development especially women in decision making</li> </ul>	<ul style="list-style-type: none"> <li>• Gender policy included in the Manifesto.</li> <li>• Plans to implement a gender commission.</li> <li>• Plans to domesticate all protocols and treaties which Zambia is party to.</li> <li>• Gender not mainstreamed in the manifesto but as separate parts</li> </ul>

Source: UPND, MMD, PF Manifestos, 2011

### Capacity building of women candidates

Female MPs who are aspiring for political office in all political parties indicate that lack of resources is the biggest obstacle. Candidates have to mobilise their own resources.

### Zambia National Women's Lobby (ZNWL) Launches Campaign Fund

In response to the barriers to women's participation in decision making, ZNWL launched a Campaign Support Fund on 27th November 2012. The Fund is for supporting women interested in participating in the 2016 elections. Lack of funding has been identified as one of the major barriers to the participation of women in politics. The Fund is expected to depend on domestic resource mobilisation from all citizens interested in increasing the number of women in political decision making.

The ZNWL has also led the training of candidates with support from NGOCC Basket fund acquired through cooperating partners such as National Democratic Institution (NDI) and SADC Parliamentary Forum (SADC PF) and development partners. Once the candidates are adopted, it is mainly the ZNWL that train and sensitise the adopted women on skills such as fundraising, public speaking, public advocacy and coalition, alliance building and networking skills. GL has been doing some work with local government councillors as part of the Centres of Excellence for gender mainstreaming in local government programme.

The case study that follows is one of the projects by ZNWL which aims to build the next generation of female politicians.

### Girl power: Building the capacity of future female politicians

The Zambia National Women's Lobby is implementing a programme on girls' participation in governance and leadership in seven provinces of Zambia. The provinces are Western, Southern, Eastern, North-Western, Luapula, Lusaka and Central Provinces. The programme is operating in 43 schools.

Speaking at the SADC Protocol@Work Summit in 2013, Juliet Chibuta, the Executive Director of the Zambia National Women's Lobby said the project addresses the following problems:

- Lack of future female leaders to participate in governance and leadership issues;
- Social, cultural and economic barriers hindering girls' participation in leadership and governance;
- High drop-out rates of girls from schools, especially rural areas; and
- Lack of assertiveness in vulnerable rural girls.

The project which targets marginalised girls between 14 and 21 in rural secondary schools is implemented to prepare girls who are the future women leaders. Among its objectives, the project seeks to enhance vulnerable young women and girls' understanding of governance and leadership; increase the participation of young women and girls in governance and leadership structures in their communities; raise a pool of future female leaders who will participate in governance and leadership; to address social, cultural and economic barriers hindering girls' participation in leadership and governance; and to encourage vulnerable rural girls to remain in school through building their assertiveness.

The process builds the capacity of girls in leadership and decision-making skills, boost their positive self esteem and assertiveness, mentorship by women role

models and build their knowledge of gender and various development issues.

Since the project started, more than 5000 have been reached, more than 20 girls have been incorporated into leadership positions at community level (school boards, community committees) and more than 2150 girls have been chosen as leaders in schools as prefects, captains and monitors because of the progressive leadership qualities that they exhibit. About ten girls hold leadership positions at tertiary institutions and ten have participated in provincial constitutional meetings. Two other girls are working for two community radio stations in Solwezi using the communication and public speaking skills that they learnt.

At Chipembi Girls, 90% of the girls who got highest marks were from the girls' leadership club. Girls are now reaching out to their fellow girls in nearby schools and communities, targeting girls that have dropped out of school.

Girls involved in the programme have improved tremendously in school grades and most of them have managed to get into tertiary schools. Most girls in the programme are able to resist their parents forcing them into early marriages, and seek help from other community support systems like the school authorities and the Police Victim Support Unit.

The project is now working towards the sustainability of the project. ZNWL is tracking down girls who are now in tertiary schools and those holding leadership positions to be role models to those still in school. The project is also working towards finding funds to help vulnerable girls with study material and school fees.

## The public service

**Table 2.4: Selected gender disaggregated positions in the executive and civil service (before 20th September 2011)**

DECISION MAKING POSITION	Women	Men	Total	% For Women	% For Men
Secretary to the Cabinet	0	1	1	0	100
Deputy Secretary to the Cabinet	0	2	2	0	100
Secretary to the Treasury	0	1	1	0	100
Auditor General	1	0	1	100	0
Permanent Secretaries	7	35	42	17	83
Deputy Permanent Secretaries	0	24	24	0	100
Special Assistants to the President	1	3	4	25	75
District Commissioners	11	57	68	16	84
Directors	23	77	100	23	77
Deputy Directors	13	58	71	18	82
Assistant Directors	37	140	177	21	79
Assistant Secretaries	11	24	35	31	69
<b>TOTAL</b>	<b>114</b>	<b>466</b>	<b>560</b>	<b>19.6</b>	<b>80.2</b>

Source: Gender In Development Division, 2011

Table 2.4 shows that public service requires engendering. Out of a total of 560 members of staff in senior positions in civil service, only 114 were women in the MMD-led government, which translates into 20% of the positions while men enjoyed 80%. There were seven out of 42

Permanent Secretaries, making it 17% compared to 83% for men. All the 24 Deputy Permanent Secretaries were men while the Auditor General is a woman. Zambia is very far from achieving gender parity in public service.

## Women making inroads into judiciary

**Table 2.5: Selected gender disaggregated positions in the judiciary and national commissions**

DECISION MAKING	Women	Men	TOTAL	% For Women	% For Men
Chief Justices	1	0	1	100	0
Deputy Chief Justice	1	0	1	100	0
High Court Judges	19	19	38	50	50
Magistrates	9	24	33	27	73
Local Court Justices	97	711	808	12	88
Human Rights Commissioners	2	5	7	29	71
Anti-Corruption Commissioners	2	3	5	40	60
Public Service Commissioners	1	5	6	17	83
Teaching Service Commissioners	0	4	4	0	100
Police and Prison Commissioners	1	6	7	14	86
Electoral Commission of Zambia Commissioners	2	6	8	25	75
Commissioner for Investigation	1	0	1	100	0

Source: MGCD, 2012

Table 2.5 shows that more women are making inroads into the judiciary, although it has faced various controversies based on corruption reports. More female high court judges have been appointed and there is now gender parity, 19 women and 19 men. There are

two women acting Chief Justices: Judge Lombe Chibesakunda and Judge Florence Mumba. However, at magistrates level, out of 33 magistrates, only nine (27%) are women while out of the 801 Local Court Justices, only 97 are women, which is only 12%.



### Two women head the judiciary

In June 2012, President Michael Sata appointed Lombe Chibesakunda as acting Chief Justice and Florence Mumba as acting Deputy Chief Justice. The judiciary is the most engendered structure in leadership positions in Zambia with both top positions being held by women.

Justice Chibesakunda is Zambia's first female lawyer and Solicitor-General. She is also the first female judge and has served as Zambia's first Human Rights Commission chairperson. Justice Chibesakunda also served as Deputy Minister in the Ministry of Legal Affairs, Zambia's envoy to Japan and the United Kingdom, and is one of the longest serving senior members of the Supreme Court bench. However, there have been calls by the Law Association of Zambia for her removal.<sup>5</sup>

Justice Mumba is a former chairperson of the Electoral Commission of Zambia (ECZ) and served as director of the Legal Aid Department in 1978. She became Ombudsperson in 1989, a position she held until she became Supreme Court Judge in 1997. She has been judge for the International Criminal Tribunal for Yugoslavia (ICTY) and also served as vice-president for ICTY from 1999 to 2001. In 2003, Mumba was sworn-in as member of the Appeals Chamber of the International Criminal Tribunal for Rwanda.

Source: Sunday Times, 15th June, 2012

The former Minister of Education and Vocational Training, Dora Siliya had four male Public Service Commissioners under her. She has since been replaced by a male minister. There is need to increase lobbying and advocacy efforts targeting the decision makers to

enact 50/50 staffing or apply the zebra principle where, if a woman is the head, the deputy should be a man. The female Permanent Secretary in the Ministry of Education has also been replaced by a male.

## Participation in decision-making



*Protocol provides for State parties to adopt specific legislative measures and other strategies to enable women to have equal opportunities with men to participate in electoral processes including the administration of elections and voting.*

*It also provides for equal participation by women and men in policies, strategies and programmes for building the capacity of women and men in decision-making through leadership and gender sensitivity training and mentorship; support structures for women in decision-making; structures to enhance gender mainstreaming and changing decision-making attitudes and norms. The Protocol specifies that men be included in these activities.*

### Election management

The Electoral Commission of Zambia (ECZ) has five commissioners appointed by the president: three females (60%) and two males (40%), one of whom is the chair. The Commission works under the Electoral Act which has no provision for increasing women's participation in politics. The ECZ is not mandated to propose legal amendments. ECZ receives funding from the government and is audited by the Auditor General's Office. ECZ has two major functions and these are to register voters and manage elections.

### Voting

Figure 2.6 overleaf shows that at least 50% women and 50% men are registered to vote – there is gender parity in numbers of registered voters.

Experience in the last by-elections has shown that many women fear violence and do not go to vote while others have argued that they do not see any benefits of voting as their voting does not seem to lift them out of poverty. Long distances to the polling stations especially for older citizens and people with disabilities have also been cited as reason for not voting.

<sup>5</sup> LAZ has asked the High Court to declare Chibesakunda's appointment null and void. Upon her appointment, Parliament failed to ratify her appointment on the grounds that she was older than the constitutionally prescribed age of 65. She is 70. At the time of writing of this research, President Sata had refused to back down and said Chibesakunda will continue to head the judiciary. On 18 October 2013, The Post Online of Zambia reported that 18 law firms had joined hands to defend that Chibesakunda is the right person for the job.

**Table 2.6: Women and men registered voters**

NO	PROVINCE	REG. VOTERS	FEMALE	MALE
1	CENTRAL	486,027	237,039	248,988
2	COPPERBELT	853,816	390,441	463,375
3	EASTERN	652,104	350,151	301,953
4	LUAPULA	417,149	215,398	201,751
5	LUSAKA	777,818	352,573	425,245
6	NORTHERN	667,532	339,405	328,127
7	NORTH WESTERN	319,134	161,429	157,705
8	SOUTHERN	648,298	336,628	311,670
9	WESTERN	401,438	226,597	174,841
<b>TOTALS</b>		<b>5,223,316</b>	<b>2,613,655</b>	<b>2,609,661</b>

Source: Electoral Commission of Zambia 2011.

Political parties know that women are the main voters during elections and target them during campaigns. However, women have become victims of several malpractices by political parties where they distribute *chitenges* (cloth) and money (brown envelopes) to entice them to vote for certain candidates. Most voters vote on party lines and not according to whether a candidate is a man or woman.

CSOs consider gender during the civic education. For example, during the training undertaken by ZNWL, Women for Change, NGOCC and ZCID, women have been encouraged to stand in any positions up to presidential level.

**Table 2.7: Enhancing participation by women in public life**

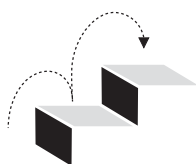
Measure of participation	On a scale of 1-10 (1 very low and 10 very high)	Explanation
Leadership, gender sensitivity training or mentorship	3	<ul style="list-style-type: none"> <li>Limited leadership training undertaken by government.</li> <li>Training undertaken by CSOs especially the ZNWL, NGOCC and Young Women in Action.</li> <li>Zambia Association for Research and Development (ZARD) through support from Open Society Initiative for Southern Africa (OSISA) is planning a mentorship programme in which young women will be exposed to feminist theories, leadership and creative and innovative ways to deal with inter-generational transfer of knowledge and skills on gender and leadership. ZARD planned the activity for August 2013.</li> </ul>
Support structures for women in decision-making	2	<ul style="list-style-type: none"> <li>Women are almost absent at this level. Zambia went down in numbers of women in politics and decision-making positions after the 2011 elections.</li> </ul>
Establishment and strengthening of structures to enhance gender mainstreaming	7	<ul style="list-style-type: none"> <li>GIDD has been elevated to a full-fledged line Ministry of Gender and Child Development (MGCD)</li> <li>Focal Point Persons in Line Ministries</li> <li>Women Parliamentary Caucus</li> <li>The Constitutional provisions recommend a Gender Equality Commission</li> </ul>
Changing discriminatory attitudes and norms of structures and procedures	4	<ul style="list-style-type: none"> <li>Statutory laws compromised by customary laws but the traditional leaders have been trained on the Gender Policy and Anti-gender Based Violence Act. They have committed to work with MGCD in curbing vices such as teenage pregnancies. There is a steady change.</li> <li>The Victim Support Unit (VSU) of the Zambia Police Service (ZPS) is appreciated by the communities but are underfunded and for example cannot offer rapid response system due to lack of transport.</li> </ul>
Inclusion of men in gender related activities including community mobilisation	5	<ul style="list-style-type: none"> <li>National Gender Policy</li> <li>A men's network has been created in Zambia and is working with MGCD and the women NGOs</li> <li>The Zambia Episcopal Conference is promoting Masculinity and Gender and how it can be used to promote gender equality within the church and communities (men as equal partners).</li> </ul>

Source: Reference Group, 2013

Table 2.7 shows that citizens feel that there is no enabling environment to enhance women's participation in public life with scores all below 5 (50%) out of 10 except in the area of establishing structures to enhance gender mainstreaming.

## Costing

The Electoral Commission of Zambia (ECZ) conducted general capacity building, voter education and elections related legislative processes. Of the ZMK 2.8 billion (US\$5,1 million) received in 2010, the ECZ spent 42% on voter education. However, this did not include a gender element and ECZ lost an opportunity to educate the Zambian electorate on the importance of ensuring women's equal representation in politics. The ECZ could have joined forces with civil society and mounted a campaign to encourage voters to support women candidates.



## Next steps

There is a need for:

- More advocacy to engage political parties and government to replace the FPTP electoral system.
- Increase pressure on political parties to adopt the 50/50 threshold as stipulated in the SGP and ensure it is enshrined in the new Constitution.
- To empower women's leagues and political party leadership to have early adoptions of their candidates to give ample time for their capacity building.
- The ZNWL to take the lead and re-launch the 50/50 campaign under the auspices of the Southern Africa Gender Protocol Alliance represented in Zambia by WLSA-Zambia to give this a regional perspective. This process has to start early to ensure that parties mainstream the campaign in their constitutions and ultimately in their manifestos for the 2016 elections. WLSA held a workshop in June 2013 for political parties to develop a strategy for increasing the number of women in decision making positions.
- A deliberate plan and effort targeting women in local government. Efforts should be made to create partnerships with Local Government Association of Zambia to develop a sustainable programme for empowering women at this level building on existing initiatives.
- To address customs and traditions which influence the negative perceptions about women's participation in politics. This could be carried out through citizen civic education.
- Engage the President to appoint women in vacant positions in the public sector to increase the numbers of women in public service.
- To explore a good mix of the strategies including lobbying for quota system, gender sensitisation, candidate schools, interrogating the adoption systems and procedures in favour of proportional representation, zebra lists, advocacy and lobbying, exchange visits in the region among others.
- More involvement with the media such as television, radio as well as social media such as cellphones, internet and websites as platforms to lobby for increasing the number of women in decision making.



Rev Nsofwa, Prof Luo, Charles Chisala and Matrine Bbuku Chuulu at the planning meeting on the draft protocol on gender and development.

Photo: Colleen Lowe Morna