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GENDER EQUALITY – POLITICALLY INTEGRATIVE CHALLENGE FOR THE PRESENT-DAY BALKANS (THROUGH THE PRISM OF THE FORMER YUGOSLAV REPUBLICS)

Abstract

Politics represents a segment of the society where male domination was largely accentuated until the 1970s, at which stage the number of females joining in political parties started growing gradually. After the Second World War, this phenomenon had taken a full swing and the number of women in the national parliaments was rising continually until the post-transitional period which witnessed a drastic rise in the women's active political participation. Simultaneously, the comfort of the former protagonists in the political world began eroding, who as key decision-makers, had their supremacy in the political society threatened. Women's desire and ability to get involved in political life depends upon several factors, such as the educational, professional, social status and the development of democratic institutions. The equal participation of women in political processes, enjoying equal rights for fulfilling their personal potentials and the equal status with males can affect women's political, social and cultural development in the modern democratic society.

The Balkans have witnessed a region where the ever increasing number of women present in politics signals the abandonment of a patriarchal society by focusing on the interests for approaching the European Union. The countries from the Yugoslav Federation going through a phase of post-communist transition perfectly epitomize the analysis of the

society's political transformation, especially from the aspect of gender equality. While in the 1990s the Balkans was still under the domination of military leaders, malesnationalists, the following century has envisaged a legislative category for gender equality. Therefore by enacting the positive law, the Balkan countries have incorporated mandatory quotas for female presence in politics.

Key words: gender quota, women in parliament, women in the Executive

INTRODUCTION

Female biological predisposition is only a work of human evolution, but not a concept as well that would determine the gender component of political structure. This natural determination overcomes any attempt for female social and political exclusion in every segment of life.

The position of women in political institutions in the state authority is mainly analyzed from through the politically-social aspect. The breaking down of tradition in light of female positive discrimination is the stepping stone in strengthening the democratic values of modern societies. The Balkans as a region closely interwoven with traditional values and norms has faced the challenge of needing to overcome them and strengthen democratic capacity. The period of posttransitional development of the former Yugoslav republics meant an overturn in the transformation of traditional and social norms, especially from the aspect of fight for gender equality. Since transitional anomalies pushed "the young democrats" in a fight for independent survival, a substantial amount of crucial preconditions for their political development was neglected. One such precondition was the issue of "gender mainstreaming". Dealing with infringement of female rights and their subordinate position in the social-political stratification has imposed itself as a challenge for the post-transition. In order to analyze the question of gender equality in the political sphere, it is essential to commence with the issue of tradition, moral values and history of social politics. Societies which practice gender discrimination have inevitably been paying the price of wellbeing for their people, slower economical development, poorer leading and generally lower quality of life (World Bank, 2000).

However, gender equality is much more than sheer aim by itself. It is a precondition meeting the challenge of reducing poverty, promoting sustainable development and establishing suitable authority (Veneman, 2006).

The role and position of women in the present-day political institutions can mainly be explained through the analysis of the influence that socio-cultural (education, economic status, career promotion) and institutional factors have (those not referring to political institutions in the very sense of the word, such as electoral model, but the non-formal progress of women in politics, such as party's internal elections, that is party system), as well as the level of political culture in the society. The model of political culture incorporates values, norms, stereotypes, and prejudice for politics and in politics (Bacanovic, 2014).

The history of the 21 century is even more balanced with the progress made in the battle for increased participation of women in the public life which undoubtedly has its foundations in the battle for human rights. The modern organizations and nations have started to accept that the increased inclusion of women in all working spheres (entrepreneurship, different industrial activities, management and politics) contributes to the necessary multiplicity in the approach, working styles and management which, in turn, leads to complete and quality solutions to the problems (Vokic and Bulat, 2013). Margaret Thatcher paved the way for female participation in politics by explaining the female style of management like one of operation. "If you want something said, ask a man; if you want something done, ask a woman." was the motto with which the "iron lady" emphasized the female pragmatism in politics.

A large number of the Balkan countries have developed successful strategies for increasing female participation in politics. One such strategy that they have already applied is defining the guaranteed quota for women on several levels. These gender quotas are intended to guarantee a certain percentage of female representation in the Parliament (Dahlerup and Freidenvall, 2005), the Executive or political parties. According to Norris and Krook (2011), there are three types of gender quotas: reserved seats, legal candidate quotas and voluntary quotas. The reserved seats stand for the number of MP seats in parliament; the legal candidate quotas are obligatory provisions applying to all parties, while the voluntary quotas are not envisaged by the national legal regulations, but they are introduces by the very same political parties (Azizi, 2015). Most common is the application the "reserved seat quota" and "legal candidate quota" which are incorporated in the country's electoral laws or the political party law (Ballington and Karam, 2005). The issue of political participation of women is not only a question simply to fill the "female quota", it is a battle for crucial participation, for power and decision. This represents the revolution for understanding the female political power. The woman in decision-making positions in politics is a structural prototype for gender equilibrium in the political society. The concept of dividing power should not be understood as increased female participation in politics, but their becoming equals with men. The fact that women are not crucial to politics for their number, but their ability is a conclusion drawn by Louisa Vinton (2013), a UN coordinator and resident representative of UNDP.

Ranging from global organizations whose target policy is concentrated on gender equality, to international organization oriented towards keeping world peace and countries' politics and non-governmental organization, gender equality is substantially present in their portfolios. The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), adopted on 18 December, 1979 by the UN General Assembly (brought after more than thirty years of active

work by the Commission for the Status of Women) in part II article 7, affirms the world attempts for equal participation of men and women in the political and public life through the recommendations for implementing appropriate measures to eliminate the discrimination against women and guarantee equal enjoyment of their rights (UN: CEDAW). The women in authority and political decision-making process have been identified as one of the twelfth areas comprised by the Beijing Declaration and Platform for Action set up in 1995. The two strategic goals on which this segment from the platform is founded are: 1. increasing the number of women in the decision-making and ruling processes, and 2. taking necessary measures to secure equal approach and full participation in all spheres of authority and decision-making processes (Beijing Declaration and Platform for Action, 1995).

THE WOMAN IN POLITICS ON THE BALKANS THROUGH THE PRISM OF POST-COMMUNIST TRANSITION – FROM TRADITION TO MODERN IMPERATIVE

The secession of the countries from the Yugoslav Federation created frail democracies based on pluralism which were an important factor for keeping peace and safety on the Balkans. The fall of communism brought about two social changes: 1. the rise of nationalism, separatism, secessionism and ethno-nationalism among the minorities (Walby, 1990), and 2. discrimination of civil and social rights, especially those of women, established back in the communist regime. These countries are still facing the challenge of achieving gender equality, even though the key difference lies in the activation of mechanisms promoting equality and upgrading the legislation which envisages equal opportunities imposed by the EU, as well as the support for women coming from Europe and feministic networks which work intensively on implementing basic standards for gender equality (Nacevska, 2013: 93-98). Reducing female participation in the public life was caused by the deterioration of female position on the labour market, increased unemployment, reduced access to financing resources, reducing the country's social role, increased poverty and discrimination (Omanovic, 2015). The transition in the post-communist countries is very commonly related to the pressure factor and control of "old political elite" when it comes to the realization of the democracy in these societies and, especially, being involved into war as a factor of absence or threatening the process of liberalization and democracy in the societies (Fink-Hafner and Hafner- Fink, 2009). The first decade from the post-communist politics in the Western Balkans characterizes with fragile democracies, the tendency to

increase the disproportionality into politics, creating semi-presidential systems and intensive electoral model (Nacevska, 2013: 93).

As a postwar region, the countries were faced with abundance of political problems on the one hand, and the tendency for European integration by overcoming nationalist ruling spirit on the other (Nacevska, 2013: 98). In this direction, they signed the Convention on elimination of all forms of discrimination against women whose rules encouraged the attempts for political publicity and feministic organizations for the appropriation of legislations according to the recommendation from the UN Women. These countries' intention is harmonization of their national legislations with EU demands. Therefore, some of them as member states of the EU, while some with the status of a candidate country for EU, that is potential EU members (europa.eu) are incorporating the regulation on promoting the political rights of women in their legislation.

THE LEGISLATION AND THE QUOTAS FOR WOMEN

Implementing the quotas for women in politics through legislative mechanisms meant a step forward in the battle for equal political representation of women. That enabled a great presence of women on the electoral lists, but not an increased possibility for placing women in key positions in the Judiciary and Executive.

Macedonia, Serbia and Montenegro have incorporated the quotas for women in the Members of Parliament Act. In article 37 section 3 of the Members of Parliament Act in the Republic of Macedonia, it is stated that in the electoral list for MPs in the Parliament each gender has to be present with at least 30% (Law on the election of members of the Parliament of Macedonia) while the electoral code makes an explicit provision that every third place on the list must belong to the less-present gender (Electoral Code, Official Gazette of R. Macedonia, 2014). In Serbia and Montenegro, there is also a provision for the position of women on the electoral list. To be more precise, in article 40 of the Member of Parliament Act in Serbia, the division of position on the electoral list has been taken into consideration, which means that every fourth candidate has to be a member of the less-present gender (Law on the election of members of the Parliament of Serbia, 35/2000). The Member of Parliament Act in Montenegro stipulates at least 30% of women in the electoral list, and at the same time, it determines their position in the list more precisely. Article 39 of the Member of Parliament Act in the legislative assembly in Montenegro predicts at least one member from the less-present gender at every four candidate on the list (Law on Amendments to the Law on Election of Councillors and MPs, Montenegro, 2014,). Serbia and Montenegro also predict measures in the

same Act if the ascribed quota has not been met. The Act in both countries stipulates returning the electoral list for audit in case the minimal stipulated presence from the less-present gender has not been fulfilled, that is not accepting the electoral list by the electoral committee unless it has been properly revised (Law on Amendments to the Law on Election of Councillors and MPs, Montenegro, Article 39-a, 2014).

Unlike these three countries, Slovenia and Bosnia and Herzegovina stipulate the female representativeness in the electoral lists for members of the legislative assembly as part of the national electoral code. According to article 4.19 of the Electoral Code of BiH, the candidates from the less-present gender have to be allocated on the list in such a way that at least one candidate from the less-present gender to be found between the first two candidates, two candidates from the lesspresent gender among the first five candidates and three candidates from the lesspresent gender among the first eight on the list. The number of candidates from the less-present gender must be equal with the overall number of candidates on the list when divided by three, rounded to the first smallest full number (Electoral Code of BiH, 2011). The electoral code in Slovenia predicts minimal presence of each gender of 35% in the electoral list from the overall number of men and women candidates. This rule is exclusive in case the candidate lists have three candidates from the both genders or the list has a total number of three candidates. In that case, there must be at least one representative from the opposite gender (National Assembly Elections Act, 2006).

The Gender Equality Act in Croatia stipulates the quota for women for their presence in the Parliament. According to article 12 of this law, gender disbalance exists if one gender is present with less than 40% among the political decision-making bodies, that is the political parties and other authorized nominators are obliged to respect the principle for gender equality and take into consideration the balance for male and female presence in the electoral lists for representatives in the Croatian Assembly, pursuant to article 12 (Gender Equality Act, Zagreb, Article 12, 2008). The failure to meet this provision is punishable with a fine (Gender Equality Act, Zagreb, Article 35, 2008). In February 2015, the quota for women in Croatia was also incorporated in the Member of Parliament Act, but in September that year the same was abolished (Brakus and Tesija, 2015).

THE POSITION OF WOMEN FROM THE FORMER YUGOSLAVIAN COUNTRIES IN THE JUDICIARY

The comparative overview of the countries from the former Yugoslav Federation through the analysis of the factual situation of the woman, actually her presence

and positioning in the legislative bodies and highest structure of the Executive (country's president and Prime Minister), will illustrate the political perspective of the woman vis-à-vis the meeting of strategic aims for the position of the woman in the government, ruling and decision-making process.

WOMEN IN THE LEGISLATIVE ASSEMBLY

The political presence of women in the legislative assemblies can be analyzed through two positions. The first one is the presence of women in the legislative assembly, that is the proportion of men and women in the legislative body, and the second refers to appointing women as president of the legislative assembly.

The beginnings of independent political architecture in the former Yugoslav republics gave relatively poor results when it comes to female representation in the legislative assemblies. The influence of politically social circumstances in the aftermath of the Federation dissolution, and entering a transitional period lead to woman abstinence in the field of politics, which is obvious from the elections' facts.

WOMEN AS MEMBERS OF PARLIAMENT IN THE LEGISLATIVE ASSEMBLIES IN MACEDONIA, SERBIA, MONTENEGRO, SLOVENIA, CROATIA AND BOSNIA AND HERZEGOVINA

Situation in 1995

The Federal Republic of Yugoslavia founded in 1992 by Serbia and Montenegro is the lowest ranking country among the countries from the former Yugoslav Federation in respect of female representation in the legislative assembly. Out of total 138 representatives in the Republican Assembly (the House of Peoples), only 4 belonged to women, that is 2.9% which was exceptionally low level of female political participation in the legislative bodies on the whole of Balkans¹.

Then, the second lowest ranking country is Macedonia. Out of total 120 representatives in the legislative assembly, only 4 were women, standing for 3.33% of direct participation in the parliament's work (National Assembly of Macedonia, 1994-1998). Insignificantly better was the situation of the legislative assembly in BiH where 7 women were elected as MPs, making 4.5% of the total 156 MPs. Similar was the situation with Croatia. Out of 138 seats, only 8 are female representatives, that is 5.8%. However, the best ranking country in this view

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¹ A lower level of participation of women in parliament in 1995 can only be found in Turkey with 1.78% representativeness (out of 450 MPs, 8 are women).

was Slovenia, which displayed significantly higher rate of female presence in the parliament compared to the others. Out of total 90 MPs, 13 belonged to women, comprising 14.4% representativeness (Interpaliamentary Union, 2006).

Situation in 2000

BiH has 12 women in the legislative assembly, out of 42 representatives. In this period, BiH has the highest female representation with 28.6%. Croatia marks 20.5% with 31 women out of total 151 MPs. Unlike them, in Slovenia there are only 9 women in parliament out of total 90 MPs, that is 10%. At the same time, Macedonia has relatively low presence of women in politics, especially in the legislative assembly. Out of total 120 MPs, 8 are women or 6.7%. In Yugoslavia (Serbia and Montenegro), out of 138 seat, only 7 belonged to women (5.1%) (Interparliamentary Union, 2000).

Situation in 2005

In 2005, Croatia is the highest ranking country compared to the rest of the former YU countries. In the parliamentary structure, out of 152 MPs, 33 are women or 21.7%. Coming next is Macedonia with 23 women out of total 120 MPs, standing for 19.2% female representativeness. BiH marks 16.7% of direct participation of women in the legislative assembly, that is out of 42 representatives in the House of Representatives, 7 are women. In the House of Peoples, there is not a single woman among the 15 representatives. In Slovenia, out of 90 representatives in the National Assembly, 11 are women (12.2%). While in Serbia and Montenegro, out of the total 126 representatives in the legislative assembly, only 10 are women, comprising 7.9% female representation in the National Assembly (Interparliamentary Union, 2005).

Situation in 2010

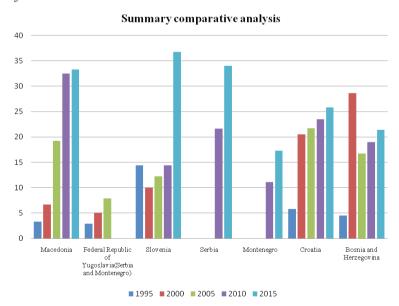
In 2010, according to the UN Women statistics and Inter-Parliamentary Union, Macedonia is the top ranking country according to female representativeness in the legislative assembly compared to the other former YU countries. Out of 120 MPs, 39 are women, which stands for 32.5%. In this period, Croatia has 36 women out of total 153 representatives, making 23.5%. In the Serbian Assembly, there are 54 women, constituting 21.6% from the total of 250 MPs. BiH marks 19% of women in the House of Representatives; from the total of 42 members, 8 are women. While, in the House of Peoples there are two women among the

15 representatives (13.3%). Slovenia also shows a significant rise in the female representativeness in the legislative assembly compared to the previous years. Out of 90 representatives in the National Assembly, 13 are women, or 14.4%. In the National Council, among the 40 members, there is only one woman (2.5%). In this period, Montenegro displays the lowest percentage of female representatives. Out of 81 MPs, only 9 are women, making 11.1% of women present in the legislative assembly (Interparliamentary Union, Women in politics: 2010).

Situation in 2015

Slovenia accounts for the highest per cent of women holding an MP office. Out of 90 seats in the National Assembly, 33 are women or 36.7% of the total parliamentary seats. While in the National Council among the 40 representatives, only 3 are women or 7.5%. Serbia shows a relatively increased number of women in parliamentary office in the legislative assembly. Out of 250 MPs, 85 are women, that is 34%. Only one position lower comes Macedonia with 33.3% female representativeness in the Parliament of Republic of Macedonia, or to be more precise, out of 123 parliamentary seats, 41 belong to women.

Chart 1. Women representativeness in the legislative assemblies in the former YU countries from 1995 to date



Source: Inter - Parliamentary Union, Women in politics: 1995, Women in politics: 2000, Women in politics: 2005, Women in politics: 2010, Women in politics: 2015

The Croatian National Assembly also marks a significant increase in the number of women present. Out of 151 MPs, 39 are women, or 25.8% of female direct participation in the legislative assembly. In BiH in the House of Representatives, out of 42 seats, 9 belong to women (21.4%). In the House of Peoples, the situation is similar to the one back in 2010. In Montenegro, on the other hand, there is the same trend of low female representativeness in the legislative assembly. Out of 81 seats, 14 belong to women or 17.3% from the total number of MPs (Interparliamentary Union, 2015).

WOMEN IN POWER

Parliamentary speaker

Out of total 7 structures in the Croatian National Assembly, since 1990 onward, there has not been a woman appointed as a president (speaker) of the legislative assembly (Croatian Parliament, n.d.). The situation is same in Slovenia and Macedonia. Since abandoning the Yugoslav Federation, Slovenia has not appointed a female speaker in all seven structures of the National Assembly (National Assembly Slovenia, 2014). There has not been a woman appointed as parliamentary speaker in the history of the Macedonian Parliament. Out of 11 speakers, not once a woman was elected for that position.

Out of total 10 structures in the Serbian National Assembly, there have been three occasions when a woman was appointed for the position of a parliamentary speaker. The first woman was Natasha Micic; she was in the fifth structure (22 January 2001 – 27 January 2004). Then, the second woman elected parliamentary speaker was in 2008, holding position until 2012. While, the current structure in the Serbian National Assembly sees the third female speaker in office (National Assembly of the Republic of Serbia, n.d.).

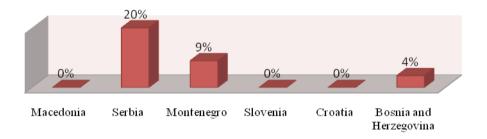
Since the Dayton agreement and the adoption of the Constitution of BiH in December 1995, out of total 7 mandates in the legislative assembly, the first woman to be ever elected parliamentary speaker was Borjana Krishto. She has been the first female parliamentary speaker since 1996 (House of Representatives of Bosnia and Hercegovina, n.d.).

Since 1990, out of total five parliamentary speakers in the legislative assembly of Montenegro, there was only one woman appointed in that position, Vesna Perovik (2001-2002) (Parliament of Montenegro, n.d.).

Chart 2. The percentage of women as Parliamentary speakers

Women as Parliamentary speakers

■Women as President of House of Law(%)



Source: National Assembly of the Republic of Serbia, The Parliament of Montenegro; Assembly of the Republic of Macedonia, Parliamentary Assembly of Bosnia and Herzegovina, Croatian Parliament, National Assembly of Slovenia

WOMEN IN THE EXECUTIVE

Prime Minister (PM)

Out of total 10 Prime Ministers in Croatia, the only female PM so far has been Jadranka Kosor (in the 11th structure). She was in office from 01.07.2009 – 23.12.2011 (Government of Croatia, n.d.). Also, out of total 8 PMs in ten mandates, Slovenia has once had a female PM. In the period of 20.03.2013 – 19.09.2014, Alenka Bratushek was the first female PM (Government of Slovenia, n.d.).

In the parliamentary history of independence and democracy, Serbia has not had a female PM. The situation is same in Bosnia and Herzegovina, Montenegro and Macedonia. Since the postwar period, the factual situation of women as PMs in BiH has been the one of absence of a leader in this branch. Out of total 9 PMs, there has not been a single female representative (L.R, Radiosarajevo.ba, 2015). Out of total governmental mandates in Montenegro, not once the role of PM was performed by a woman. Similar was the situation in the Socialist Federal Republic (Serbia and Montenegro) between 1992 and 2006; there was not a female PM (Government of

Montenegro, n.d.). Since its independence, out of total 8 PMs in Macedonia, there has not been a single woman appointed as PM. Radmila Shekerinska was briefly a deputy PM after Hari Kostov stepped down as PM after being in office from 17 November 2004 – 17 December 2004.

Chart 3. Percentage of women as Prime Minister

8,33% 8,33% 0% 0% 0% Macedonia Serbia Montenegro Slovenia Croatia Bosnia and Herzegovina

Women as Prime Minister(%)

Source: Government of the Republic of Croatia (web site), L.R, Radiosarajevo.ba,2015, The Archives of Yugoslavia; Portal Mondo, Government of the Republic of Serbia

President

In the political history of Croatia as an independent and democratic country, there has been a change of 4 heads of state, among which one is a woman. On the last presidential elections held in January 2015, the first female Croatian president was elected, Kolinda Grabar – Kitarović from the HDS. The first Croatian president after its independence and adoption of the democratic Constitution in 1990 was Franjo Tuđjman. He was elected the head of state in the presidential elections in August 1992 and re-elected again in August 1997. His mandate ends after his death in 1997. His position was filled in by Stjepan Mesić –Croatian National Party (HNS) who also held two mandates. In the period of 2010 – 2015, the country's president was Ivo Josipović – Social Democratic Party (SDP) (Croatia: land and people, Political organization, n.d.).

Serbia, Slovenia, Bosnia and Herzegovina, Macedonia and Montenegro have not had female head of state.

After the presidency of Yugoslavia since 1990, Serbia has not had a female head of state. Since 2002 following a few unsuccessful presidential elections, the office in that period was held by Natasha Micić, the parliamentary speaker. After the intervention of the Presidential Election Law in 2004 and reducing the output census, Boris Tadić (Social Democratic Party) was elected as president and afterwards Tomislav Nikolić. (Presidents of Serbia from 1990,naslovi.net, n.d.). Neither Slovenia has had a female head of state. After its abandoning the Yugoslavian union, there have been 5 presidents in the following mandatory periods: 1992-1997, 1997-2002, 2002-2007, 2007-2012, 2012- to date.

In the parliamentary history of independent Macedonia, five presidents have changed, among which there is no female representative.

Since 1996, BiH have had in total 27 presidents, including the presidents from the range of Croatian and Serbian people. However, there has not been a woman in office (Chronology of the Presidency of BiH, Presidency of Bosnia and Hercegovina).

In the political history of Montenegro, both as an independent country and in union with Serbia, there has not been a single woman elected as president (Results from President Elections in Montenegro, (Socialist People's Party of Montenegro, n.d.)

Chart 4. Percentage of women as Head of States

Macedonia Serbia Montenegro Slovenia Croatia Bosnia and Herzegovina

Women as Head of State (%)

Source: Presidency of Bosnia and Herzegovina, Former presidents of the Republic of Slovenia The Miroslav Krleža Institute of Lexicography pecialized search engine news sites in Serbia, State Election Commission of Macedonia Socialist People's Party of Montenegro

CONCLUSION

By looking at the above-presented statistical analysis for female representativeness in key positions in the highest level of the Executive and Judiciary, it is evident that there is an increased presence of women in the legislative assemblies, but only in the position of MPs. This is the case with all six countries subject to this analysis. Unlike this, what is more pronounced is the factual situation of minimal presence of women as head of state, prime minister and parliamentary speaker. In this view, Macedonia stands out as a country where there has not been a single female representative in all these three key positions, which is not the case with any of the other countries.

A significant piece of information for the increasing number of women as MPs is the implementation of the gender quota as a crucial determinant for bigger inclusion of the female gender. The question imposed by the obtained results is whether the absence of precise legal frame can be used as an alibi for the low presence of women as heads in the Executive and Judiciary. Bearing in mind that these are not collective functions and also that parties nominate one representative as a candidate (non-existence of a candidacy electoral list), it is clear that there are no conditions for imposing a norm. Therefore, the core of the problem lies inside the political parties. The internal party solution for gender equality with the view of nominating women for some of the key state positions can be ascribed exclusively to the democratic capacity of the political party, political maturity and the level of political culture, especially that of party management. This is the first filter to overcome male superiority in the highest position of the Executive and Judiciary. The second one is concentrated on democratic capacity, democratic maturity and political culture of civil society. The political parties as the first filter can influence a change in the traditional civil society by imposing the trend for supporting women as candidates for parliamentary speakers, prime ministers or heads of state by taking into consideration the mere fact that people tend to attach themselves to a party and not a single human being.

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