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Transcript

Seeking True Democracy: The Challenge and Promise of Full Equality for Women

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Matrix Chambers

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David Mepham:

Welcome to this Chatham House lunchtime event on women's rights. Two housekeeping points before I do anything else; it was very insistent in the speaker's notes that I tell you to turn off your mobile phones, so if you do have a mobile phone if you could make sure that's switched off, and also to let you know that this meeting is on the record.

My name is David Mepham, I'm the UK director of Human Rights Watch, so I'm not from Chatham House but I've been asked to chair today's lunchtime event, which I'm delighted to do, on the theme of women's rights. If I can steal 20 seconds from the speaker in the hour allotted to her to tell you about Human Rights Watch: We're an independent international human rights organization. We work in many continents around the world, and we have a very strong focus on the issue of women's rights. As you can expect, we've been very focused in the last eight or nine months on women's rights abuses in the Middle East and North Africa, exposing abuses in places like Yemen, Syria, Libya and Egypt, but also pushing for the kind of legal and policy reforms that will promote and protect women's rights. So if you're interested in learning a bit more about the work that Human Rights Watch does, do come and talk to me at the end of the meeting or look at our website.

Our speaker today, Cherie Booth QC, is a well known public figure and a distinguished barrister. She took silk in 1995 and set up Matrix Chambers along with a number of colleagues in the year 2000. She works across a wide range of legal issues including public law, media and information law, European Community law, and of course human rights and women's rights. And that's the subject and theme of her remarks today.

Today's lecture forms part of the Democracy and Human Rights Series here at Chatham House, which has been awarded in honour of the fact that Aung San Suu Kyi, the Burmese human rights activist, was awarded the Chatham House Prize 2011. So that's the Democracy and Human Rights Series. This is the last lecture in the series, and Cherie Booth QC is speaking to us today on 'Seeking True Democracy: The Challenge and Promise of Full Equality for Women'. Cherie Booth, the floor is yours.

Cherie Booth:

Well thank you David for that introduction, and I'm delighted to be here and give this final lecture in your Democracy and Human Rights Series. It's always great to speak at Chatham House, an institution with an unrivalled reputation for critical analysis aimed at fostering international understanding

and actually finding innovative solutions to the world's problems, not just identifying the problems. Frankly, as you said David, looking at what's happened in the world in this last year, your work at Chatham House never seems more valuable.

It was four years ago when I last spoke at Chatham House, when I gave the BBC Chatham House Lecture. In that I talked about how women's human rights are universal. Today, it's a pleasure to take up that conversation and to explain why true democracy depends on women's rights. Aung San Suu Kyi embodies this understanding. I can't think of anyone more deserving of the Chatham House Prize, and no more fitting a series than this to honour her extraordinary life and example. Her tireless efforts and belief in democracy make her a powerful symbol not just for the struggle of her people in Burma, which thankfully does seem to be on the move, but also for the larger pursuit of democracy all around the world. She once said something that I have often repeated. She said: 'In societies where men are truly confident of their own worth, women are not merely tolerated, they are valued'. She's talking of course about modern democracies — certainly the sort of democracy that I seek and affirm as a citizen, as a human rights lawyer, and of course, as a woman and a mother.

But can we claim that her words really reflect our society? And if not, why not? And is 'well, not yet' an answer we are willing to accept? I believe we need to see those words of Aung San Suu Kyi as a challenge — and not just to emerging democracies, but to mature democracies like our own, where up until now we seem to have settled for what we could call 'incremental equality'.

This is not the approach being increasingly pursued in Africa or Central America, or most recently in the Arab World. In these areas, men and women alike are demanding a democracy that doesn't just promote full equality in rhetoric, but achieves it in reality. And they are showing that no measure that brings this ambition closer should be automatically off limits. Their creativity and urgency should be a lesson to us all. So today, as we look back on a remarkable year, I want to consider what efforts I believe we should make at home if we too intend to realize the promise of full equality. And I want to make the case for why we need to restructure our understanding of democracy as one dependent on an equal society for men and for women as the new democracies seem to be doing.

Now, of course, any restructuring of society seems at the time to be quite dramatic, even frightening. But history tells us very quickly that in hindsight,

the outcome seems almost inevitable. This inevitability is particularly true in democracy. If you truly rely on and believe in its fundamental principles, then you cannot logically accept discrimination. The system of democracy simply cannot endure widespread prejudice forever. And that was what was realized here in our country, in Britain, in the early 1900s. Virginia Woolf said, 'The history of men's opposition to women's emancipation is more interesting than the story of that emancipation itself'. And I can only agree with her. The beginning of the last century was a time when democratic institutions built by and for the benefit of certain men alone seemed to be a perfectly legitimate and accurate manifestation of democratic ideals.

In early twentieth century England, full citizens could vote, but full citizenship was restricted to those society considered valuable, and value was determined by chromosomes, or at least one chromosome. The modern women's rights movement grew from this incongruity. Women began to challenge this understanding of democracy because they believed in democracy itself — believed, however, in a democracy pushed to its logical conclusion. And of course, this conclusion could only follow a recognition of common humanity. This meant that in order to assert that they too should qualify, women first had to be humanized.

It is said that the first World War humanized women — that the war itself was the historic moment when men considered that the mysterious other half of mankind had finally proved that they could also be valuable citizens. But I would rather give credit to the persistence of the women themselves, and indeed the enlightened men, because there are some, that have long rallied behind the understanding that exclusionary democracy was no democracy at all. And so in 1918 the Electoral Reform Bill changed our understanding of personhood, and of democracy, and women property owners over the age of 30 won the right to vote. All of a sudden, democracy meant something different. By 1928, they'd succeeded in reducing the voting age to 21 and achieved parity with men. Though the change in the political climate was significant, it didn't have such a tangible impact on the makeup of the political system or on the lives of the vast majority of women. By 1948, women still made up under four percent of all members of parliament. And though women had been equal citizens for over two decades – and sadly there'd been another world war, which had provided one more opportunity to prove our worth – democracy was still unequal. In 1979, we may, in Margaret Thatcher, have seen elected our first woman prime minister. But in that parliament, there were still more MPs called 'John' than there were women MPs. And while Lady Thatcher did break that glass ceiling, I think three decades later

we can hardly say that she started an unstoppable trend. Progress has been extremely slow. By 1992, women had not yet reached ten percent of our parliament.

But thanks in part to the influence of role models, to changes in society, but above all to the adoption of women-only shortlists for some constituencies by the Labour Party, we did see many more women elected to parliament in 1997. And today, as we reach the end of 2011, women have reached 22 percent representation in the House of Commons and 20 percent in the House of Lords. But we cannot be complacent, nor indeed satisfied with that figure. In 2009 the chair of the Equality and Human Rights Commission estimated that at the rate we are going, it will take 200 years for equal representation to be a reality in our parliament, which is called the 'mother of parliaments'. In local government, the situation is better, with 30 percent of local councillors being women, a landmark that was reached in 2008. But here too, gender parity is over a century away. This is unacceptable. And more importantly, it's just not true democracy. Because if we allow inequality to remain a part of our democracy, we are missing the promise of a system of governance that actually reflects our society, our values, and our understanding of the world.

It's a system of governance, too, that will not only be more representative and legitimate, but actually it will be more effective. There's now compelling evidence that involvement of women at all levels of decision making leads, quite simply, to better decisions. Our experience shows, and survey after survey keeps revealing, that institutions are run better, communities are healthier, when women are involved in solving the challenges of their society. Indeed, in the world of women's economic empowerment, this is known as 'the girl effect'; the phenomenon of development where investing in the future and education of one girl has a far more reaching impact than any other single measure. This is partly because of the more profound intergenerational effect of educating women, but it's also because of the priorities of the women themselves. Research by the OECD has shown that if you give one dollar of developmental money to a woman, she will spend 90 percent of that money on her family and on her community. Sadly, the figure for men is 30 to 40 percent. They spend the rest on themselves. It is why there is now widespread agreement that women's equality is the great moral imperative of our generation. As Hillary Clinton has said, 'The discrimination that women face is the last great impediment to universal progress'.

But my question today is whether we can all agree that it's also the last great impediment to democracy itself, and that ensuring full equality for every

citizen must lie at the heart of a truly democratic society. Or at least, it ought to. Thrillingly, for those building their democracies today, it does. Female achievement is accelerating most rapidly in new democracies, in all spheres — in education, in business, and in politics. We can see the impact of these tremendous strides. Tunisia, for example, seems to me to be an illustration of what's happened in this extraordinary year.

Now of course, I'm a human rights lawyer, and I know that we're regarded by other branches of our hard-hearted or hard-headed profession as relentlessly optimistic, and I do plead guilty. But I think something truly important has happened which merits optimism and from which we can draw wider lessons. When the announcement was made in April that men and women must feature in equal numbers as candidates in the polls for the election to the constituent assembly in Tunisia, we experienced a glimpse of democracy's full potential. The ruling, which was the first in the Arab and Muslim world, was revolutionary. But to the women of Tunisia, it seemed inevitable. One activist was quoted as saying, 'It's only right in a country where men and women fought side by side for democracy'. Similarly, when reflecting on the elections, Catherine Ashton, the EU's foreign policy high representative, wrote, 'It would be crazy for a new democracy to close the door to the leadership skills of the many women who've been so active in setting their countries on the path to freedom'.

To me, these sentiments go right back to the attitude of those early women's rights pioneers. In fact, I think all our progress is grounded in what could be described as just plain common sense — with the difference that today, when society calls for full equality, we mean full equality now. And we are using efficient tools to deliver it as soon as possible, and not sometime, somewhere way ahead in the future. New democracies have decided that democracy itself is undermined if parity for men and women is not ensured. Now this is in contrast with the views of many old democracies who continue to put their faith in, or accept the limitations of, the same incremental approach. The result is that women now make up 24 percent of the assembly that will draw up Tunisia's new constitution. And in one free and fair election, they have leapfrogged what it's taken us decades in the UK and the US to achieve.

Some may argue that not much has changed practically as Tunisia was a country that was famous for adequate representation, or at least appointment, of women in parliament even under an authoritarian regime. Here, though, I think that the quantity of comparison is misleading. Women's representation is no longer a means to bolster credibility by an autocratic leadership, but the result of Tunisians shaping a democracy where women play a meaningful role

in determining their country's future. It was also far more successful than many analysts expected, some of them previously estimating that at best women would make up ten percent of the assembly. The actual result underscores the shifting understanding and expectation of true democracy in the region. Men of course are still over-represented in the constituent assembly as a whole, and there will undoubtedly be some male leaders who believe that the women who've been elected will just simply do what they [the men] decide. But experience suggests that such hopes are frankly dashed once the Pandora's box is opened. I for one have faith in the determination of those women who have been bold enough to put themselves forward for election to make a full contribution to building democracy in their country, even if it means sometimes disagreeing with those men.

In Afghanistan, for example, women MPs surprise their male counterparts by their courage, independence, and determination to have their voices heard. Their views and votes, too, alter decisions. Now I know that the position of women in Afghanistan is rightly a matter of concern. But the continued presence of women in the Afghan Parliament, and indeed in the Afghan Constitution, is a beacon of hope. These women deserve and need our support, not just for the influence they can have, but also because each time women are elected, they weaken the reluctance of male and female voters to vote for them in the upcoming round.

By providing role models too they raise ambition among girls and women. Just what an impact this can have, even in the most patriarchal of societies, was brought home to me by Ellen Johnson-Sirleaf, of course the first woman elected president in Africa. She told me of a visit to a school she made not long after becoming president with a visiting foreign VIP. I know those visits, and sometimes they do drag on, and the young children were getting restless. A male teacher spoke rather sharply to them to behave. But one little girl, about eight or nine, was not at all frightened by the teacher. Instead, she spoke up loudly in front of everybody and said, 'Sir, be careful how you speak to me, one day too I may be president!' Ellen told me that rather than feeling embarrassed, she felt delight and pride that her election had given that little girl the confidence to believe she could make a difference. I believe that the election of women to more parliaments all over the world will give girls and women the courage to aim higher wherever policies are put in place that encourage it. And such actions will then lead to better governments, a better life for women, their families, and the wider community.

We know from our own experience and that of other countries that where the number of women legislators has been boosted, progressive laws on violence

against women, land rights, healthcare, and employment have followed. In the UK as well, the greater number of women MPs who entered parliament after the 1997 election led to a much-needed focus on important issues such as childcare and work-life balance. A government that begins to mirror its population not only lends legitimacy to political decisions, but positions the country to confront more effectively any remaining barriers to full equality. And with numbers sufficient to constitute a substantial bloc in the legislature, women gain meaningful voice, a voice that carries to all sectors of society.

So I don't think it's overconfident to expect from the constituent assembly in Tunisia a constitution that enshrines gender equality and non-discrimination. And I'm also very hopeful that such formal commitments will lead to a rooting-out of the prejudice that impedes progress towards full equality of opportunity on the ground, which in turn paves the way to true democracy.

Rwanda is a country that both Tony and I know well. It's the first country in the world to have a majority of women in its parliament, now 56 percent. Bear in mind, of course, that there is a majority of women in the population in Rwanda, too, because of the genocide. Before the genocide, the Rwandan Parliament was dominated by men. But the 2003 constitution, drafted by a small group of 12, three of whom were women, granted women at least 30 percent of posts in all decision-making organs. This 30 percent is guaranteed, and seats are reserved. In the parliamentary elections of 2008, women filled the 30 percent quota and gained an additional 26 percent of the seats in the political party ballot. Having achieved near-parity in the 2003 elections with 49 percent representation, Rwandans continue to demand a government that reflects their society. And with equal representation, parliamentarians have noticed a positive change in parliamentary culture and an enriched legislative agenda. In 2006, thanks to improved collaboration and dialogue between civil society and national government, the Rwandan legislature adopted a landmark bill on gender-based violence. In short, representative democracy functions in precisely the way we would expect. Naturally, emerging democracies see no need to accept a lower starting point. They are changing the key ingredients of the democratic experiment. We need to listen, and to learn, and to change with them.

In Nepal, where 30 percent of the candidates must now by law be women, we again see tougher action against domestic violence and increased investment in family planning. Of course, as I mentioned earlier, the old democracies have their own examples of progress towards political parity. As we might expect, Scandinavian countries have long been addressing unequal representation by setting and surpassing targets. As of the 2010 election,

Swedish women now make up 45 percent of their parliament. I'm proud that part of Tony's legacy was a more serious commitment throughout the political arena to promoting adequate representation. But it seems that despite the clear benefits, the greater legitimacy, and the truer democracy promised by full equality, we remain unwilling to take the action needed to get there more quickly. This, I believe, is our principle challenge.

In early 2010, the Speaker's Conference in our parliament reconvened after a 30-year hiatus to discuss this issue. They analyzed the overrepresentation of white, middle-aged men in the political sphere and recommended that we need to think more radically about its composition. The conference looked at measures taken around the world, including the bold mandates of the new democracies, and agreed that we could not continue as we have. Possible solutions, including positive action, were proposed. But they were almost used as a threat. The message seemed to be: if we don't see gains for women and other minorities soon, we might be forced to take these drastic measures. With all due respect, this attitude is all wrong. Democracy itself demands these measures. And if they seem drastic rather than essential, well, we've misunderstood the system.

Though I welcome it, I find it surprising that in the field of business we seem to be more ready to consider tangible ways to increase the role and representation of women. We still remain reluctant to follow the lead of Norway, for example, which has introduced tough statutory targets for women in the boardroom. But Lord Davies's enquiry has at least led to a new effort to increase the number of women at the top. We now have a 25 percent target for women on boards of the FTSE 100 companies by 2015. It's a voluntary approach, but it's backed by public monitoring. Companies are expected to show how they are going to meet these targets and to explain why they have failed to make progress in their annual reports. Such transparency has already led to companies identifying where they have blockages in their pipeline and why. Rolls Royce for example recently declared their determination to reach the 25 percent target, but said that a broader challenge was that too few women were choosing engineering as a career. Transparency also allows for public feedback and the opportunity to say to Rolls Royce that while this may be true, a diverse board will benefit from lawyers and accountants and academics as much as engineers. This has led to progress in the last year, but it will need dramatically to be accelerated if we are ever going to reach that 25 percent target by 2015. And if it fails, then I suspect the need for statutory targets will be revisited, with the European Commission taking the lead.

But what is interesting is that, with a few dissenting voices, there has been a wide support across the political spectrum for action to increase the number of women in the boardroom. We recognize that the range of opinions inherent in diversity leads to better decision making, wiser investments, and more sustainable growth. We accept the justification that it's simply good business to have adequate representation at high levels in private companies. So why then do we continue to be so reticent about taking similar steps in the political sphere? For while the benefit of diversity is just as true in government, the justification for gender parity in politics is even stronger. Equal representation does not just lead to good democracy, it *is* democracy. Full stop. It is not legitimate in a representative democracy for one sex to be significantly underrepresented.

Still the sense is that in politics and in public, positive measures aimed at securing equality are somehow outside the democratic realm. For example, when the French Parliament passed an act in 1982 that mandated at least 25 percent representation of each gender on the ballot in the municipal elections, the Constitutional Council declared the law unconstitutional and contrary to equality before the law. This, of course, is the argument — this, I understand, which is that such measures ensure 'tokenism', breed resentment, and undermine women's progress. Now I grant that quotas are imperfect. But I'm convinced that the continuation of existing inequality is even worse. And actually, in 1999 the French Constitution was amended to allow for positive action and introduced the notion of formal equality into the political field. This shift was mirrored in the constitutional courts in both Italy and Spain, an affirmation of the Convention for the Elimination of Discrimination Against Women [CEDAW], which explicitly states that special measures to achieve equality will not constitute discrimination. CEDAW and other international human rights instruments are instructive in this regard. The rights framework moves the dialogue of equal representation from an ideal that might seem to derogate from the principle of equality to a democratic requirement that ensures equality in its fullest sense. It establishes that achieving gender parity is both a legitimate aim and a necessary character of a democratic state. The short-term pains are worth the long-term gains.

To the system's great benefit, the new democracies accept this as a given. I am struck that of the 28 countries that have reached 30 percent women's representation, at least 23 of them have used some form of quota. And 30 percent is of course the critical mass of women in parliament which was endorsed as a target by the UN Conference on Women in Beijing back in 1995. We have to ask ourselves, given that we remain below this target in our

country 16 years later, is this not a sign of failure in our politics, particularly when countries as diverse as Costa Rica, Macedonia, Tanzania and Nepal have succeeded in taking firmer action? And if we're not satisfied with our progress now, well, when are we going to act? Our democracy is changing with the reduction in the number of MPs. If we can change the number of parliamentarians, why do we balk at taking positive action to ensure we actually do get to that 30 percent target? And having reached that target, to get on then to securing full equality?

I want to stress again that simply promoting the political rights of women through positive action or otherwise won't automatically solve the problem of gender inequality. A commitment to full equality means we are also ensuring equal access to education and to employment, that we remain committed to closing the persistent wage gap and the great disparity in outcomes for women in the private sphere. Each barrier to an equal society adds to the comprehensive problem that is weighing on democracy. And I believe that positive action is a necessary part of the comprehensive solution. New democracies are showing us not only how it can be done, but why we need to accelerate our own efforts. As they demand more from democracy, they are reminding us that democracy should be anything but rigid with regard to achieving equality. It's a lesson we also see in the example of individuals like Aung San Suu Kyi, who challenged the status quo and strived to fashion a more equal society. Through her courage and leadership she not only changes the way her countrywomen and men think about equality, and about who they know to be valuable, she changes the way we think as well.

In five days the Nobel Peace Prize will be jointly awarded to Tawakkol Karman of Yemen for the tremendous role she and other women across the region played in the revolutions. A member of the prize committee said the award was a signal to the whole Arab world that one cannot set aside women if one wants to build democracies. By now you probably anticipate my response: women cannot, must not be set aside in that region, or indeed anywhere else. The award and the efforts of women that inspired it is a signal to all of us to continue building our own democracy here in our country, built on full equality. We cannot allow it to be built any other way. Thank you.