Patience, Ladies

Gender-Sensitive Parliamentary Responses in a Time of Crisis

Sonia Palmieri & Sarah Childs[*]

Abstract

In early 2020, in the face of the Covid-19 pandemic, numerous parliaments played their rightful democratic role by following the advice of health and economic experts and swiftly passing emergency legislation and relief packages. This was, in many countries, an attempt to reach an equilibrium between saving lives and saving economic livelihoods, on the understanding that both were in serious jeopardy. In the face of public health measures many parliaments also found themselves having to reform their own rules, procedures and practices. In both cases – policy interventions and institutional redesign – it appears that parliamentary responses to the Covid-19 situation were less commonly based on the advice of gender experts or informed by considerations of gender inequalities. Few, if any, emergency packages were designed following a systematic consideration of existing, deeply entrenched gender inequalities, despite continuous public analysis and commentary about the disproportionate gender impacts of the pandemic and the resulting lockdowns; and no parliaments instituted (temporary) rule changes that prioritized the voices of women parliamentarians or constituents. In this article, which draws on our work drafting the UN Women Covid-19 Parliamentary Primer & Checklist, we revisit the democratic case for gender-sensitive parliaments, highlighting their particular relevance to the 2020 pandemic. We introduce our model for gender-sensitive crisis responses across four key stages of the parliamentary process presented in the Primer – representation, deliberation, legislation and scrutiny – and offer an initial assessment of what transpired in the world's parliaments based on an IPU survey. We suggest that if parliaments are to be gender-sensitive institutions in times of crisis, they must not only change how they do politics but also develop and sustain a robust political culture that values gender equality and an ethic of caring that supports new rules, procedures and practices that better redress institutional gender deficiencies.

Keywords: gender sensitivity, parliament, responsiveness, COVID-19, democracy, women.

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A Introduction

Globally, the novel coronavirus pandemic of 2020 has had wide-reaching social, economic, political, cultural and personal consequences. Indeed, the magnitude of the political response to the pandemic suggests that it has become the most significant immediate global policy problem since the 2008 global financial crisis. Parliaments around the world have had to respond in order to protect lives and ensure economic security; they have had to mitigate – to the greatest extent possible – the inevitable impact of a global recession that was, for the most part, intentionally brought about as governments initiated severe economic shutdowns and travel restrictions to stop the spread of the virus. In this process, parliaments, as fundamental institutions of representative democracy, have key roles to play: aggregating and representing diverse interests and social needs, maintaining transparency in decision-making and holding presidents, prime ministers and political executives to account.

In responding to the pandemic, many governments and parliaments consulted, and were advised by, senior public health officials, and ultimately acted – or claimed to have acted – in accordance with this expert advice, largely 'following the science' served – and designed – to instil public confidence in the decisions as the crisis unfurled. Anti-expertise, the mantra of these more populist times, was abruptly turned on its head: with the people more likely to trust experts than politicians, a generation of national health advisers and chief scientific officers shared, if not took over, the politicians' stage. In many ways, this continued an approach whereby politicians seek to garner trust in sceptical democratic times and sometimes, for ideological and/or populist reasons, (try to) take the politics out of politics.[1] For governments relying on behavioural science and nudge theory,[2] the public would also need to trust the message. Governments needed the public to obey the rules and respond to its nudges.

As workplaces – and arguably ones with the potential to be 'super spreaders' as MPs and parliamentary staff routinely move between the institution and their constituencies – public health requirements meant that parliaments would need to institute new rules for elected members, their own staff and parliamentary staff: social distancing measures would limit capacity in debating chambers and committee and other formal meeting rooms but also behind the scenes in kitchens and in social areas such as cafes, restaurants and bars. Parliaments housed in historic buildings with poor ventilation and strict circulation routes would find such measures harder to accommodate. Members and staff with prior health conditions and in older age groups (such as the UK House of Lords) would also need to be shielded, as would groups more vulnerable to infection such as

1 *See* N. Clarke, W. Jennings, J. Moss, & G. Stoker, *The Good Politician: Folk Theories, Political Interaction, and the Rise of Anti-Politics*, 2018, Cambridge University Press, https://doi.org/10.1017/9781108641357.

2 *See*, for example, in the UK: www.theguardian.com/commentisfree/2020/mar/13/why-is-the-government-relying-on-nudge-theory-to-tackle-coronavirus.

those from black and minority ethnic groups,[3] and those in riskier parliamentary occupations, such as security and cleaning. Working from home would have to be facilitated if parliaments were going to be able to carry on their work, in part because non-essential travel and public transport were in many places limited if not proscribed.

This article offers a gendered reading of initial parliamentary responses to Covid-19. We are centrally interested in what such Covid-19 gender-sensitive responses would look like and why it matters if/when parliaments fail to respond in this way. Thus, we reiterate the imperative of parliaments as key representative political institutions to enact core democratic principles[4] of representation, deliberation, legislation and accountability. Indeed, we suggest that this is even more imperative in times of crisis when the consequences of poor decisions may be hugely deleterious, if not deadly, and when decisions have to be taken regularly without delay.

In reviewing parliaments' responses to the pandemic to date we note the absence and/or belatedness of gender considerations and gender expertise by most parliaments. We are particularly interested in the 'timing' of and 'timeliness' of gender-sensitive parliamentary responses. Considering that these have been yet another example of women being 'afterthoughts',[5] we restate our public position for the emergent international norm of gender-sensitive parliaments (GSP) to be enacted forthwith. To this end, we showcase key areas where parliaments should adopt gender-sensitive responses. The UN Women Primer & Checklist,[6] which we co-authored, focuses on reforms linked to representation, deliberation legislation and scrutiny. We suggest, further, albeit briefly in the conclusion,[7] that in the absence of wider cultural change within parliaments – one informed by a commitment to substantive gender equality and an ethics of care – GSP reforms will be likely less institutionalized and thus risk more permanent, transformative change.

B The Importance of Parliamentary Democracy in Times of Crisis

We would like to think that it goes without saying that times of crisis require no less democracy than times of calm, although we readily admit that in dealing with the pandemic, governments might have imposed, and indeed found it necessary to impose, measures that have had the effect of infringing some democratic rights, including human rights. Across the globe, we have seen rights curtailed or suspended through various measures, such as the following: declarations of

3 Available at: www.health.org.uk/news-and-comment/charts-and-infographics/emerging-findings-on-the-impact-of-covid-19-on-black-and-min.

4 M. Saward, *Democratic Design*, (2021), Oxford: Oxford University Press.

5 J. Lovenduski, Feminist Reflections on Representative Democracy. *The Political Quarterly*, 90: 18-35, 2019. doi:10.1111/1467-923X.12563.

6 S. Childs & S. Palmieri, *A Primer for Parliamentary Action: Gender Sensitive Responses to Covid-19*, 2020, UN Women: New York.

7 For a more comprehensive discussion, *see* Childs and Palmieri 2020.

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Table 1 *Key Messages for Parliaments, Parliamentarians and Parliamentary Staff*

1	Parliaments are fundamental to democratic politics
2	Parliaments' work – representation, responsiveness, scrutiny, accountability and legitimation – is more important than ever in the face of the pandemic
3	Covid-19 affects *everyone*; economically, socially, culturally and personally even as it affects people differently
4	Parliaments must continue to function as fully as possible, albeit operating in line with medical advice
5	Citizens' trust in their parliaments' response to the crisis can be increased where that action is subject to open processes of accountability, takes on a broad range of interests and perspectives, and transparently works to mitigate – as much as possible – inequality of outcome
6	Parliaments should learn from each other, businesses and other institutions to innovate how they go about their work, including the greater use of technology
7	Parliaments can seize this moment as an opportunity to trial and showcase institutional reflexivity, adaptation and innovation
8	Culturally, there must be an institutional code of behaviour/conduct appropriate to the seriousness and severity of the moment
9	At all times what parliaments do – and how they act – should embody and promote key democratic values: political equality, public participation, transparency, public service, deliberation and fair and just decision-making

'states of emergency' and the imposition of formal lockdowns (of whole countries or cities and regions); emergency decision-making powers given to a small number of senior political executives (e.g. Egypt); police-monitored restrictions of personal movement across international, national and local jurisdictions (e.g. 500 metres in Israel), and stay-at-home curfews (e.g. France and some cities in Belgium); obligations to wear masks (in all public places, or in shops and/or on public transport); the requirement (or strong encouragement) to provide personal data (e.g. health data; 'track and trace' processes and mobile phone applications); court orders restricting peaceful assembly and marches (e.g. in support of the Black Lives Matter movement in Australia); the postponement of national and local elections (e.g. New Zealand); and the suspension of schooling, shopping and cultural activities, as well as the postponement of most non-Covid-19 health services, these having been declared 'non-essential'.

In a democracy, such decisions *should* be the product of a country's democratic processes, even as we recognize that the precise process of gaining democratic legitimacy will reflect the particularities of specific countries' constitutions and institutional arrangements. And yet there remain universal messages for parliaments, parliamentarians and parliamentary staff, as outlined in Table 1.

In 'normal times' the best parliaments are those that are 'truly representative, transparent, accessible, accountable and effective'.[8] For parliamentarians to stand and act well for the people, they must know and care about the experiences, perspectives, needs and interests of the represented. Whether in a parliamentary or a presidential system, these parliamentarians play critical roles in influencing, and in some instances leading, governments' response to political issues and events. In other words, there need to be good representative relations connecting the represented to those who represent them; parliaments must be responsive to those they represent; and the represented must be able to see and judge the quality of the decisions made by their elected political institutions and political leaders.

When women are unequally represented in parliament, the quality of their representation – and, we would argue, wider democracy – is poorer.[9] Women are descriptively under-represented in all but four of the world's parliaments relative to their percentage of the population. On average, women constitute 25% of national parliaments.[10] Too many women are today still lacking fair representation in numerical terms. Although the relationship is not straightforward, parliaments that descriptively represent both women and men improve consideration given to all political issues, including those of particular concern to women.[11] Women members bring to parliaments diverse experiences and perspectives, as well as talents and skills. Decisions are better informed, and more just outcomes should be forthcoming. 'Group think' and traditional ways of doing things can be questioned. And when the represented see and experience themselves as better represented, a parliament's legitimacy should be higher.

As critical sites of gender representation, parliaments therefore have a fundamental role to play in holding governments to account regarding how well they stand and act for women, in general, and in the face of the pandemic, in particular. *Societal gender roles and gender inequality differentiate men's and women's experiences of Covid-19 and its aftermath.* While these gendered experiences are also affected by other intersecting identities, societies structured by a gender hierarchy place women at greater risk from the effects of Covid-19 and from governments' responses to the pandemic. There are no guarantees that democratic decision makers take gender roles and gender inequality into account even in 'normal times'. This is not to say that governments consciously act to harm women. Rather, this can easily be the unintended consequences of failing to (a) consider how women's and men's lives are structured on gendered lines, (b) collect data that illuminates these differences and (c) develop policy in

8 D. Beetham, *Parliament and Democracy in the Twenty-First Century: A Guide to Good Practice*, 2006, Geneva: Inter-Parliamentary Union. Available at: www.ipu.org/PDF/publications/democracy_en.pdf.

9 K. Celis & S. Childs, *Feminist Democratic Representation*, 2020, Oxford: Oxford University Press.

10 IPU, *Women in National Parliaments, as at 1 October 2020*. Available at: https://data.ipu.org/women-averages.

11 *See*, for an overview, P. Paxton, M. Hughes, & T. Barnes, *Women, Politics, and Power: A Global Perspective*, 2020, Lanham, MD: Rowman & Littlefield Publishers; J. Lovenduski, *Feminizing Politics*, 2005, Cambridge: Polity.

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conjunction with parliamentary and external gender experts. *Governments may – or may not – see and acknowledge or respond to Covid-19's gendered effects or respond with gender-sensitive policies. In such circumstances, and especially where they are sites of legislative and policy initiation, parliaments can and must act to ensure that responses to Covid-19 are gender sensitive.*

C Gender-Sensitive Parliaments in Times of Crisis

In April 2020 we drafted the UN Women Primer & Checklist for gender-sensitive parliamentary responses to Covid-19 and have since had the opportunity to promote this work actively in various settings. We have argued that to ensure that the gender-differentiated impacts of Covid-19 are fully addressed, parliaments must themselves be – or *become* – gender sensitive. This advocacy is based on our – and others' – existing research over the past decade.[12] As outlined in Table 2, GSP represent the 'gold standard' of what a parliament should be in terms of its composition (gender equal), infrastructure (gender accessible), culture (gender empowering) and outputs (gender mainstreamed).[13] When diversity sensitive (a refinement of GSP), parliaments should reflect the true diversity of their electorates across indicators of gender and sexual identity, race and ethnicity, disability, class and socio-economic status, and this diversity should be evident across all levels of leadership. With respect of dimension two, parliaments should institute, monitor and review workplace practices such as sitting hours, office accommodation, workplace health and safety measures to ensure they are accessible to all members of parliament and staff. In respect of dimension three, parliaments should eliminate all forms of discrimination, including sexism, harassment and bullying and cultivate a culture of empowerment across its diverse membership. With regard to dimension four, parliaments should work towards the goal of gender equality across all outputs by mandating gender analysis and consultation with gender experts across all policy areas.

GSP are critical for substantive, symbolic and affective reasons. When inclusive, a parliament has the potential to become a much more effective political institution. This may be due to: (i) a greater awareness of the public's multiple needs, interests and perspectives; (ii) consideration of a more expansive set of issues and interests; (iii) more informed decisions, as different talents and skills and perspectives and experiences provide new insights and question 'group think' and the dominant ways of doing things;[14] and (iv) enhanced legitimacy, as the public feel better represented by parliament, as a consequence of better

12 Inter-Parliamentary Union, *Gender-sensitive Parliaments: A Global Review of Good Practice*, 2011, Geneva: IPU; L. Wängnerud, *The Principles of Gender-Sensitive Parliaments*, 2015, London: Routledge.

13 S. Childs, *The Good Parliament*, 2016, Bristol: University of Bristol.

14 Such claims are also made in business: www.ft.com/cms/s/4f4b3c8e-d521-11e3-9187-00144feabdc0.html.

descriptive and symbolic representation and a greater responsiveness to them.[15] Furthermore, and because of its systematic, institutionalized approach to gender equality, even in the midst of a crisis, a GSP appreciates that existing gender inequality means the impact of all policy and legislation will be different between, and among, men, women and non-binary people, that these differential experiences are mediated/affected by a society's gender roles. Differentiated parliamentary responses are therefore required.

GSP – as mechanisms of gender accountability – take seriously the democratic responsibility to ensure that any (un)intended differential impacts are redressed or, at the very least, are not further exacerbated. This might be particularly important in situations where some political actors, and/or wider societal norms, are such that any aggravated impact on women is simply the price worth paying for broader social and economic stability and well-being. GSP will, then, debate, review, monitor and hold governments to account for what they do and do not do and the differential effects their decisions have on (diverse) women and men. Where decision makers fail to 'see' women and gender effects, and/or condone negative effects, a GSP shines a spotlight on them.

I Representation

Gender-sensitive representation deliberately raises the voices of women – as both constituents and representatives – in parliamentary responses to Covid-19. Where physical distancing measures preclude the usual mechanisms for consultation, virtual town halls, community online surveys and digital messaging can be used to solicit the experiences and needs of *diverse* groups of women. In representing and raising women's multiple voices, gender-sensitive MPs solicit the views and experience of specific groups of women, including representatives of gender-equality government machinery (ministries, departments, networks of gender focal points); international, national and local women's non-governmental organizations; trade unions that represent female dominant workforces (e.g. health workers, childcare workers, teachers), feminist economists, women business owners and women academics that specialize in pandemics, gender-based violence, gender economics and women's leadership.

II Deliberation (and the Organization of Parliamentary Business)

Lockdowns and social distancing have redefined 'normal' parliamentary sittings, variously resulting in a suspension of proceedings, 'hybrid' chambers composed of members both physically and virtually present, and/or with reduced numbers of physically present MPs. GSP monitor the participation rates of men and women MPs speaking about the crisis, whether it be in debates, moving amendments, points of order or other motions, introducing bills or asking and answering questions. Where necessary, GSP routinely review their procedural rules to ensure

15 S. Childs & J. Lovenduski, Political Representation. In G. Waylen, K. Celis, J. Kantola, & S.L. Weldon (eds.) *The Oxford Handbook of Gender and Politics*, 2013. DOI:10.1093/oxfordhb/9780199751457.013.0019.

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Table 2 The Four Dimensions of a Gender-Sensitive Parliament

***Dimension 1** Equality of participation within parliament*	Dimension 1 asks how a diverse group of MPs might be selected for, and elected to, parliament and how, once present, they are enabled to become effective participants across parliament's core activities: representation and interest articulation, legislative scrutiny and executive accountability.
***Dimension 2** Accessible parliamentary infrastructure*	Dimension 2 takes a critical look at the way in which parliament facilitates the work of members and whether this privileges a particular type of MP – explicitly or implicitly. It covers everything from the buildings and furniture of parliament to the official rules and working practices that underpin the array of members' parliamentary activities.
***Dimension 3** Empowering parliamentary culture*	Dimension 3 acknowledges that the official, written rules never tell the whole story about how institutions function on the ground – this is what might be thought of as the 'normal way of doing things'. It is, admittedly, frequently hard to pin down informal institutional norms, practices and culture. That said [...] parliamentary culture [...] is not fixed but an evolving phenomenon, subject to change.
***Dimension 4** Gender-equality policy/women's substantive representation*	Dimension 4 subjects the political work of parliament – its outputs – to gendered analysis. These would include legislation, policy, scrutiny and interest representation. It asks whether parliaments acknowledge the perspectives and addresses the needs and interests of women; whether women's experiences have been taken into account; ensures that gendered differentiated outcomes are not to women's disadvantage and aims for gender equality between women and men. In so doing, such analysis will frequently be analysing a parliament's work in holding a government to account for its gender sensitivity.

women's voices in deliberations and decision-making are – at the very least – commensurate with their usual numerical proportion in the chamber; they might also consider efforts to ensure that women's voices are equally and genuinely heard.

III Legislation

Gender-sensitive parliamentary responses to legislation – and crucially budgets and money provisions associated with legislation and the wider policy/governing programme – question the effectiveness, efficiency, relevance and impact of Covid-19-related provisions and associated expenditure on women and girls. They do this by identifying the target audiences and beneficiaries of proposed legislation, as well as those left behind. Before approving legislation, GSP specifically ascertain the social and economic costs and gains of proposed measures and their potential impact on different societal groups. GSP will accordingly identify and allocate additional resources to those groups likely to be differentially affected in a negative fashion. On the understanding that an intended goal of all legislation is the promotion of gender equality, GSP considers the extent to which legislation will meet that objective and by what means. During a crisis, a GSP considers the legislative forward work programme,

anticipating and addressing any potential delays to legislation that specifically intends to increase gender equality and women's rights.

IV Accountability and Scrutiny

Gender-sensitive parliamentary scrutiny has the 'advantage of hindsight'[16] in that it can analyse post facto the extent to which legislation, policy and budget measures either improved or exacerbated gender inequalities. In GSP scrutiny, gender mainstreaming tools, such as checklists of questions, impact assessment reviews and gender analysis of evidence gathered, including sex disaggregated data, are systematically deployed. The aim of scrutiny is the identification of corrective measures, asking 'what would work instead?' A GSP adequately resources such scrutiny by establishing specialized committees and dedicated inquiries, with additional personnel and budgets wherever necessary. Gender specialists across a range of disciplines (including public health, epidemiology, economics, gender-based violence, leadership and participation) are consulted throughout such scrutiny work and involved in stakeholder mapping exercises so that parliamentary committees and inquiries engage with key community groups outside of the (disproportionately male) 'usual suspects'.

D Gender Insensitive or Sensitive? An Interim Review of Parliamentary Responses to the Pandemic

The gendered effects of the 2020 pandemic – and of governments' responses – are global, national, local, micro and 'everyday'. And its impact is total: political, social, economic, cultural and personal. If emergency laws and government relief programmes are *directly* impacting on how women live their lives, the wider, *indirect* effects of the pandemic are likely to be long lasting. Over time, political decisions taken today – as well as those not taken – may engender significant societal changes. There is a risk that without GSP responses, such changes will come about without adequate public debate and without critical reflection through a gendered lens. In the ensuing months and years parliaments thus have a key role to play in ensuring that political debate, decision-making, as well as any official reviews into the pandemic and its aftermath, centre the perspectives, needs and interests of women.

How well have parliaments applied a gendered lens in their Covid-19 responses to date? We consider the gender sensitivity of parliamentary responses to the crisis in terms of their core democratic functions of representation, deliberation, legislation and scrutiny. For data we rely on a survey, undertaken by the Inter-Parliamentary Union (IPU), in which parliaments were asked to detail their initial responses to the pandemic.[17] Parliaments could either write to the IPU press

16 M. Mousmouti, Policy Paper: Gender-Sensitive Post-Legislative Scrutiny, Westminster Foundation for Democracy, 2020, p. 8, available at: www.wfd.org/wp-content/uploads/2020/07/policy-paper_updated1.pdf.

17 Available at: www.ipu.org/country-compilation-parliamentary-responses-pandemic.

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office or complete a short survey.[18] The IPU survey notably did not specifically ask parliaments to outline gender-sensitive measures, although it did provide them with guidance on how to do this (in late April).[19] Between 25 March and 21 August 2020, 109 parliaments (or parliamentary associations) outlined – to varying degrees of detail – key measures undertaken in the aftermath of the World Health Association's declaration of a pandemic. Of those 109 responses, only six specifically referred to measures targeted at women and/or gender equality,[20] with the first of those being reported on 29 April 2020 (more than a month later than the first responses were published). The absence of gender-sensitive reporting and the delay in responses that were more gender sensitive are an important finding in itself. At a macro level, it suggests that *an underlying commitment to reducing gender inequality was absent in the most immediate crisis response.*

I Gender-Sensitive Representation

The data showed very few examples of the substantive representation of women, that is, examples of MPs and parliaments 'acting for' women and, we would add, being responsive to them. Not surprisingly, the amplification of the voices of women in the community resulted mainly from the efforts of individual women MPs – those designated by gender and politcs scholars as 'critical actors' – soliciting input from their networks and women's organizations. For example, Mexican MP (and then IPU president) Gabriela Cuevas Barron took to Twitter to draw attention to 'the high proportion of women in the health sector and to the specific situation of women in unpaid or underpaid jobs'. The parliament of Mexico, in fact, established a working group consisting of women MPs from all parliamentary groups and Covid-relevant committees to 'address the problems women and girls are facing because of the health emergency'.[21] Another example is the chair of the Women's Rights Parliamentary Committee of the European Parliament, who issued a press release urging the European Union and member states to increase support to victims of domestic violence during the COVID-19 crisis.

II Gender-Sensitive Deliberation and Organization of Business

Overall, we find that in the *initial* months of the pandemic, parliaments did not specifically implement measures to *guarantee* that women MPs' voices were heard in crisis deliberations. No rules were changed (or temporarily amended) to ensure women's presence commensurate with their representation. Two parliaments

18 The survey instrument is available at www.surveygizmo.eu/s3/90224295/remote-working-in-parliaments.

19 Available at: www.ipu.org/gender-and-covid-19-guidance-note-parliaments.

20 In order of appearance, New Zealand and the European parliament (29 April 2020); Mexico (8 May 2020); Canada (15 May 2020); United Kingdom (25 May 2020) and Colombia (8 June 2020).

21 'Mexico', available at www.ipu.org/country-compilation-parliamentary-responses-pandemic.

(Djibouti and New Zealand)[22] noted that the proportion of women members participating in Covid-19-related parliamentary work approximated women's usual presence in parliament, and in some cases women were appointed chairs of Covid-19-related committees (e.g. Australia and the UK). Irrespective of whether parliaments were meeting virtually or physically (distanced) in the chamber, very little formal monitoring of women MP's participation and voice in debates was reported. Although not reported through the IPU's survey, an exception here is the UK parliament, where the House of Commons library undertook some 'quick and dirty' analysis of MPs' chamber presence by sex.[23] While the total number of MPs in the House of Commons is usually 650, under Covid, the chamber was reduced to 50.[24] The Commons Library analysis revealed that while "both men and women MPs were more likely to participate remotely, [...] men were more likely than women to choose to speak physically".[25]

A common response to the IPU survey was that parliaments operated with a 'reduced number of members' in the initial months of the pandemic, often arranged by party groups on the basis of their proportional representation in the chamber.[26] In Australia, for example, the House of Representatives first Covid sitting included 87 members rather than the full complement of 151 members. Pairs were arranged by the House Whips 'in the normal ways', taking into account MPs' health, the welfare of their constituents and their travel requirements.[27] These arrangements did not take into account the House's gender composition: while women normally represent 30% of the House of Representatives, at this sitting women represented just 23%.[28]

III Gender-Sensitive Legislation

Emergency relief legislation and packages were approved by numerous parliaments in the early weeks of the pandemic, yet none of the responses

22 The New Zealand parliament noted: "The Epidemic Response Committee has eleven members, four of whom are women (this is roughly in line with the proportionality of our Parliament which sits at 40.8 per cent women MPs)", while the Parliament of Djibouti advised, "The newly established committee includes 20 per cent of women parliamentarians, slightly below the proportion of women in the National Assembly which stands at 26.5 per cent"; available at: www.ipu.org/country-compilation-parliamentary-responses-pandemic.

23 Available at: https://commonslibrary.parliament.uk/parliament-and-elections/men-and-women-mps-in-the-hybrid-commons/.

24 Available at: www.parliament.uk/about/how/covid-19-hybrid-proceedings-in-the-house-of-commons/chamber-proceedings/.

25 Looking at individual MPs, there were 163 women MPs who had at least one virtual call list entry and 48 women MPs who were down to speak in the Chamber at least once. Among male MPs, 274 had at least one virtual and 91 at least one physical call list entry.

26 *See* responses from Afghanistan, Australia, Austria, Belgium, Burkina Faso, DR Congo, Denmark, Germany, Iceland, Ireland, Namibia, New Zealand, Niger, Norway, Paraguay, Philippines, Portugal, Senegal, Thailand, United Kingdom, United Republic of Tanzania, Uruguay and Uzbekistan.

27 Parliamentary Sitting Arrangements, Media Release, 18 March 2020, Prime Minister, Minister for Finance, Leader of the Government in the Senate, Attorney-General, Minister for Industrial Relations, Leader of the House.

28 S. Palmieri, Where are the Women MPs in the Coronavirus Crisis? *BroadAgenda*, 6 April 2020.

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compiled by the IPU refer to gender-targeted or gender-mainstreamed legislative responses, despite advice provided and widely disseminated advice by gender-equality specialists and organizations,[29] inter alia, that:

- Economic stimulus packages designed in gender-neutral terms (that is, for 'generic' human beings, rather than diverse groups) ignored women's over-representation in sectors most affected by the virus (such as hospitality and tourism) or most at risk of contracting the virus (such as nurses, care workers and cleaners) and prevalence in informal and more casualized forms of employment, often with limited health insurance and provisions for sick leave.
- The requirement to 'stay at home' assumed 'the home' was safe for all and ignored warnings that rates of violence against women would increase still further and that higher-density living arrangements (slums, detention centres, humanitarian camps) combined with restrictive gender norms would increase the likelihood of women contracting the virus.
- The assumption that school and childcare closures would impact parents universally ignored warnings of a significantly increased unpaid care load on women (reported in some parts of the globe at 80%), including the 'mental load' of identifying, planning, preparing, and then undertaking the domestic labour. And that is before adding in the cost of their educative labour, i.e. 'home schooling' (or learning) efforts.
- 'Sovereign introspection', manifest in border closures and the prioritization of fiscal management, has resulted in developed countries' reduced appetite for supporting more international efforts to address the pandemic. And yet this has impacted severely on women and girls across a range of policy areas such as education, food security and nutrition, health, violence against women, disaster management and leadership.
- The designation of non-Covid-related medical procedures as 'non-essential', and resultant restrictions – again assumed to impact all humans equally – had a significant impact on women's sexual and reproductive rights, including access to abortion advice and options.

IV Gender-Sensitive Scrutiny

If legislation failed to be gender sensitive, what of parliamentary scrutiny? Among the responses to the IPU's survey, two parliaments (Canada and the UK) outlined initial gender-sensitive findings from their oversight committees. The Canadian House of Commons Special Committee on the Covid-19 Pandemic heard, inter alia, of increased rates of domestic violence during the lockdown;

29 *See*, for example, UN Women, *Policy Brief Series on Ending Violence Against Women and COVID-19*, 2020; UN Women, *Issue Brief: COVID-19 and Ending Violence against Women and Girls*, 2020; UN Department of Economic and Social Affairs (DESA), *Policy Brief No69: Leaving No One Behind: The COVID-19 Crisis Through the Disability and Gender Lens*, 2020; UN Women, International Development Law Organization (IDLO), UN Development Programme (UNDO), UN Office on Drugs and Crime (UNODC), World Bank and The Pathfinders, *Report: Justice for Women Amidst COVID-19*, 2020; World Health Organization (WHO) and UN Women, *Violence against Women and Girls Data Collection During COVID-19*, 2020.

disproportionate effects on women of the decline in economic activity, exposure to the virus and increased care loads; and the vulnerability of women as disproportionate residents of aged care facilities. The UK Parliament's response to the survey advised that MPs were well aware of the impact of lockdown measures on 'women and children living in abusive circumstances' following evidence provided to the Home Affairs Committee. That Committee subsequently called for 'specific evidence regarding domestic abuse'.[30] As Covid-related scrutiny continues, it is to be hoped that more parliaments will report gendered findings.

E Reflections on Parliaments' Initial Responses to Covid-19

These responses leave us with a number of initial reflections. First, responsibility for gender-sensitive responses continues to be left to women MPs (and parliamentary staff). This fundamentally contradicts a key GSP tenet, namely that gender equality must be the shared pursuit of all parliamentary actors and institutions, men included. Second, and related to the first, we note that in times of crisis, when gender equality is not an explicit criterion in establishing new practices/rules (e.g. chamber presence/quorums), the default response asserts men and male leadership as the norm and undervalues women's contribution to decision-making. There are symbolic consequences over and above any substantive ones from disregarding gender as a key consideration in redefining the membership of the House during the pandemic: it reinforces the idea of the male political actor and leader and undervalues women's contribution to political leadership and decision-making. Considering that images of more-than-usually male-dominated parliaments were widely disseminated through the media, this risks suggesting that in times of crisis, the people best placed to design and implement appropriate and effective policy responses are men. Further, these arrangements reinforce traditional gender roles. There is a risk that physical presenteeism is being presented as the indicator of the 'good parliamentarian' during the pandemic.[31] The 'good MP' who is physically present, stands in opposition to the 'poor' or 'second class' MP, those who participate virtually and are shielding themselves, shielding others, or caring and educating others.

We further reflect that flexible arrangements (e.g. that support work/life balance) have been put in place temporarily because of the crisis – and perhaps in some parliaments, quite reluctantly – and therefore have not shifted deep-seated, traditional conceptualizations of the parliament's core work style (being face-to-face, on the floor of the house), rather than gender sensitively working through the logistical (and cultural) challenges that they clearly pose. Paradoxically, then, while hybridity has in many cases demonstrated the practical possibility of flexible and remote working in our parliaments, this has been accompanied by a reassertion of traditional notions about gender and about how parliaments

30 'Canada' & 'United Kingdom', available at: www.ipu.org/country-compilation-parliamentary-responses-pandemic.

31 C. Challender & H. Deane, Critical Reflections on the 2020 Pandemic and UK Legislatures: The Construction of the 'Good Parliamentarian' in the House of Commons, forthcoming.

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should do their work. In other words, efforts to make parliaments more flexible and attentive to work-life balance that predated Covid-19 and those that have been put in place on an emergency footing during the pandemic are considered too costly, indulgent, and deleterious for parliaments when the 'normal times' return. There is a risk not only of backlash and a rollback of such measures as proxy voting, or virtual debate participation, but also of parliaments signalling such messages to other organizations and institutions in a negative role model effect.

In terms of legislation and scrutiny, we acknowledge that many parliaments approved legislation following the advice of health experts and are much heartened by this, in an era where 'anti-expert' populism is on the rise. It is, nevertheless, disquieting that gender expertise was not also taken into account in the early stages of the legislative response. Given the volume of advice published and the accuracy of its predictions, this suggests a gendered 'hierarchy of credible expertise', in which gender specialists are not recognized nor legitimized as experts and that gender expertise was not regarded as 'time critical' to the legislation of emergency measures. At best, we see this as a misunderstanding of the value of gender expertise or, at worst, a complete dismissal of this body of work.

Finally, these responses indicate that gender-sensitive scrutiny is easier to implement where parliaments already have mechanisms and processes in place (e.g. committees and capable parliamentary staff, access to gender specialists, adequate resources to transition to online hearings). It is telling that where parliaments had the necessary infrastructure to conduct gender-sensitive scrutiny (e.g. committees and capable parliamentary staff, access to gender specialists, adequate resources to transition to online hearings), gender-sensitive findings were heard and recommendations made. Equally telling, however, is that so few parliaments raised a gender dimension to their pandemic response.

F Conclusion: Institutional Political Culture and Gender-Insensitive Covid-19 Responses

GSP is an emergent international democratic standard.[32] It is not an absolute standard: parliaments around the world are – to lesser or greater degrees – gender *in*sensitive, and most still have much to do across all four GSP dimensions (see Table 2). It should not be surprising, then, that their responses to the pandemic have fallen short. In the absence of systematic and comparable data across GSP dimensions, our analysis can only be considered an initial assessment, and we invite, and would welcome, parliaments to undertake the UN Women Primer's recommendation to review their responses in a systematic and comprehensive fashion. In the meantime, our broad conclusions stand, and they point to particular reasons why even where GSP efforts had been forthcoming before the

32 S. Palmieri & K. Baker, Localising Global Norms: The Case of Family-Friendly Parliaments. *Parliamentary Affairs*, 2020 doi.org/10.1093/pa/gsaa050.

pandemic, these efforts might not have 'stuck'[33] or been extended in Covid-19 times, when GSP were most certainly needed.

Crisis times call for quick decisions (or at least that is what is usually assumed); and quick decisions usually limit who gets to participate. Given what we know about the hierarchies of participation of women in governments and national parliaments and the role of women's voices more generally in politics and society, it would not be surprising if the 'inner circle' of crisis decision makers were disproportionately men – whether governmental, elected, official or expert. Quick decisions also tend to reinforce ideas of the heroic leader, whose bodily form is male. He stands in stark opposition to the caring leader, one who recognizes interdependence and practices an ethic of care. Without relying on simplistic notions of the relationship between descriptive and substantive representation, it is nonetheless likely that unless they were pre-existing critical actors for women, parliamentary decisions makers are less likely to 'act for' women, especially if their expert circles are similarly constituted by men (without gender expertise). To this, we further note that quick decisions make huge demands on parliamentary staff, whether clerks and officials or those employed in the running of the institution. In such heightened contexts, relations between elected members and others who work in the parliament may easily slide from one of co-professionals, or at least mutual respect, to one of enhanced hierarchy and possible (greater) abuse.

To deliver a gender-sensitive Covid-19 response – just as with achieving GSP in normal times – requires political and institutional will: on behalf of elected members and by the administration. This means that members of parliament, parliamentary leaders such as speakers and House and party leaders, as well as clerks and officials, unambiguously and repeatedly acknowledge and communicate to the public their commitment to a gender-sensitive Covid-19 approach. GSP do not leave the responsibility of pursuing gender equality to women or dedicated gender-equality bodies alone. Parliamentary leaders with personal responsibility to advocate for and defend a gender-sensitive Covid-19 response should be identified, and there should be a clear plan of when and how they update colleagues and the public about the parliament's GSP Covid-19 policy, strategy, processes and outcomes. They will also communicate how they will work with other members and parliamentary bodies tasked with leading on the pandemic, and parliamentary staff to ensure that the parliament's policy and strategy are effective. Gender-sensitive Covid-19 responses require dedicated mechanisms – processes, organizations and individuals – that focus the attention of the parliament. Specific individuals and specific parliamentary bodies should be entrusted with particular responsibilities. Gender mainstreaming tools – sex disaggregated data, gender advice and gender analysis – must be in place, fully resourced and integrated. For parliaments not used to acting in gender-sensitive ways all this may not be easy in times of crisis, but it is necessary that they do so if they want to 'redress' the pandemic's effects in the immediate and medium

33 L. Chappell & G. Waylen, Gender and the Hidden Life of Institutions. *Public Administration*, 91: 3, 2013, p. 605.

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term. We would politely suggest that the UN Women Covid-19 Primer & Checklist is a very good place for them to start.