UNIVERSITY OF GOTHENBURG

THE GENDER EQUALITY CHARADE

A Critical Perspective on the Adoption and Implementation of 40/60 Gender Quota in Malawi

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Abstract

While gender quotas have been widely adopted by countries around the world as an affirmative action to enhance women's participation and representation in politics and other public spheres, the impact of the phenomenon continue to vary across national borders. Notably, substantive research suggests that gender quotas promote representational equality and improve women's participation in politics and other spheres of public life. This has influenced the global popularisation of gender quotas as an "easy fix" to eliminate patriarchy and achieve equality of presence both in the political and public sectors. However, critics of gender quotas question "whether being in a place of power is sufficient on its own to empower and achieve meaningful equality" (Hopp, 2015, p. 1). It is from this background that this research sets out to critically examine the adoption and diffusion of the 40/60 gender quota in Malawi. Rooted in postcolonial theory, the paper focuses on the role of development partners in influencing gender equality policies and strategies and how it impacts the policy implementation processes in donor-dependent nations like Malawi. Two qualitative research methods were used in this paper. Firstly, I used Critical Discourse Analysis (CDA) to analyse Malawi's national gender equality policy. Secondly, I used the results from the CDA to inform further research through interviews with key informants to reveal sites of conflict submerged in the development, adoption and implementation of the 40/60 gender quota and gender equality policy in Malawi. I argue that whilst development partners have been fundamental in the promotion and institutionalisation of gender equality policies and programs in Malawi, aid provided to foster these programs has contributed to the creation of overambitious policy documents that consistently fail to be effectively implemented as they do not adequately address the need for structural reform and do not take into account the country's level of gender equality.

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List of Abbreviations

NGEP   National Gender Equality Policy of Malawi

HSRC   Human Sciences Research Council

UN   United Nations

HRCM   Human Rights Commission of Malawi

CDA   Critical Discourse Analysis

NORAD   Norwegian Agency for Development Cooperation

USAID   United States Agency for International Development

UNDP   United Nations Development Programme

Chapter 1

Introduction

1.0 Research Background and Purpose

Since the introduction of multiparty democracy in 1994, Malawi, a land-locked country located in Southern Africa, has struggled to achieve gender parity in key decision-making positions. Whilst small strides have been taken to speed track the process, including the introduction of the 50:50 campaign in 1994[1] and the National Gender Policy in 1998[2], women in Malawi remain under-represented not only in politics but also in the public and private sector. Tiessen (2008, p. 199) attributes the slow progression to three main factors; "a political history of patriarchy and neopatrimonialism" as well as "limited opportunity for women to lay claim to political spaces due to the lack of significant political transformation". Other scholars and development experts have also pointed out the inconsistencies within the gender equality policy and the national gender machinery as contributing factors (Kayuni, 2015). Even though this is the case, Malawi has continued to introduce more laws and policies to stay in line with the international and regional commitments to achieve gender equality without addressing the structural issues within the national gender machinery and the irregularities embedded in the gender equality policy that are affecting its implementation.

One of the milestones Malawi has recently taken as part of its commitments to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which it ratified in 1987, is the 2013 Gender Equality Act. According to Chikapa (2017, p. 26), the 2013 Gender Equality Act can be described as "the climax of the government's commitment to achieving gender equality" as it provides women in Malawi with a "means for legal redress on an individual basis against sex discrimination in pay, recruitment and other workplace-related issues" within the public sector. The Gender Equality Act, which enshrines the provision for gender quotas in public and private sectors was recommended

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[1] The 50:50 campaign is an affirmative action to engender the electoral process so that there is an increase in the number of women representatives in the parliament (Coker, Brito, Chinsinga & Banda 2009). The goal is to have equal representation of both genders in parliament.

[2] The National Gender Policy (NGEP) was developed to "mainstream gender in the national development process in order to enhance participation of women and men, girls and boys for sustainable and equitable development for poverty reduction" (GOM, 2011, p. 5)

in 2011 by the Malawi Law Commission, a constitution mandated body primarily funded by Western donors through International non-governmental organisations such as the United Nations and other domestic women's rights organisations (Benstead, Muriaas and Wang, 2018). Section 11 subsection 1 of the 2013 Gender Equality Act prescribes that "an appointing or recruiting authority in the public service shall appoint no less than 40% and no more than 60% of either sex in any department in the public service". However, this law has been popularly misinterpreted within the media to classify women as the group that is supposed to occupy the 40% threshold[3]. Even with the women being given the lower quota, Malawi has struggled to attain that quota over the years, not only in the public or private sector but even in politics, including public appointments endorsed by the President.

This trend of consistently failing to reach the basic quota raises the question of why such a quota was adopted in the first place. Bush (2011) found that foreign aid has played a pivotal role in the widespread adoption of gender quotas in most developing donor-dependent nations. According to Bush (2011, p. 104), developing nations' leaders adopt gender quotas that are consistent with international norms of gender equality as "a signal—sincere or insincere—to the international community or domestic actors of their commitment to liberal democracy". This research study thus aims to examine whether the adoption and implementation of gender quotas can meaningfully eradicate persistent inequalities that govern gender relations in highly patriarchal nations like Malawi. Since gender quotas intersect with the legal and voluntary gender equality frameworks guiding its implementation, this research also focuses on the national gender policy in Malawi to assess how it incorporates and promotes -or not the 40/60 gender quota.

1.1 Research Objectives

The purpose of the present study is to critically examine the adoption and diffusion of gender quotas in Malawi. Using a postcolonial perspective, the study sets out to unravel sites of conflict that have incapacitated efforts to empower and acknowledge women as leaders with the same competence as men in Malawi.

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[3] See Women's Manifesto et al. (2020)

In order to ascertain the purpose of this study, the research is guided by the following research questions:

a. What influence do development partners have on the adoption and implementation of gender policies in Malawi? And how does that impact the policy implementation process?

b. Can women's symbolic presence in parliament potentially denaturalise the power imbalance between men and women in Malawi?

c. What are the significant issues affecting the implementation of the 40/60 gender quota and the gender equality policy in Malawi?

d. Is the 40/60 gender quota a representative of the nation's needs to promote gender equality?

1.2 Significance of the Study

While the subject of gender quotas has been widely researched, it remains a relevant field of research, especially in recent years when more than 100 countries worldwide have adopted some kind of gender quota[4]. As a strategy to increase women's participation in key decision-making positions, gender quotas have produced disparities in results in different socio-cultural and political contexts. Particularly, Sub-Saharan Africa has had a significant but often uneven increase in women's representation in the political arena since the region started adopting gender quotas (Messing-Mathie, 2011). Within the region, research in the field has focused on analysing the transformative nature of gender quotas and how patriarchy is affecting the effectiveness of gender quotas (Messing-Mathie, 2011; Arendt, 2018).

Despite evidence that foreign aid has played a pivotal role in promoting the adoption of gender quotas in developing nations (Bush, 2011; Edgell, 2017), the impact of the intervention by Western aid agencies in the processes of gender quota adoption and implementation is understudied. Specifically, in the Malawian context, very little information has been published regarding the adoption of the 40/60 gender quota. Even though there is an outflow of information on how foreign aid agencies have influenced the adoption of gender policies and legislation in Malawi, the negative impact of their intervention is rarely discussed. From identifying this information gap, I argue that we must scrutinise both the

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[4] See International IDEA and Stockholm University (2009).

domestic and international influences and conditions that underlie the adoption of gender legislation in Malawi. This will help us to understand women's subsequent dis/empowerment within Malawi's institutional framework.

By applying a gender lens to the study of the adoption and diffusion of gender quotas and the gender equality policy in Malawi, this research opens the discussion to critique the unequal power relations between foreign aid agencies and donor-dependent nations. In addition, the paper also sheds light on how the term 'mainstreaming gender' has become a mask for institutional patriarchy in Malawi. As this research has been conducted within Gendering Practices, the gender equality policy is understood from Bacchi's (2017, p. 20) conceptualisation that it is a tool for gendering practices; therefore, it is essential that we interrogate the interacting and constitutive effects of these policies by "asking how they are potentially gendering, heteronoming, disabling, classing and third-wordizing".

1.3 Thesis Structure

The different arguments in this research are interconnected in their focus on understanding how the adoption and implementation of the 40/60 gender quota and the national gender equality policy in Malawi is simply a charade. Two sets of data have been examined in this research. Firstly, I have focused on examining the implications of the 40/60 gender quota and the current gender equality policy in their ability to empower women and achieve gender parity. Secondly, I have explored the impact of the intervention by Western donor aid agencies in the processes of policy development and implementation.

Overall, this study is presented in five chapters. In the first chapter, I have focused on introducing my research problem and objectives. In addition, I have also included a brief historical account of women's leadership roles as influenced by precolonial setups and the subsequent colonial to the current struggle towards institutionalisation of gender equality in post-colonial Malawi (presented in section 1.4 below). This provides a basis for exploring the international aid agencies' contribution to the subordination of women in Malawi.

In chapter two, I have explored literature relating to gender quotas by focusing on what proponents of quotas have established on the acceleration effects of gender quotas and what critics of gender quotas have argued as the trade-off effects of gender quotas.

In addition, I have also interrogated whether gender quotas can potentially contribute to an increase of 'critical female leaders' that substantively impact other women's emancipation. The Sub-Saharan African context on gender quotas has also been presented in this chapter.

Chapter 3 discusses the multidimensional theoretical framework used in this research. Primarily, this research leans on the theoretical underpinnings of postcolonial theory. To have a broader view of the implications of the political and economic 'intervention' by international aid agencies (also known as development partners) in processes of policy development and adoption in donor-dependent states like Malawi, I have fused together the materialist and discursive theoretical formulations of postcolonial theory. Specifically, I have employed two postcolonial perspectives; coloniality of power by Aníbal Quijano and Mimicry by Homi Bhabha. In addition, I have also applied the concept of marginality as conceptualised by Dennis Rutledge and Robert Dunne to discuss how the discourse on gender equality is simultaneously being used as a tool to include women in the development process whilst at the same time working as a normalising tool for patriarchy.

Chapter 4 presents the research methodology. Briefly, the research has been conducted in two stages. The first stage utilises Fairclough's three-dimensional Critical Discourse Analysis (CDA) model to examine the current national gender equality policy (NGEP) in Malawi. The three-dimensional model used in this paper encompasses textual analysis, text as a discursive practice and contextualisation. In the second stage, I have used my findings from the CDA to inform further dialogue with key informants on some of the inconsistencies within the NGEP and how it connects (-or not) to the active participation of development partners in influencing policy.

Lastly, Chapter 5 presents data analysis and discussion. This chapter presents data from two sources, the first part is the CDA of the NGEP and the second part is the analysis of the dialogue with key informants. I have also included some recommendations that I developed during the course of collecting data for this research.

1.4 Historical Context of Women's Leadership and Political Participation in Malawi

Since the mid-19th century, the status, rights and roles in Malawi have been in constant flux (Wilson and Kachipande, 2020). Wilson and Kachipande (2020) note that in the pre-colonial period, principles of matriliny organised social structures within many communities in Malawi, affording women rights to land, property, products of labour, children and influence in group decision-making. Maliwa (2018) adds that even though male supremacy was accepted in most societies in pre-colonial Malawi, female chieftaincy was more common among the people residing in the lower shire and in other communities; women were respected as symbols of peace and had the power to appoint and remove chiefs according to their customary laws[5]. However, Britain's torturous takeover of the state in 1891 led to the fall of many female leaders as the colonisers sought to take total control of the administration and the slave trade (Maliwa, 2018).

According to Maliwa (2018, p. 102), "the establishment of colonial administration blocked the political role of women generally because it started to elect chiefs as Native Authorities[6] according to their choice and not according to the hereditary system of succession[7]". In addition, the introduction of legal structures that included native court advisors greatly weakened traditional leaders' powers as they could no longer exercise final authority on all cases that happened within their jurisdiction (Maliwa, 2018).

However, the status of women in Malawi worsened, especially with the spread of Christianity. Semu (2002, p. 79) notes;

"Coupled with Christianity, colonialism added new complications by imposing its own concepts of gender-role differentiation, such as the Western concept of *Mrs.,* which most women adopted. This term of address implied the primacy of the husband at the expense

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[5] i.e the among the ngonde in the northern part of Malawi,(see Maliwa)

[6] the Native Authorities acted as "agents" for both the maintenance of order and as agents for local government.

[7] In the lower shire for example, the makokolo (who were the people that escorted the early explorers and colonial leaders), armoured with guns from the colonial administration, took advantage of the already existing inter-tribal wars in the area and overthrew some traditional leaders to set their own chieftaincy (see Maliwa).

of the woman's identity, since she was no longer being addressed by her father's name and /or clan name" (emphasis by the author).

Nevertheless, despite the colonial administration displacing many female chiefs and weakening the status of women in matrilineal communities[8], women actively sought to maintain influence through their involvement in Christian institutions[9], their appeal to courts and their subversive expression in songs, dances and stories (Wilson and Kachipande, 2020). In some societies with religious cults, women were maintained as agents or messengers of gods[10] mainly because of their ability to reproduce and nature, as it was believed that they would bring abundance to the community[11]. In such societies, the women who headed these religious cults influenced the governance of those communities.

The dawn of the post-colonial government in 1964 brought new hope for women in Malawi as it presented new opportunities for restructuring. However, the dream of freedom and rights for women did not materialise as the new government sought to further marginalise women from accessing power and key decision-making positions. The then self-proclaimed "life president"[12], Dr Hastings Kamuzu Banda (1964-1994), enhanced a paternalistic approach to women's issues which included controlling every aspect of their lives (Wilson and Kachipande, 2020). Chirwa (2001) notes that there was one female minister in the first cabinet in 1964, and up to the early 1970s, there were less than five female members of parliament out of 75 seats comprised of 60 elected members and 15 appointed members by the president.

In addition, a law was passed in parliament that stipulated the appropriate dress code for women, including acceptable length (Gilman, 2004).

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[8] Matrilineal systems (which follows female kinship) persisted in altered form with focus on the male family members as providers (Semu 2002)

[9] Maliwa note that many women followed christian missionaries because christianity denounced polygamy whilst promoting monogamy which put women at par with men with regards to marriage rights.

[10] *M'bona* and *Makewana* are two of the most influential religious cults that still exist in some parts of Malawi that are led or have messengers that are women.

[11]*Makewana*, for instance, literally means mother of children but used to mean mother of all people

[12] The life president was deposed during a referendum in 1994 that ushered in a multiparty democracy

Women were also popularly branded as *Mbumba za Kamuzu*[13] to mean "Kamuzu's women" that were mandated (required by law) to compose and sing praise songs for the president (Gilman, 2004, p. 40). In addition, the Banda regime strategically instituted and normalised women's political dancing as a cultural tradition (Gilman 2004).

In 1993, amid increasing domestic and international pressure, Banda's administration accepted to hold a referendum that led to the end of the one-party system and ushered in a multiparty democratic government in 1994. For women, it was the revitalisation of hope for a new Malawi that would value their contribution to the country's development. Not only were women allowed to take active roles like competing for parliamentary seats, but the first democratic government also initiated the 50:50 campaign as an affirmative action to increase the number of female representatives.

However, the 50:50 campaign did not make any meaningful gains in the public domain until the 2009 general elections when the then-leading Presidential candidate, Professor Bingu wa Mutharika, chose a female candidate as his running mate, Dr Joyce Hilda Banda. After a landslide victory in 2009, Dr Joyce Banda became the first female vice president of Malawi. In addition, Mutharika filled 23.8% of cabinet posts with women. In 2012, Banda ascended to the presidency after the demise of Mutharika, becoming the first female president in Malawi.

However, Banda's tenure was marred with a high-level corruption case popularly known as the "cashgate scandal", where billions of taxpayers' money were lost through dubious procurement in government institutions. In the 2014 tripartite elections, Banda lost the presidency, and the number of female members of parliament was reduced from 43 to 33 out of 193 seats representing 16.7%.

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[13] "Banda used the term to represent himself as the male leader of his *mbumba* (a group of sisters or daughters who live under the guidance of an uncle or brother)"- see Tiessen (2008).

Fig. 1 Female Parliamentarians in Malawi 1994-2014
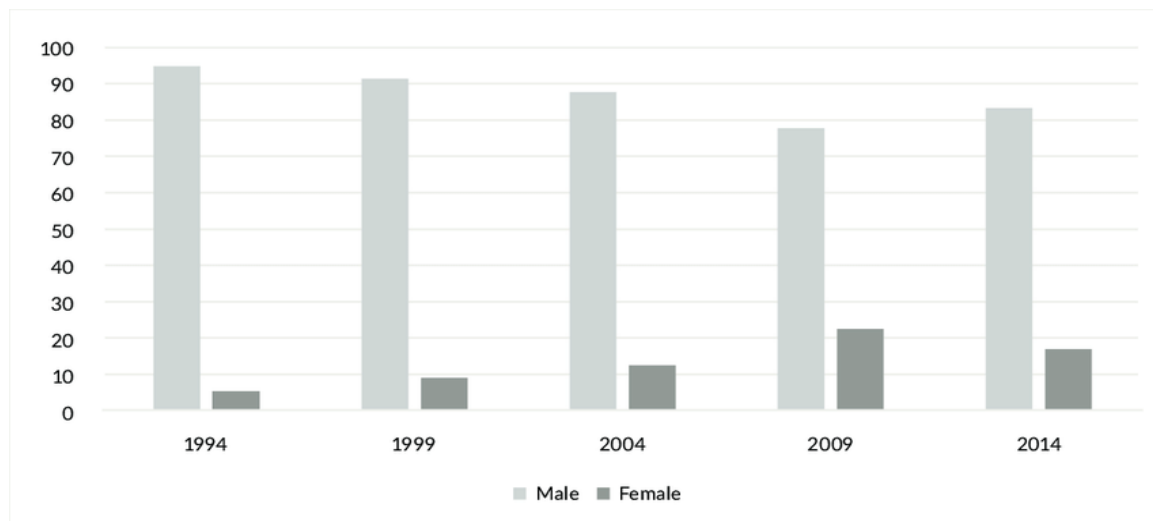
Fig 1. Demonstrates the steady increase of female MPs in a period of 15 years from 1994 to 2009 and its subsequent decline by 16.7% in 2014 (Graph as presented by Dzimbiri, 2016, p. 14).

The 2014 drop in female representatives has been widely popularised as the "Joyce Banda effect" (Chikapa, 2016). However, there was a steady rise in the 2019 tripartite elections, where 44 women were elected into the National Assembly out of 193 seats representing 22%. Whilst a 5% rise from the 2014 statistics has been notably applauded, the fact that in a decade, the percentage has not moved from its highest peak is worrisome.

Fig 2. 2019 Female Parliamentary Representation

2019 Parliamentary Elections

Female: 22 %

Male: 88 %

Female   Male

meta-chart.com
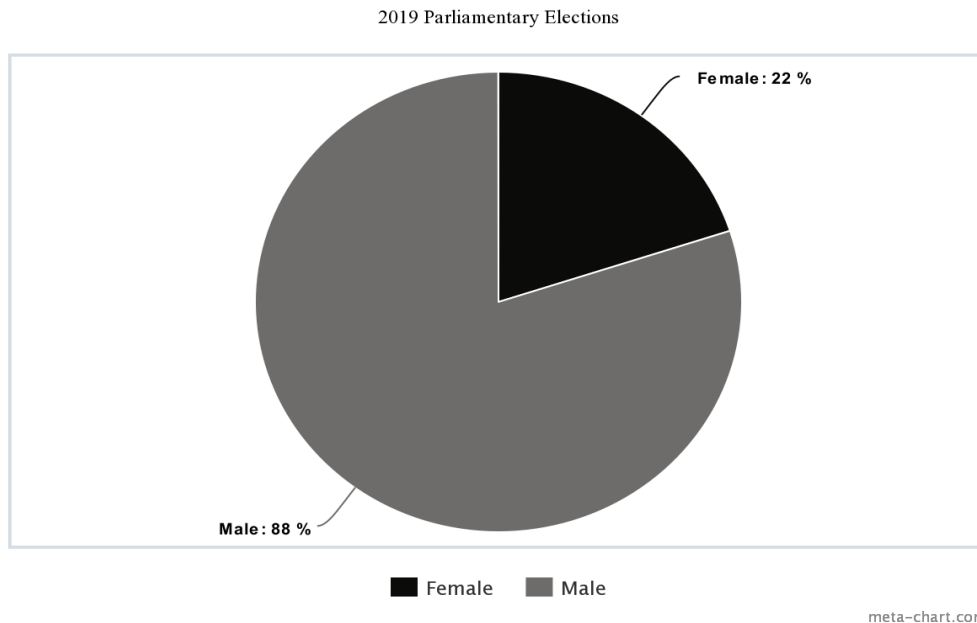
Fig 2. Demonstrates the percentage of female and Male parliamentarians elected in the 2019 parliamentary elections.

In terms of ministerial appointments, Malawi has also struggled to meet the 40/60 gender quota since its adoption in 2013. However, on 28th January 2022, new ministerial appointments were announced, constituting 12 women and 18 men, representing 40% and 60%, respectively. This is the first time that the 40/60 gender quota has been met as far as ministerial and public appointments are concerned. However, it will be a great injustice to celebrate marking a gender quota without critically examining how it was reached, especially when it has only been achieved in the executive institution of the public sector. In the much-appraised cabinet, only seven women held ministerial positions out of 20 ministerial portfolios, and five women were appointed deputy ministers. In comparison, 13 men were appointed as ministers and four as deputy ministers. Outstandingly, five of the seven ministries held by women are welfare ministries, including education, health, foreign affairs, water and sanitation.

The trend of allocating women to welfare ministries is one of the issues that should raise eyebrows, especially when one takes into account that the majority of ministerial appointments in Malawi do not take into account one's qualifications or expertise; instead, one just needs to be in the ruling party to be considered. This brings the question to what

extent can gender quotas address inequalities that govern politics in highly patriarchal societies like Malawi other than having the equality of numbers? This research will thus look at this question in detail in chapter five.

1.5 Conclusion

In this chapter, this paper introduced the concept of gender quotas and their application in the Malawian context. In addition, the chapter also provided a historical background of women's involvement in politics in Malawi. According to Semu (2002, p. 78), "an interplay of historical processes in pre-colonial times and during colonial rule, and of political rhetoric in the post-independence era, have created ambiguity in the application of concepts of culture and gender in Malawi". Thus reflecting on the historical participation of women in local leadership roles and politics lays a context for understanding the status of women in Malawi in the contemporary political landscape and, most importantly, the environment where the 40/60 gender quota was adopted.

Chapter 2
Literature Review

2.0 Literature Search

A large body of literature for this chapter has been derived primarily from published books and peer-reviewed research articles from the University of Gothenburg Library and the University of Malawi archive. In addition, using google scholar, I have also found relevant reports and articles relating to gender quotas and women's representation in Malawi. As a search criterion, I used key phrases; "gender quotas in Malawi" and women('s) (political) representation in Malawi.

2.1 The Origins of Gender Quotas

Globally, the political sphere has always been male-oriented and dominated, and there are gender biases in the personnel policy and cultures of political institutions (Hoodfar and Tajali, 2011; O'Brien and Rickne, 2016; Dahlerup, 2007). In many countries today, women remain under-represented in key decision-making positions and lack equal rights and opportunities to participate in formal politics alongside men. For instance, United Nations (2021) reports that

the global average of women in national assemblies is 25%. In order to 'fast track' the process of increasing the numerical representation of women, there has been growing advocacy globally for the adoption of gender quotas. Dahlerup (2007, p.73) notes that quota advocates view gender quotas as "a compensation for direct or structural discrimination against women and as an effective tool for achieving gender balance in political institutions, which is considered essential for democratic development". At the global level, gender quotas were bolstered at the United Nations' 1995 fourth World Conference on Women in Beijing[14]. Since then, more than half of the world's countries have adopted some form of gender quotas as an affirmative action to increase and speed track the descriptive presence of women in politics (Lépinard and Rubio, 2018; Hoodfar and Tajali, 2011; Krook, 2009; International IDEA and Stockholm University, 2009).

While gender quotas have become a global phenomenon being promoted by International Organisations, the genealogy of the phenomenon emanates from Europe (Lépinard and Rubio, 2018). According to Lépinard and Rubio (2018, p. 2), it was in Europe that "the democratic framing of the problem of women's underrepresentation became more relevant" with the Committee of Ministers of the Council of Europe adopting the Declaration on Equality of Women and Men in 1988. Since then, the Council of Europe has championed the cause for balanced participation. In 2003 the council endorsed a 40% minimum of both sexes in all decision-making bodies, including political and public institutions (Lépinard and Rubio, 2018). At the European Union level, Lépinard and Rubio (2018, p. 4) note that even though the EU has not imposed legally binding quotas, the body has recommended that its member states "adopt a comprehensive, integrated strategy to redress the underrepresentation of women in decision making bodies, including, where necessary, through the introduction of legislative and/or regulatory measures and incentives". Over the years, the Council of Europe and the European Union have unanimously promoted the need for gender quotas to close the gender difference in key decision-making positions.

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[14] Beijing Declaration and Platform for Action, signed unanimously by all 189 member states, called on governments to take measures to ensure women's equal access and full participation in power structures and decision-making, as well as to increase women's capacity to participate in decision-making and leadership (United Nations, 1995).

However, the processes of adopting gender quotas in developing nations have been different from the comprehensive historical foundation that the European States engaged in to promote the presence of women in key decision-making positions. In fact, Arendt (2018) observes that only 15% of African countries were institutionalised democracies at the time they adopted gender quotas as compared to 84% of European and Latin American countries. Bush (2011, p. 103) contends that 'international influence and inducement' have played a critical role in enforcing the adoption of gender quotas in developing nations. Bush (2011, p. 103) further states that the international legitimacy of gender quotas has led "developing nations to adopt gender quotas through two causal pathways: directly, through post-conflict peace operations, and indirectly, by encouraging countries, especially those that depend on foreign aid, to signal their commitment to democracy by adopting quotas". It is from this context that the adoption and diffusion of gender quotas to redress the marginalisation of women in key decision-making positions in Malawi is observed.

2.2 Acceleration versus Trade-Off Effects: An Overview

The widespread adoption of gender quotas has led to increased interest in assessing the broader consequences of these reforms. Whilst proponents of gender quotas have upheld the acceleration effects of gender quotas in promoting women's access to power, critics have raised concerns over stigmatisation and backlash associated with gender quotas that lead to trade-off effects that essentially hinder women's efforts to access power (O'Brien and Rickne, 2016). This section discusses some of the acceleration and trade-off effects of gender quotas and some of the critical arguments linked to gender quotas.

Much research has argued that gender quotas may accelerate women's access to (and survival in) leadership positions by increasing both the supply and demand for female leaders (O'Brien and Rickne, 2016). According to this argument, having some type of a quota, whether party quotas, legislative or reserved seats, guarantees that women have a seat at the decision-making table. Murray (2010) adds that in countries where institutions are slow to adapt to a feminisation of politics, quotas may be the fastest means of increasing women's numerical representation. O'Brien and Rickne (2016) identify Rwanda and Tanzania as some countries where gender quotas have transformed negative cultural and social beliefs about

women's participation in politics and granted women access to leadership positions from which they had traditionally been excluded.

In addition, Dahlerup (2007, p. 73) argue that "quota regimes may even increase competition over elected positions since gender quotas change the most common de facto situation, where men only compete with men'. Traditionally, political parties are gatekeepers of elected positions. Consequently, they also have the power to change the under-representation of women or other groups such as immigrants through intentional mechanisms such as gender quotas (Dahlerup 2007). Since male elites continue to dominate the political arena, O'Brien and Rickne (2016) suggest that exposing female legislators via quota policies can help to make members more receptive to the idea of a female leader. Thereby maximising the chances that women can run or have access to even higher positions above those they initially entered through the quota.

However, another strand of research that is critical of quotas has argued that quotas go against both liberal and democratic notions of equality as they not only favour female candidates over male candidates but also diminish the electorate's choice (Hoodfar and Tajali, 2011). Critical to the opposition of gender quotas is the argument that gender quotas may lead to a situation in which a woman will get a position "just because she is a woman", thereby violating the principle of merit (Dahlerup, 2007, p. 75). In contrast, proponents of gender quotas argue that "as long as we do not have a fair society for all, gender quotas should be considered compensation for the discrimination of women" (Dahlerup, 2007, p. 75). In addition, empirical studies have found that women elected through gender quotas are as (or even more) qualified as their male colleagues (O'Brien and Rickne, 2016). Hence the notion that gender quotas may bring undeserving and unambitious female candidates into political office must not be generalised unnecessarily but be examined within the socio-cultural and political context that the gender quota has been employed.

Bacchi (2006, p. 34) also notes that critics of gender quotas argue that it is wrong to locate affirmative action measures as an exemption to anti-discrimination measures as that is essentially 'reverse dicrimination'[15] and that gender quotas increase social stigma against the group that they are designed to promote. Other scholars have noted that politics being a

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[15] Also described as 'preferential treatment' or 'positive discrimination' - Bacchi

traditionally masculine environment, it is usually common for the majority group to assign negative and stereotypical attributes to members that have joined the race through quota (O'Brien and Rickne, 2016). Thus, women's ability to lead and competency is constantly questioned in public debates whenever a quota has achieved minimum numerical representation. In Austria, for instance, female speakers for the Freedom Party of Austria (FPÖ) and the Liberales Forum rejected gender quotas claiming they are discriminatory towards women because they imply that women are less capable than men (Köpl, 2005). Critics hold that positive discrimination undermines the status and efficacy of the targeted group(s) within the legislature (O'Brien and Rickne 2016). In other words, women's immediate gains in descriptive representation come at the risk of increased stigmatisation that can damage their long-term career prospects (O'Brien and Rickne 2016).

Even though the debates on the acceleration and trade-off effects of gender quotas are ongoing, other scholars have argued that the effectiveness of a certain quota is not dependent on how implementers mitigate the positives and negatives of the quota but rather on the quota's compatibility with the larger socio-cultural and political context in which they are implemented (Hoodfar and Tajali, 2016; Krook, 2009). Hoodfar and Tajali (2016) argue that a given quota system will be more or less successful depending on the extent to which the type of gender quota adopted matches the state's electoral, political and social systems. A good example is Rwanda, whose proportional representation[16] politics have synced very well with the country's reserved seat quotas which were adopted to increase female representation (Hoodfar and Tajali, 2016).

According to Krook (2009), quotas do not simply lead to gains proportional to the quota policy but also interact positively and negatively with various features of the broader political context. Arendt (2018, p. 296) contends that "political conditions at the moment of quota adoption shape whether women get promoted into leadership positions". Arendt (2018, p. 302) further adds that "the politics behind the quota adoption have consequences for whether women can rise to leadership positions within an institution". Hence, the effectiveness of gender quotas is not only dependent on its compatibility with the broad structure of the envisaged democracy as expressed in the constitution of a particular society and the electoral

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[16] This system applies to multi member districts represented by more than one member of parliament.

system in place but also on the political will to give a voice to women as well as an informed and vigilant civil society (Hoodfar and Tajali, 2016).

2.3 Understanding Women's Political Representation

Gender quotas have played a significant role in accelerating the descriptive representation of women globally (Thames and Williams, 2013). Whilst this trend has largely been perceived positively, questions about "the effects of these measures on women's influence" within political institutions have dominated contemporary debate (Arendt 2018, p. 296). Messing-Mathie (2011, p. 17) argues that the normative assumption underlining gender quotas places value on increasing women's descriptive representation without disclosing "what this representation should do and mean to constituent women". More clearly, Arendt (2018, p. 298) questions whether gender quotas are effective at producing "critical leaders".

Other scholars have stated that for "women's descriptive representation to bring about change in a more women/ gender-friendly direction, female politicians should 'have distinct views on women's issues, bring a women's perspective into political decision making, or bring a different style and set of role expectations to politics'" (Madsen 2021, p. 3 -with reference to Bauer and Britton 2006). The question that arises then is how do we measure the results of women's descriptive contribution to politics? Do we look at the number of women-focused policies that have been enacted as a direct result of women's descriptive presence in politics? Are policies enough? What about enforcement and oversight measures? These are some of the pertinent questions with regards to increasing women's descriptive representation, especially in highly patriarchal and donor-dependent nations like Malawi. Malawi's history of an inactive women's movement also raises concern about the extent that women are interested in actively participating in politics (Tiessen, 2008).

In addition, critics of gender quotas have also questioned the assumption that increased women's presence in politics will lead to "better outcomes for women through public policy" (Mechkova and Carlitz, 2020, p. 3). Underlining this assumption is the argument that female politicians are better equipped to represent the interests of female voters because they, at least to some extent, share the same experiences" (Wängnerud, 2009, p. 61). Rahmatunnisa and Mariana (2016) also echoes that the adoption of a gender quota has the

potential to accelerate women's representation and promote the birth of various gender-responsive policies. Whilst critical mass literature suggests that women will work together once their numbers are sufficiently large to promote women's interests in the government agenda, studies examining women's substantive representation and access to leadership posts have failed to find support for these coordination effects (O'Brien and Rickne, 2016). Beckwith and Cowell-Meyers (2007) contend that increasing women's descriptive representation does not guarantee that women will join forces to achieve common ends. Rather it has been found that female candidates are more loyal to their political parties than they are to forming coalitions to promote other women (Hoodfar and Tajali, 2011).

According to Hoodfar and Tajali (2011), political parties and government leaders decide which women are selected to run as political candidates, leaving elected female MPs more accountable to their political leaders or parties and less accountable to their constituents. Madsen (2021) adds that since legislatures are historically male-dominated, there are entrenched male networks designed to restrict more women from having more influence in the political arena. Thus it is not surprising that in many states, elected female candidates pursue different aims even on issues related to women's descriptive and substantive representation (O'Brien and Rickne, 2016). In examining women's substantive representation, Wängnerud (2009) asks whether the symbolic presence of women in politics impacts the behaviour of men by either reinforcing gender differences or modifying them. Wängnerud (2009, p. 61) coincide that "parliaments are complex institutions that it is a methodological challenge to empirically test the theory of the politics of presence" unless one uses a longitudinal research design that studies political trends over a long period.

The question of how much influence the symbolic representation of women has on changing the unequal gender relations that govern patriarchal states also revolves around evidence that there is a tendency to bring women into political structures as evidence of continued commitment to promoting gender parity whilst, in reality, these female politicians are just pawns in the political realm (Madsen, 2021; Bush, 2011). Madsen (2021, p. 22) observes that in countries "where women's institutions or national gender machineries exist, women

lack the authority to influence and where they are embedded in ministries they seem to deal with social welfare issues and community development". This is a common trend in Malawian politics that I have also mentioned in the first chapter, where there is a tradition of appointing female representatives to lead particular ministries like agriculture, education, health, gender and social welfare, whilst the ministry of finance, for instance, is regarded as a man's domain.

In addition, proponents of gender quotas also argue that the presence of women has the potential to control corruption within government institutions (Wängnerud, 2009; Madsen, 2021). Studies on corruption conducted by institutions such as the World Bank "find evidence of a relationship between the number of women in parliament and the level of corruption: a high presence of women tends to correlate with low levels of corruption" (Stensöta and Wängnerud, 2017, p. 3). According to Stensöta and Wängnerud (2017), women are more likely to make a great impact in the electoral arena by taking a stand against corruption than in the civil service or bureaucratic structures. However, Wängnerud (2009) also notes that the specific causal relationship between corruption and the presence of women is not very clear, even though it is rooted in the assumption of women being the 'fair' gender which is basically a socially constructed gender difference. Thus other scholars have argued that women are also involved in corruption even though at lower levels and are usually more likely to get stiffer punishment if caught (Stensöta and Wängnerud, 2017).

2.4 Quotas in Sub-Saharan Africa: A Case of Malawi

While the use of gender quotas to increase women's participation in formal institutions is not specific to the Sub-Saharan African context, there are factors that make it a unique context to study quotas. These factors include; the pace at which many countries in the region have implemented gender quota legislation[17] (Messing-Mathie, 2011) and how these laws have been implemented in the "absence of major changes in institutional, social and economic, cultural and strategic variables" (Krook, 2010, p. 888). Notably, there are huge disparities in the type and design of quotas and the outcome within the region. While countries like South Africa and Mozambique have had great success using voluntary party measures (Arendt, 2018), Rwanda and Tanzania have had great success using reserved seat quotas (Wang and

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[17] At least 33 countries have adopted a gender quota out of the 46 countries in the Sub-Saharan Africa - See Wang and Yoon (2018)

Yoon, 2018; O'Brien and Rickne, 2016). However, there are also countries in the region where quotas have not been successful in accelerating women's representation (Messing-Mathie, 2011). For instance, Botswana, which is regarded as an upper-middle income country by the World Bank, has regressed from 18.2% in 1999 to 11.1% in 2019 despite adopting a voluntary 30% gender quota for the legislature in 1999 (Messing-Mathie, 2011; IPU Parline, 2022).

In researching data for this literature review, I found extensive research within the Sub-Saharan Africa region that focused on examining types of electoral systems and best-suited gender quota designs, as well as the subsequent effect of gender quotas on legislative bodies (Messing- Mathie, 2011). However, there was little I could find about the Malawian context that critiqued how gender quotas were adopted and how they are being implemented other than research papers that alluded to the benefits of gender quotas (Chasukwa, 2016) and another in-depth research published by Kayuni and Muriaas (2014, p. 394) explored whether there might be "non- quota mechanisms that could be used together with, or in lieu of, gender quotas to increase women's representation in Malawi". Kayuni and Muriaas suggest electoral financing as one way to boost female candidates' political campaigns so that they are visible in the communities as much as their male counterparts.

On the political landscape, the Electoral Act and the Constitution of Malawi do not prescribe electoral quotas, even though all political parties have adopted voluntary quotas in their manifestos (EISA, 2019). Additionally, the 40/60 gender quotas prescribed for the public and private sectors are usually applied as the benchmark for inclusive politics. It is therefore important to assess how these quotas were adopted and how they are being implemented, and their subsequent outcome in both public and private sectors.

Since the majority of the reports and research papers relating to the 40/60 gender quota, women empowerment and the national gender policy in Malawi are mostly published by or in conjunction with civil society organisations or international development partners, the impact of the influence that these development partners have on the policy adoption and implementation is hardly the focus of the research. Therefore, my vision for this research is to examine the adoption of the 40/60 gender quota and the gender equality policy within the social, political and cultural context in which they were adopted and how development

partners influenced the adoption of such policies. Specifically, I want to assess whether the intervention by development partners is pushing the gender equality agenda forward or is leading to the further stagnation of the efforts to increase women's participation in key decision-making positions in Malawi.

2.5 Conclusion,

The literature in this chapter has so far hinted at several areas, including challenges associated with gender quotas with regard to women's representation, as well as how social, political and cultural factors play a crucial role in promoting or undermining the effectiveness of a particular quota system. The literature has also established the Western genealogy of gender quotas and how Western aid agencies are actively involved in promoting the adoption of gender quotas in developing nations (Bush, 2011; Arendt, 2018). It is from this latter perspective that this paper sets out to examine the adoption and diffusion of the 40/60 gender quota and the national gender equality in Malawi.

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Chapter 3

Theoretical Framework

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3.0 Introduction

This chapter introduces the key theoretical concepts that have been fundamental in researching and critically examining the adoption and diffusion of gender quotas and gender equality policy in Malawi. The study has utilised several theoretical concepts to analytically explore the issues surrounding the adoption of gender legislation in Malawi. Firstly, the research has employed concepts of postcolonial theory. To determine the implications of the political-economic processes of the 'intervention' by International aid agencies (also known as development partners) in policy development and adoption in donor-dependent states like Malawi, I have fused the materialist and discursive theoretical formulations of postcolonial theory. In addition, I have also employed the concept of marginality as a lens to discuss women's dis/empowerment within Malawi's gender equality policy framework.

3.1 Postcolonial Theory

Postcolonial theory as a field of inquiry focuses on investigating, reflecting on and challenging "relations of domination and subordination–economic, cultural and political between (and often within) nations, races or cultures which characteristically have their roots in the history of modern European colonialism and imperialism and which equally characteristically, continue to be apparent in the present era of neocolonialism" (Moore-Gilbert, 1997, p. 12). More consistently, Boussebaa, Sinha and Gabriel (2014, p. 1156) state that by focusing on the formulations of postcolonial conditions, which include 'agents, roles, structures and practices through which West/Rest power relations are (re-)produced and the variety of interests and motives that fuel them allows us to ground our discursive struggles in their material context'. In this regard, the postcolonial theory does not only focus on investigating or reflecting upon the history of colonialism and its impact on the present-day West or Europe / South or developing nations relations but also focuses on examining and challenging how new imperial structures are being (re-)produced in the contemporary global world. The latter perspective is of interest to the current study and is explained in relation to Aníbal Quijano's concept of 'coloniality of power' (Ndhlovu-Gatsheni, 2013).

3.1.1 Coloniality of Power

Coloniality is a concept that was coined by Aníbal Quijano in 1990 to describe the "duality in Eurocentric modality of rule over the non-western other- based on the superiority of the West and inferiority of the non-West" (Fasakin 2021, p. 903). According to Fasakin (2021, p. 904), the power of coloniality "entails the productive ability of coloniality to reproduce the colonial situation discursively in a manner that legitimises colonisation of the colonised subjects". Put simply, coloniality of power articulates;

> "...continuities of colonial mentalities, psychologies and worldviews into the so-called 'postcolonial era' and highlights the social hierarchical relationships of exploitation and domination between Westerners and Africans that has its roots in centuries of European colonial expansion but currently continuing through cultural, social and political power relations" (Ndhlovu-Gatsheni, 2013, p. 80 with reference from Quijano, 2007).

Central to the conceptualization of coloniality of power is the argument that decolonization did not emancipate colonised states; rather, it led to new forms of colonisation that involved control of the global economy and the advancement of Western ideology as ideal for advancing development in former colonies (Ekeocha, 2018). Boussebaa et al. (2014, p. 1154) argue that in the contemporary postcolonial West-North / South power relations, political-economic and cultural dominations are not only perpetuated by dominant Western states but also by "international multilateral organisations set up by Western states to govern the world". Grosfoguel (2007, p. 219) argue that;

> "One of the most powerful myths of the twentieth century was the notion that the elimination of colonial administrations amounted to the decolonisation of the world. This led to the myth of a 'postcolonial' world. The heterogeneous and multiple global structures put in place over a period of 450 years did not evaporate with the juridical-political decolonisation of the periphery over the past 50 years. We continue to live under the same 'colonial power matrix.' With juridical-political decolonization, we moved from a period of 'global *colonialism* ' to the current period of 'global *coloniality*'." (emphasis by author)

Whilst the West claims neutrality in the politics of developing nations; there's evidence that over the years, the range and scope of power of international multilateral organisations founded by Western governments such as the International Monetary Fund (IMF) and the World Bank; intergovernmental organisations such as United Nations; and their transactions in less developed nations have grown exponentially (Colás, 2005; Bhabha, 1994; Rao, 2010). Fasakin (2021, p. 906) argues that global coloniality which is sustained by globalisation necessitates Western modernity/coloniality to govern African states in "a manner that makes colonialism invincible, and makes the 'modernity' of Africa impossible". Ekeocha (2018) explains that even though foreign donors claim to be giving free support to African states to revive their economies, donor aid is never free as it comes with an agenda that continues the enslavement of African states.

Bhabha (1994, p. xvi) also argues that the "economic 'solutions' to national and international inequality and poverty practised by the IMF and World Bank, for instance, have led to the creation of a dual economy that has reproduced empire/colony relations. Bhabha adds that the

reproduction of dual unequal economies as effects of globalisation has rendered "poorer societies more vulnerable to the 'culture of conditionality'[18] through which what is purportedly the granting of loans turn into the peremptory enforcement of policy" (1994, p. xvi). Bhabha argues that conditionality practices have enhanced the political powers of institutions practising them to conduct global politics.

Similarly, Ekeocha (2018) notes that the 'culture of conditionality' has infiltrated foreign aid forcing African nations to adopt policies regardless of not having structures to support such policies. Whitfield and Fraser (2009, p. 1) echoes these sentiments by arguing that 'Western aid agencies have constrained the policymaking options of aid receiving governments by demanding recipient governments change their economic and social policies' which has left donor-dependent nations desperate to develop and adopt policies which they have no structures or intention of implementing fully. Whitfield and Fraser's argument contributes to one of the research questions of this paper that focuses on how Western donor agencies impact processes of gender legislation in Malawi. This concept will be analysed in detail when presenting data from key informant interviews.

Whitfield and Fraser (2009) further note that even though some donor agencies have started encouraging recipient governments to 'take ownership' of donor activities and set their own conditions, it is still the norm that many donor agencies propose how part of the money should be spent. Others have also argued that the role played by international multicultural organisations in developing nations cannot be regarded as neutral as they play a significant role in influencing the adoption of particular policies deemed necessary solutions against poverty, inequality, and cultural backwardness (Colás, 2005; Rao 2020).

Employing the concept of coloniality of power in this research allows me to explore the 'colonial situations' embedded within the national gender policy in Malawi, as well as to analytically examine the influence that development partners have in the development,

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[18] For instance, UN Women reports that at the 2008 Accra Agenda for Action "donors agreed to ensure that development policies and programs are designed and implemented in ways consistent with agreed international commitments on gender equality, human rights, disability and environmental stability".

adoption and implementation of gender policies and strategies like gender quotas in Malawi and its implications.

3.1.2 Mimicry of gender equality

> "Ever since Hegel mapped time into space so that Africa was imagined as Europe's past and Europe as everyone's future, time has been central to the politics of imperialism and anti-imperialism", Rahul Rao (2020, p. 1)

From a discursive standpoint of postcolonial theorization, I find Homi Bhabha's work on the notion of 'Mimicry' especially useful to the current study. Bhabha (1994, p. 122) describes colonial mimicry as "the desire for a reformed recognisable Other, *as a subject of difference that is almost the same but not quite"* (emphasis original). "The discourse of mimicry is constructed around ambivalence: in order to be effective, mimicry must continually produce its slippage, its excess, its difference" (Bhabha 1994, p. 122). Boussebaa et al. (2014, p. 1155) elaborate further on the West/Rest encounter in mimicry in simpler terms;

"the 'West' represents itself as 'developed', 'advanced' and interested in transforming the 'Other' in its own image, yet at the same time maintains difference through representations of much of the world as 'undeveloped', 'backward' and so on- doing otherwise would delegitimise and bring to an end the social structures and practices perpetuating West/Rest power relations. In this context, the 'Other' itself is a site of great cultural diversity that can never fully be assimilated into the 'West' is led to 'mimic' rather than replicate the Western ways of being".

Thus, the West/Rest relations are ambivalent and mutually constitutive, producing hybridity[19] rather than sameness. Bhabha (1994, p. 159) further adds that within colonial discourse "hybridity is the sign of the productivity of colonial power, its shifting forces and fixities; it is the name for the strategic reversal of the process of domination through disavowal". I, therefore, extend Bhabha's theorisation to the study of the adoption and diffusion of gender quotas and gender policy in Malawi. I argue that the development and adoption of gender quotas and gender equality policy were merely perceived as a fulfilment of a mandatory obligation (in this case, enforced by development partners) for financial gain.

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[19] Hybridity in this case is not to be viewed in 'neutral' terms as some kind of 'blending' of previously distinct subjectivities and practices, but as a form of resistance in the sense that its presence threatens the 'purity' of imperial identity and continually frustrates the coloniser's ability to fully reform and control the 'Other' (Boussebaa et al., 2014, p. 1155).

In addition, while some of the inconsistencies within the policy are as a result of resistance to replicate western ideologies fully, there are also some ideologies within the policy that aim to maintain the patriarchal status quo. At the same time, this difference (failure to replicate) is embraced by Western donor agencies as it ensures the continuation of the West/Rest or North/South power relations.

3.2 Marginality, Power and Social Structures

The concept of marginality was introduced by Robert Park in his essay, "Human Migration and the Marginal Man" published in 1928 (Dunne, 2005). According to Dunne (2005, p. 11), Park used the concept to "refer to the cross-pressures generated by overlapping involvements in two cultures that immigrants were assumed to experience". Over the years, the concept has travelled and has been developed further as a theory and a method to investigate issues and problems associated with social structures that are closely linked to power and domination. The latter conceptualisation is what is of interest to the current study.

One of the scholars that have theorized marginality is Dennis Rutledge (2005), who has described marginality as "the degree to which power is held and/or exercised by one individual, group or nation to the detriment of other individuals, groups or nations" (p. 7). While the concept is connected to marginalisation, marginality investigates the unique features of duality or what Rutledge describes as dual paradoxes where one person may simultaneously be integrated and marginal to one or more social systems (Rutledge 2005; Dunne, 2005). Rutledge (2005, p. 3) argues that;

> "…though many refer to the marginalised as being "outside" of the social sphere, a good case can be made that the marginalised are both "outsiders as insiders" and "insiders as outsiders". That is, no one or no group can evade or escape from the social sphere in the same way that Ellison's Invisible Man is really not invisible, but rather is seen, but simply ignored. But being ignored does not mean that you will not play a variety of roles in society. You are ignored because of power, position, and status do not view you as important to recognise, except within limited economic, political and cultural boundaries.

Similarly, Dunne (2005, p. 15) describes marginality as "the distance from the centre". According to Dunne (2005), two critical considerations must be taken into account when analysing one's "marginal position";

> "First, consideration of the individual or group in terms of their dual position, i.e. distance from both societal and local centres. Second, consideration of resource flows and obstruction of flows that either integrate positions with centres or constitute the distance that separates them" (p.16).

Although this concept can also be used to analyse the West/centre and South/periphery relations, I want to use the concept in this research to examine how the government of Malawi is adopting policies to empower women while at the same time systemically limiting the number of women and the portfolios that they can hold. By focusing on the current national gender equality policy and the statistics on women's involvement in public service and politics, we can substantiate women's dis/empowerment within Malawi's policy framework.

Chapter 4
Research Methodology

4.0 Research Design

This study is situated within qualitative research methods. In practice, the research was conducted in 3 stages. In the first stage, I conducted a Critical Discourse Analysis (CDA) of the national gender equality policy to ascertain whether the policy does indeed promote the equality agenda as well as empower and promote women's visibility in key political and public decision-making positions.

In the second stage, I used my findings from the CDA to guide further research with six key informants selected based on their work and involvement in developing and implementing gender equality policy and interventions such as the gender quota. These key informants were recommended personnel from the Ministry of Gender in Malawi, the Malawi Parliament, the Human Rights Commission and Plan International Malawi. The reason I chose to do key informant interviews on the subject is that I wanted to get expert insights on the issue and also

to be able to share with them my findings so that they can critique and, where possible, offer plausible explanations on why they held a different opinion on the issues that I presented.

The interviews, which were held virtually through Zoom video conference and WhatsApp calls, were in the form of informal dialogue. My choice for Zoom video calls was motivated by its ability to offer a replacement for face-to-face interviews, which is excellent for in-depth interviews. The WhatsApp calls were also handy in facilitating follow-up questions in cases where I needed further clarification in analysing the data I collected. The discussions were informal to create a conducive environment for participants to use their experience within the field to discuss pertinent issues affecting the implementation of gender quotas and the progress of gender equality in Malawi. Informants gave informed consent before the interviews, and the purpose and use of the interview data were clearly stated (see appendix 1). Due to ethical reasons, no names or occupations were documented. In addition, I took short notes during three interviews instead of recording the whole interview, as the participants were uncomfortable with having a recorded interview video of them.

The following section presents Fairclough's approach to Critical Discourse Analysis that has been used in examining the national gender policy of Malawi.

4.1 Critical Discourse Analysis

The CDA that I have employed in this research is informed by Fairclough's approach to Critical Discourse analysis. Fairclough (2010, p. 4) defines CDA as the "analysis of dialectical *relations between* discourse and other objects, elements or moments, as well as analysis of the internal relations of discourse" (emphasis by author). Simply put, Fairclough CDA focuses on "the relationship between 'discursive practices, events and texts' on the one hand, and 'wider social and cultural structures, relationships and processes' on the other—in order to explore the linkages between discourse, ideology and power"(Taylor, 1997, p. 25)[20]. Fairclough offers a three-dimensional model for CDA that encompasses:

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[20] Language and meaning are central to discourse theories, CDA allows us to explore discourse within broader social processes, for instance, how they shape and are shaped by competing. social power relations - See Taylor (1997)

"(1) the examination of the linguistic features of texts (the level of the text); (2) the exploration of processes related to the production and consumption of texts (the level of the discursive practice); and (3) the consideration of the wider social and cultural context to which the text as a "communicative event" belongs (the level of the sociocultural practice)," Pinto (2011, p. 2).

Central to Fairclough's 'critical realist' approach is the argument that "the natural and social worlds differ in that the latter but not the former depends upon human action for its existence and is socially constructed" (Fairclough, 2010, p. 4). Fairclough views discourse as a "form of power, a mode of formation of beliefs/ values/ desires, an institution, a mode of social relating, a material practice" (Pinto, 2011, p. 2). Fairclough (2010) identifies three levels of CDA, namely, micro, meso- and macro. According to Johnson and Mclean (2020, p. 1);

"…the micro-level focuses on discursive events, including analysing "texts or other forms of discourse to provide a rich description (typically taking account of content, structure, grammar, vocabulary, intertextuality, and rhetorical or literary devices). At the meso-level of discursive practice, analysts examine the processes underlying discursive production, dissemination, and assimilation and interpret the discourse in relation to this contextual understanding. The macro-level of social structures requires an understanding of the broader social context (including implicit and explicit rules, norms, or mores governing discourse and society)".

Thus focusing on the three dimensions, the texture of the text, the text as a discursive practice and the social context in which the policy is adopted allows for an understanding of how mainstream ideologies and power relations are reproduced in 'progressive' gender equality policies. In other words, CDA allows us to explore policies and "policy-making processes within the broad discursive field within which policies are developed and implemented" (Taylor, 1997, p. 25). In this regard, this research will examine and analyse the NGP in terms of Fairclough's 3 dimensional model to CDA paying more attention to the text in terms of linguistic features, discursive practice and the social context.

4.2 Positionality, Ethics and Reasons

Recognising one's position during the processes of data collection and interpretation of the research data is an important methodological and ethical consideration (Piálek, 2008). Piálek (2008, p. 270) states that a key aspect of conducting research is to recognise one's "position within the research process and to make that position both unbiased as possible through sustained methodological development but also as clear as possible to those reading

research". Broussine and Fox (2003, p. 32) state that this process involves being both "*reflective* about what is coming out of the data" and "*reflexive*- to be aware of oneself in the process of researching". This allows the researcher to "be critical and to avoid making excessive claims to authority" (Broussine and Fox 2003, p. 32).

In doing this research, I have made a deliberate attempt to ensure that I am being critical of my assumptions outlined in Chapter one and my initial findings from the CDA of the gender equality policy in Malawi. I have also discussed my assumptions with my research participants and allowed them to critique my ideas. By doing this, I created a space to test my findings and gain new perspectives on the subject matter.

Despite engaging in this process of critical reflection, I have based my research upon certain assumptions, ideas and methods that some may not agree with. However, this is expected in academic writing; as such, I have not tried to mask my assumptions, ideas and methods within the research; rather, I have tried to present them as clear as possible. My experiences as a native Malawian woman and a professional who has extensively worked with non-governmental organisations have influenced my choice of topic and my assumptions.

Since this research is being conducted within gender studies, I do feel using one's experiences to question the social power relations that influence those experiences is very important in gender research. Mills (1959, p. 2) motivates this "to say that you can have experience means that your past plays into and affects your present and that it defines your capacity for future experiences". Thus my experiences are the baseline upon which I have built my assumptions for this research and have played a role in how I have interpreted and understood the issues surrounding gender equality policy and the 40/60 gender quota in Malawi.

Chapter 5
Data Analysis

5.0 Introduction

This Chapter is presented in four sections. The first section is the CDA of the national gender equality policy of Malawi, the second section presents data from the interview dialogue, and

the third section presents a critical reflection that ties the two sets of data to the theoretical framework and literature reviewed in this paper. The last section presents recommendations that have been suggested based on the gaps and inconsistencies within the gender equality policy and the implementation of the gender quota.

5.1 CDA of the National Gender Equality Policy in Malawi

5.1.1 The Structure of the National Gender Equality Policy

Commissioned by the Ministry of Gender, Community Development and Social Welfare in Malawi in 2015, the national gender equality policy (NGEP) is an overarching policy for eradicating gender inequalities in all sectors of public life. Specifically, the policy's purpose is to strengthen "gender mainstreaming and women empowerment at all levels to facilitate the attainment of gender equality and equity in Malawi (GOM, 2015, p. 15). The policy, which is subject to a 5-year period of review and adjustments, has 57 pages and is divided into two sections. The first section identifies seven key priority areas that the policy targets, namely; Gender in education and training; health; agriculture, food security and nutrition; natural resources, environment and climate change management; economic development; governance and human rights; and lastly capacity of the national gender machinery (GOM, 2015, p. 16). The second section presents the implementation, monitoring and evaluation strategy of the policy. This is where each priority area is followed by a corresponding policy statement, objectives and strategies within a specific timeline and how they will measure the output and outcome of the policy.

My aim with this CDA of the national gender policy is to make visible previously unnoticed and submerged sites of conflict and non-commitment embedded within the policy, allowing an understanding to be gained of how the NGEP has so consistently faced a policy-practice impasse. The analysis in this chapter is guided by one of the research questions; What are the major issues affecting the implementation of the 40/60 gender quota and the gender equality policy in Malawi? As stated in Chapter 4, the analysis will focus on 3 features:

1. Textual Analysis: Exploring the 'Texture' of the NGEP
2. Text as a 'discursive Practice': Examining the Interdiscursivity of the NGEP

5.1.2 Textual Analysis: Exploring the 'Texture' of the NGEP

Fairclough's textual analysis involves a critical examination of the text in terms of its form and organisation at all levels, including "the grammatical and lexical as well as structures of argumentation used" (Pinto, 2011, p. 3). According to Fairclough (2013, p. 7):

> "textual analysis has a dual character. It is firstly *interdiscursive* analysis- analysis of which discourses, genres and styles are drawn upon in a text and how they are articulated together… And it is secondly *linguistic* analysis or for many texts, multimodal analysis of the different semiotic 'modes' (including language..) and their articulation". - (emphasis by author)

A critical examination of the text can, therefore, "shed light onto the ways in which language works to construct identities and social relations and thus the method has special relevance to policy analysis" (Pinto, 2011, p. 3). One of the elements of textual analysis that I want to explore in this analysis is a 'metaphor'. Fairclough (2003, p. 131) posits that a metaphor is an essential tool for "producing distinct representations of the world". Fairclough (1992, p. 195) further adds that "metaphors structure the way we think and the way we act and our systems of knowledge and belief, in a pervasive and fundamental way".

The NGEP can be said to be structured around the metaphor of 'progressivism". The plan is depicted as being adopted at a time when the nation has made considerable progress in promoting gender parity and women's empowerment. At the outset, the plan alludes to the progress that the previous NGEP has made. In part, the foreword provided by the then President of Malawi, Prof. Arthur Mutharika, states that "the first gender policy (2000-2005) has resulted in *increased* efforts on the promotion of gender equity and equality" (GOM, 2015, p. 3, emphasis added). At the end of the foreword, the President also states that the current plan "will contribute to *the accelerated* attainment of successor goals" (GOM, 2015, p. 4, emphasis added). The use of words like 'increased' and 'accelerated' in these sentences is meant to evoke ideas of growth and continuity to show that the nation is not where it was a decade ago in terms of promoting gender equality.

In order to substantiate the progressive claim, the president also establishes the successes that the previous policy has made "the achievements include among other things, development and implementation of gender mainstreaming guidelines,..." and proceeds to name some of the policies that have been implemented as a response to the previous gender equality policy (GOM, 2015, p. 3). In the preface, the minister of Gender, Hon. Patricia Kaliati also signals these achievements by stating that the nation has achieved "some gender equality results" from the previous NGEP. In this way, both the foreword and preface sets the tone that Malawi is on a progressive route in its quest to achieve gender equity and equality.

The advancement of the 'metaphorical progress' of gender equality in Malawi is also made apparent in the document by the differences in the purpose of the previous NGEP (2000-2005, 2011-2014) and the 2015 NGEP. On the one hand, the overall goal of the 2000- 2005 and 2011-2014 NGEPs was "to mainstream gender in the national development process to enhance participation of women and men, girls and boys for sustainable and equitable development for poverty eradication" (GOM, 2011, p. 2). On the other hand, the overall goal of the 2015 NGEP is "to strengthen gender mainstreaming and women empowerment at all levels in order to facilitate the attainment of gender equality and equity in Malawi" (GOM, 2015, p. 15). In these two goals, there's a clear shift of the narrative from "mainstreaming gender in the national development process" to "strengthening gender mainstreaming", which in essence is acknowledging that gender mainstreaming has already happened and now what is needed is to reinforce it to keep moving forward with the gender equality agenda.

The progressive stance on gender equality in Malawi is legitimised by both the President and the minister by indicating that at the national level, the policy is premised/guided by the Constitution of Malawi, "which has gender equality principles and related provisions" (GOM, 2015, p. 5). This serves to reinforce the idea that the country has put in place substantial measures to promote gender equality over the past decade; by ensuring that the Constitution is in line with the current provisions of gender equality laws and that it is fully capable of supporting the provisions articulated in the 2015 gender equality policy.

The metaphor of progressivism is further reinforced by linking the policy to international and regional laws relating to gender equality. The NGEP articulates that the revised version of the

NGEP was 'guided' by (p. 5) and is also a sign of 'political will and commitment' (p. 13) to international and regional laws relating to gender equality that it ratified (GOM, 2015). Both the preface and the introduction of the policy mention the following instruments and commitments as being fundamental in the making of the provisions of the 2015 NGEP: the "SADC Protocol on Gender and Development; the CEDAW; the Convention on the Rights of the Child (CRC); the Vienna Conference on Human Rights; and the Beijing Platform for Action" (GOM, 2015, p. 13). This expression suggests that the policy has integrated some of the internationally recognised mandates on gender equality, thereby legitimising the provisions stipulated in the policy.

The NGEP also advances the idea of committing to international progressive standards by establishing the presence of development partners both in the development and implementation of the policy. The policy states that development partners "shall mobilise resources for the implementation of the policy" (GOM, 2015, p. 25). In addition, specific development partners such as the EU, UNDP and UNFPA are also prominent in the implementation strategy as being responsible for providing technical guidance to "strengthen the capacity of the national gender equality machinery" (GOM, 2015, p. 47). The inclusion of development partners in the policy thus speaks to the idea of continued commitment to adapt to international progressive gender laws as stipulated in the previous arguments.

However, Fairclough (1995) points out that whilst it is important to pay attention to what is explicitly stated in a text, it is also very important to look at what is left out or implicit in that text. Whilst taking a rights approach to justify the need to involve women in politics and other decision-making positions, the 2015 gender equality policy does not adequately address how it will ensure that political, economic and social spaces are open and accommodative for all, including marginalised groups. Verloo (2013, p. 894) argues that;

> "When gender equality policies principally accept the categories of men and women as given", what happens is that in "strategies of inclusion, men and women are seen as basically equal human beings who therefore should have the same opportunities to engage fully in all social, cultural, political, and economical areas of life. This strategy wants to extend dominant values to all, irrespective of gender. It accepts the categories and dominant values but wants to make them irrelevant".

Similarly, the Malawi National Gender Equality policy's (2015) blueprint ignores differences by presenting elite women and men as being on the same level. In addition, in its pursuit to advance the idea of progressiveness, the policy suggests that the playing field to access opportunities has been levelled for both men and women such that failure to excel is entirely the actor's fault. However, this is not the case in Malawi, as shown in Chapter 1, section 1.4 of this paper specifically relating to how female representatives are sidelined or given welfare portfolios in ministerial appointments. As much as there has been progress in the fight against harmful cultural practices, problematising patriarchy in Malawi has often been overlooked. Both public and private structures have maintained deeply entrenched unequal power relations, with men being the dominant decision-makers and women being accorded supporting portfolios. Thus, by ignoring structural inequality, the policy fails to adequately pave the way for eligible women to ascend to key leadership positions and normalises the existing unequal power relations.

In addition, the 2015 national gender policy also sparks questions on the feasibility of the 40/60 gender quota provision prescribed in the 2013 Gender Equality Act. For all its repetitive discourse "to increase women's participation in politics and decision-making positions" (GOM, 2015, p. 32), the policy is silent on the gender quota. This raises concerns about the legitimacy of the gender quota not only in terms of its implementation but also in its efficacy within the government agenda. It is from this perspective that this research will further discuss the significance of the 40/60 gender quota within the government agenda with key informant interviews.

5.1.3 Text as a 'Discursive Practice': Exploring the Interdiscursivity of the NGEP

In CDA, the concept of 'order of discourse' is described as the "socially structured articulation of discursive practices (including both genres and discourses) which constitutes the discursive facet of the social order of a social field such as politics, media and education," (Chouliaraki and Fairclough, 1999, p. 114). The concept is linked to Bourdieu's category of field. According to Chouliaraki and Fairclough (1999, p. 114), "an order of discourse is the specifically discoursal organisational logic of a field- a field seen specifically in terms of its

discursive practices. In this sense, analysing the order of discourse can be seen as part of the social analysis of a field". Pinto (2011) adds that an interdiscursive analysis enables us to establish the links between the text and social and cultural context, which are mediated through the mobilisation of different orders of discourse". Given CDA's interest in social change, this analysis focuses on how boundaries and flows of orders of discourse about gender equality are shifting within Malawi.

The NGEP articulates the discourse of gender equality using two interconnected orders of discourse. The first stance frames gender equality as social justice and human rights issue. In this regard, the policy recognises that women in Malawi are afforded a lower status than men, which leads to "denial of rights" such as access to information, finances, education as well as health services (GOM, 2015, p. 20). The NGEP proceeded to commit that since gender equality is a 'basic human right' (p. 3), it will ensure that "women's and girls' rights are upheld at all levels" (GOM, 2015, p.20). The rights approach is also legitimised by linking the policy to regional and international human rights instruments such as CEDAW, the Vienna Conference on Human Rights, and the SADC Protocol on Gender and Development.

The second strand of the proposition frames gender equality as a prerequisite to socio-economic development. The NGEP explains that women's active participation is a right and a tool for achieving democracy as equal representation in politics and decision-making positions "ensures good governance, transparency and accountability" (GOM, 2015, p. 20). In the policy, the attainment of gender equality is consistently tied to the eradication of poverty and mitigation of climate change as well as a means to sustainable socio-economic and political development.

The established linkage between social justice, human rights and socio-economic development in the policy can be associated with what Fairclough (2013, p. 88) described as 'the technologisation of discourse' to depict the "top-down intervention to change discursive practices and restructure hegemonies within orders of discourse". Whilst the previous gender equality policies (i.e. 2008 and 2011) had clearly focused on empowering girls and women to be on par with boys and men; the 2015 gender equality policy indicates a transition in the narrative. The current policy adopted a hybrid approach that focuses on promoting social

justice and human rights and connects the two aspects as prerequisites to sustainable political and socio-economic development.

The shift in the narrative also signals progress in terms of understanding gender equality in Malawi. For decades, gender equality has been misconstrued as a 'women only' issue, which has derailed its progress due to institutionalised patriarchy. Chasukwa (2016, p. 1) noted that the construction of gender as a 'women only' issue had rendered efforts to promote gender equality 'cosmetic' and 'symbolic'. Transitioning the discourse from being a 'women only' issue to being an important indicator for development has the potential to elevate the significance of gender equality not only within the government agenda but also at the grassroots level. Thus, the hybrid format of the policy points to the evolution of gender issues within Malawi and how the government is promoting and responding to such changes.

5.1.4 Equality Discourse in context: Impasse and Change

In order to understand the consequences and implications of the current National Gender Equality Policy approach in Malawi, it is imperative that we map out the broader social and cultural relations and structures that constitute the social matrix within which the policy was adopted. Widdowson (2004, p. 16) states, "the definition of a text or discourse as language above the sentence needs to account for its textual status" within the social context in which it is being used. This section will thus articulate the social context in which the NGEP has been adopted and implemented by focusing on the social practices, events and structures that inhabit this policy.

Firstly, the emphasis on the progress that the policy embodies has been the trademark of the Democratic Progressive Party (DPP) since its inception in 2005 under the leadership of the then President, Bingu wa Mutharika. However, the Mutharika reign was heavily criticised for gross human rights violations by the international community for prosecuting the first openly gay marriage in 2009 (Mapondera and Smith, 2010). After the DPP won the presidential elections again in 2014, their government was met with stiff donor conditions that needed them to recommit to safeguarding human rights, promoting gender equality and setting guidelines for transparency and accountability to fight against corruption (Nyirenda, 2014). Since Malawi is heavily dependent on donor aid for its yearly budget, the DPP-led

government did not have much choice but to set the standards recommended by donors to gain the much-needed financial redemption at that time. Indeed, the 2015 gender equality policy is one of the policies that were adopted during this time. This also explains why there is a huge difference in terms of the language and approach prescribed in the 2015 gender equality policy as compared to the previous NGEPs (2000-2005, 2008-2011, 2011-2014), which literally had maintained the same policy goal after each review.

However, instead of focusing on the shift in the narrative and the motivation behind the hybrid approach, I want to move beyond these conceptualizations to examine how the discourse presented in the 2015 NGEP conceals and reflects relations of power and their impact on its mandate to empower women. Chouliaraki and Fairclough (1999, p. 90) argue that "modern power is not domination from outside but discipline: the continuous action of techniques which are built into the very capillaries of social life and which have the effect of normalising modern life". I argue that whilst the 2015 gender equality policy inhabits the most progressive approach as far as the history of gender equality policies is concerned in Malawi, its potential to achieve social and political transformation is greatly limited by its dependence on the Office of the President and Cabinet (OPC) for "policy direction and guidance in gender mainstreaming " (GOM, 2015, p. 24).

The OPC is undoubtedly one of the highly patriarchal institutions in Malawi and for it to be entrusted with the overall responsibility to guide policy direction concerning gender parity and women empowerment signals the workings of regulative power. In this case, the men are still the authority that determines what is admissible, how it should be done and what should not be allowed in relation to women's empowerment and achieving gender parity. Such that the women that have been accorded higher political positions remain in the margins of receiving and transferring what is recommended by those in the higher ranks. Rutledge (2005, p.7) argues that "the marginalisation of one group is often not accidental but results from a carefully crafted desire to exploit, use or abuse power and dominance to secure or maintain a historical position". Therefore, the OPC's role in the policy cannot be taken as a mere formality but should be examined and critiqued to the extent that it should also take responsibility for the failures that emanate from proposed policies.

In conclusion, even though the NGEP encompasses a progressive rights approach to achieving gender equality, it is unlikely that it will achieve profound results as compared to previous NGEPs. Specifically, the NGEP's lack of focus on structural transformation regarding closing the gender gap in public service, politics, and other spheres of public life means that the policy is incapacitated to achieve any meaningful results relating to increasing the number of women in key decision-making positions.

5.2 Dialogue Results

The interviews for the data collected below were conducted between 4th to 28th May 2022 through Zoom video conferencing and WhatsApp calls. A total of six one-on-one meetings were conducted, and each took 20 to 30 minutes. Roughly a total of 3 hours was used for the interviews taking into account intermittent network issues that my participants faced in connecting to the meeting. The follow-up questions for the participants were slightly different depending on where the key informant works. For personnel within government agencies, I sought to find out about the development partners involved in promoting gender equality in Malawi, their role and how they impact the implementation of the gender equality policy and the 40/60 gender quota. For personnel promoting gender equality initiatives within the civil society organisation, I sought to get insights on what they have observed that is amiss with the gender quota and the gender equality policy. The dialogue results are presented in relation to research questions.

5.2.1 Development Partners: The Double-Edged Sword of Foreign Aid

The role of development partners in influencing policy adoption in donor-dependent nations like Malawi and its impact was at the core of this research. In chapter 1, I have argued that foreign aid through development partners has influenced the adoption of many gender equality policies that consistently fail to be implemented because it does not account for the need for structural reforms or the level of gender equality in Malawi. In this regard, I sought my key informant's perspectives on the role and impact of development partners in the policy adoption and implementation processes. This section relates to the first question of this research which is what influence do development partners have on the adoption and implementation of gender policies in Malawi? And how does that impact the policy implementation process?

As indicated in the analysis of the NGEP, the Ministry of Gender, Community Development and Social Welfare in Malawi is primarily funded by donors. According to the information I collected through the key informant interviews, the Ministry of Gender in Malawi works with several international agencies, including; UNICEF, UNAIDS, Norad/Norway, USAID, African Development Bank, UNDP and UN Women. These agencies are responsible for providing both financial and technical support to the ministry[21]. While some of the key informants could relate to my initial assumption that development partners have contributed to the policy-practice impasse Malawi is currently facing in relation to gender equality policy implementation, some held a different perspective on the issue. One of the key informants observed;

> "Development partners have played a key role in promoting gender equality in Malawi not only by influencing policy adoption but also by funding the introduction of gender programs at the University of Malawi. In addition, they also continue to play a key role in providing technical expertise to the gender equality machinery. Without development partner's support, I do not think we could have reached the level we are now" (Interview with a public official, 4 May 2022).

This sentiment was also echoed by another key informant who observed;

> "The positive contribution by development partners in promoting the equality agenda in Malawi cannot be understated. A good example is the financial and mentorship support that female aspirants were given during the 2019 tripartite elections through the 50:50 Campaign. Our partnerships with the international community are the driving force behind the institutionalisation of gender; otherwise, on our own, we do not have enough resources to implement all the programs" (Interview with a non-governmental official, 22 May 22).

During the interviews, the participants established that development partners play three main important roles; 1) providing financial support; 2) providing technical support in the development and implementation of policies; 3) and they also help in monitoring the progress of gender equality programming. Nevertheless, the key informants observed that some

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[21] This role is also mentioned in the NGEP (GOM 2015, p. 25)

adverse issues have risen due to the intervention by development partners that are affecting the progress of gender equality initiatives in Malawi.

Firstly, the key informants raised concerns on the issue of donor conditionality which has left many institutions with no choice but to focus on projects that have a short-term impact. One of the key informants noted;

"The problem is that the Ministry of Gender is heavily dependent on donor aid. As such most projects without funding are not prioritised. You will notice that the most popular projects within the ministry are social welfare projects because donors fund these. Unfortunately, the programs which are not prioritised are the ones that are important in mainstreaming gender within the public sector" (Interview with a public official, 10 May 2022).

Secondly, some of the participants also stated that development partners have contributed to the fragmentation and lack of coordination within the national gender machinery. According to a key informant;

"Donors have definitely contributed to the fragmentation of the gender machinery in Malawi. Because each institution- the government and NGOs mobilise their own resources, there's a tendency for NGOs to implement their projects without collaborating with the government. When those projects phase out, there's no one to monitor or follow up on the long-term impact" (Interview with a public official, 24 May 2022).

Lastly, another participant also raised the issue of donor accountability. The key informant observed;

"When you compare the billions of money that donors claim to have been spent in promoting gender equality in Malawi, and the results on the ground, you will wonder where all the money is going to" (Interview with a public official, 4 May 2022).

Other participants also echoed on the issue of donor accountability. However, it was also agreed that it is hard for the government to set such measures since mostly it is the donors who have the upper hand in the transactions with the government and local NGOs.

Ekeocha (2018) has discussed the culture of conditionality extensively in relation to the adoption of policies in donor-dependent nations. Over the years, Malawi has adopted a lot of policies with regards to promoting gender equality. As of the key informants observed;

"We have adopted more policies within a short period that it is hard to monitor the progress of some of them" (Interview with NGO official, 22 May 2022).

Ideally, the adoption of more policies would be considered a great achievement, especially when they are producing the intended results. However, despite adopting many policies, the World Bank (2022) has reported that Malawi has failed to meet key indicators of gender equality. In this case, should we say the policies are working? Whitfield and Fraser (2009, p. 1) have argued that many donor-dependent nations have adopted policies "which they have no structures or intention to implement fully". The fact that many of the policies adopted await donor aid for implementation, monitoring and review, on one hand this signals to the important function that donors play in promoting of gender equality. On the other hand, this raises questions on the government's commitment and capacity to mainstream gender in the national development.

In addition, the development partners' role in providing the technical know-how to gender equality practictioners in Malawi can be linked to Bhabha's concept of "mimicry". Since the European standards for gender equality have been set as the standard for all countries to adapt and modify to fit their own localities, nations are in a constant state of meeting certain gender equality indicators within a specified period. This contributes to the continued need for European experts to train local practitioners on the best practices for gender programming thereby continuing to reproduce developing nation's dependency on the West. Furthermore, the more policy reforms happen at the international level, the more donor-dependent nations seek funding and/or loans in order to implement the recommended reforms. Thereby reproducing the West/South power relations.

5.2.2 The 40/60 Gender quota: Implementation and Challenges

The adoption and implementation of the 40/60 gender quota is one of the key initiatives that was primarily influenced by development partners that was pertinent for this research. In this regard, I sought to find out: 1) whether the 40/60 gender quota is representative of Malawi's needs to promote gender equality and 2) the extent that the quota can address persistent gender inequalities in Malawi and the issues affecting the implementation of the gender quota.

First, when I contacted one of my informants at the Ministry of Gender, Children, Disability and Social Welfare regarding my questions on the 40/60 quota, I was informed that the Malawi Human Rights Commission (MHRC) is the one responsible for the implementation of the 40/60 gender quota even though the Ministry retains an oversight role. When I contacted my informant at the MHRC, I was informed that I would have to make a formal request in order to see the reports on the progress of the 40/60 gender quota. Despite making the request on time and several follow-ups, I did not get any feedback within this research's specified and extended time. Nonetheless, there were a lot of issues that my key informants tried to elaborate concerning the 40/60 gender quota.

First, I presented the gaps that I identified through the CDA of the national gender equality policy. According to one of the informants, the 40/60 gender quota is not present in the NGEP because it is "a temporary mechanism that will be changed in due time" (Interview with public official, 4 May 2022). Even though the quota is mostly emphasised in political appointments, the MHRC has also taken steps to promote women's visibility in the public service by launching a website[22] that contains a database of female graduates in Malawi. The database is set to be "a resource for appointing officials to select qualified women to lead in different portfolios" (Interview with a public official, 4 May 2022). Whilst it is still too early to claim that the website is a success, there has been a gradual increase in female appointments in the public service since it was launched in March 2022.

However, the idea of having a website to promote women's visibility prompted me to think of the 'invisible veil' of patriarchy. Why is it that female leaders in Malawi are not seen? At the same time, men are seen and rewarded within the same system without a database of their

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[22] www.profilingwomenmw.org

contributions to national development. I do not want to join the bandwagon of claiming that female professionals in Malawi are invisible because they lack agency, rather, I want to look at this idea of the invisible veil of patriarchy from Rutledge's (2005) conceptualisation of marginality. As stated in chapter three, Rutledge (2005, p. 3) holds that marginals are not really invisible but rather are simply ignored because of power, position and status that does not recognise them as important, "except within limited economic, political and cultural boundaries".

Similarly, in Malawi, women's contribution in the field of agriculture and as home carers is applauded in fact, there are no questions about their competency in these fields. Yet, when women try to run for higher leadership roles, for instance, the presidency, that's when there's an uproar about their competency and mental abilities to handle the pressure that comes with the job. Thus, even though there is a campaign for equal participation in all sectors, gendered stereotypes still determine how far women can go up the ladder of leadership roles. Depending on the field, female professionals are at once part of the system but also on the margins of the said system; for instance, in welfare portfolios, women are preferred, unlike in governance portfolios where there is a general distrust of female leaders.

In addition, some of the participants stated that there is a 'lack of qualified women' which makes it difficult to meet the quota within the public sector. However, a recent study by the Human Sciences Research Council (HSRC, 2021) has shown that 73.9% of women in Malawi participate in formal labour as compared to 80.9% of men. However, only 15.9% of women hold senior positions as compared to 84.4% of men (HSRC, 2021). Based on these statistics, the gap between the women employed and those who hold senior positions is huge. It is unlikely that the remaining 58% of female professionals are underqualified for higher positions. While there are other factors that might also contribute to this, for instance, women preferring not to apply for higher positions[23], the lack of qualified women is often overgeneralised and has become a justification for sidelining women in key leadership positions.

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[23] It is hard to substantiate this reference especially with the lack of statistics on the percentage of women who apply for high leadership roles in the public service. However, this is true in politics where few women run for member of parliament positions due to different factors i.e. lack of resources and motivation (Kayuni and Muriaas, 2014).

In terms of whether the quota is representative of the country's needs, the majority of the participants expressed that the numbers were more about standardisation with the minimum recommendations at the international level. However, when I asked whether the 40/60 gender quota can achieve gender parity, some of the participants were sceptical, citing patriarchy as the major challenge. The participants also held the view that even though there has not been any significant structural reforms to accommodate gender equality policies, there is an overall improvement in the status of women. One of the key informants observed;

"Structural reform is important, but it cannot happen overnight. Right now, we are on the right track. Things are changing; for instance, we now have an active women's movement. When president Chakwera made derogatory remarks about not being able to see "qualified" and "capable" women to appoint to senior positions, these women reacted. Not only on social media but also through peaceful demonstrations and they demanded an audience with the president, which was granted. This shows that the women's movement is not asleep and is actively fighting for equal rights" (Interview with NGO official, 15 May 2022).

5.3 Conclusion

With the rise of development partners competing to influence policy adoption and implementation in donor-dependent nations, it is essential that we continue to evaluate the positive and negative impact that they have on the development and implementation of these policies. This research explored the impact that development partners have had in influencing the adoption of the 40/60 gender quota and the national gender equality policy.

Whilst development partners have been commended for spearheading the equality agenda and influencing the adoption of gender equality policies in Malawi, this research has found out that there are growing concerns on the efficacy of these policies. This is due to the fact that Malawi is adopting more policies with little regard to structural reforms which has greatly affected the implementation of these policies, for instance, 40/60 gender quota and the national gender . Until the nation decide to invest more in structural reforms, the results with regards to women empowerment will continue to vary across sectors.

5.4 Further Study

Whilst doing this research, I found gaps in research with regards to women's agency within the public sector. Recent research in the field of gender equality and women empowerment in Malawi has focused on women's entrepreneurial and political engagements. I do feel that there is a need to do an indepth study of women's agency and empowerment within the public sector. An ethnographic study of women's experiences within the public sector will help among other issues reveal how the 40/60 gender quota is performing within the public sector and the challenges that women in the public sector face in accessing higher leadership positions.

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Appendix 1

<div align="center">Interview Consent Form</div>

Hello,

My name is Tawonga Tiwonerepo Nyirongo, and I am a Master's student at the University of Gothenburg, Sweden. I am currently in the process of writing my final thesis on the topic of "critically examining the adoption and diffusion of the 40:60 gender quotas in Malawi". As I cannot examine the gender quota without looking at the broader gender equality policy, questions about the national gender policy are essential to my study.

Therefore, I would like to request your participation in my key informant interviews that will be conducted through Zoom conferencing or WhatsApp. By consenting to take part in this interview, you agree that;

- You voluntarily participate in the study and will not be given for participating in the interviews.
- You permit me to use the information collected for educational purposes only.

In return, I will ensure that the data collected will be used as stipulated in this consent. I will also ensure your anonymity such that No names or occupations will be published along with the findings of my study.

If you are interested in participating, please contact me through Whatsapp at +265884420066 or Email: gusnyirta@student.gu.se.

Note: In cases where the participant cannot participate due to lack of airtime, I shall make the resource available.

Appendix 2

Interview Guide

1. Who are the developmental partners that work with the Ministry of Gender, Community Development and Social Welfare?
2. What kind of influence do they have in adopting and implementing gender policies?
3. Why does the national gender policy not acknowledge the gender quota act?
4. Does having a gender quota in the gender equality Act improve women's access to opportunities within the public sector? How about in politics?
5. What are the significant issues affecting the implementation of gender quotas and gender equality policy in Malawi?