

Policy Department C
Citizens' Rights and Constitutional Affairs



**ELECTORAL GENDER QUOTA SYSTEMS AND THEIR
IMPLEMENTATION IN EUROPE**

WOMEN'S RIGHTS AND GENDER EQUALITY

SEPTEMBER 2008
PE 408.309

EN



ΕΒΡΟΠΕΪΣΚΙ ΠΑΡΛΑΜΕΝΤ ΠΑΡΛΑΜΕΝΤΟ ΕΥΡΟΠΕΟ ΕΥΡΟΠΣΚΪ ΠΑΡΛΑΜΕΝΤ ΕΥΡΟΠΑ-ΠΑΡΛΑΜΕΝΤΕΤ
ΕΥΡΟΠΆΙΣΧΕΣ ΠΑΡΛΑΜΕΝΤ ΕΥΡΟΟΡΑ ΠΑΡΛΑΜΕΝΤ ΕΥΡΩΠΑΪΚΟ ΚΟΙΝΟΒΟΥΛΙΟ EUROPEAN PARLIAMENT
PARLEMENT EUROPEEN PARLAIMINT NA ΗΕΟΡΡΑ ΠΑΡΛΑΜΕΝΤΟ ΕΥΡΟΠΕΟ ΕΙΡΟΡΑΣ ΠΑΡΛΑΜΕΝΤΣ
ΕΥΡΟΡΟΣ ΠΑΡΛΑΜΕΝΤΑΣ ΕΥΡΌΡΑΙ ΠΑΡΛΑΜΕΝΤ ΙΛ-ΠΑΡΛΑΜΕΝΤ ΕΥΡΟΡΕΥ ΕΥΡΟΡΕΕΣ ΠΑΡΛΕΜΕΝΤ
ΠΑΡΛΑΜΕΝΤ ΕΥΡΟΡΕΪΣΚΙ ΠΑΡΛΑΜΕΝΤΟ ΕΥΡΟΡΕΥ ΠΑΡΛΑΜΕΝΤΥΛ ΕΥΡΟΡΕΑΝ
ΕΥΡΌΡΣΚΥ ΠΑΡΛΑΜΕΝΤ ΕΥΡΟΡΣΚΙ ΠΑΡΛΑΜΕΝΤ ΕΥΡΟΟΡΑΝ ΠΑΡΛΑΜΕΝΤΤΙ ΕΥΡΟΡΑΠΑΡΛΑΜΕΝΤΕΤ

**Directorate-General for Internal Policies
Policy Department C
Citizens' Rights and Constitutional Affairs**

ELECTORAL GENDER QUOTA SYSTEMS AND THEIR IMPLEMENTATION IN EUROPE

PE 408.309

This study was requested by the European Parliament's Committee on Women's Rights and Gender Equality.

This paper is published in the following languages: EN (original), FR.

Authors: *Drude Dahlerup and Lenita Freidenvall with the assistance of Eleonora Stolt, Katarina Bivald and Lene Persson-Weiss, WIP, Women in Politics Research Centre, Department of Political Science, Stockholm University, in cooperation with International IDEA.*

Manuscript completed in September 2008.

Copies can be obtained through:

Ms Hélène Calers

Tel: +32 2 2840768

Fax: +32 2 2832365

E-mail: helene.calers@europarl.europa.eu

Informations on DG Ipol publications:

<http://www.ipolnet.ep.parl.union.eu/ipolnet/cms>

Brussels, European Parliament

The opinions expressed in this document are the sole responsibility of the author and do not necessarily represent the official position of the European Parliament.



Electoral Gender Quota Systems and Their Implementation in Europe

WIP, Women in Politics Research Centre,
Department of Political Science, Stockholm University
in cooperation with International IDEA

Executive summary

Although controversial, electoral gender quotas are in use in almost half of the countries in the world today. Until recently, Europe has not been in the forefront of this new development. However, this report shows that five European Union (EU)/European Economic Area (EEA) countries have introduced gender quotas by law – most recently Spain, Portugal and Slovenia – and that in more than half of the EU/EEA countries some of the political parties have adopted voluntary party quotas for their electoral lists.

This report maps the diffusion of gender quotas in Europe and lists the many different types of quotas in use. The arguments for and against quotas are studied, and the implementation and effect of gender quotas are scrutinised. In-depth case studies have been conducted of eight countries, four with legislated gender quotas – Belgium, France, Slovenia and Spain – and four with voluntary gender quotas – Germany, Poland, Sweden and the United Kingdom. A questionnaire, which has been sent to all political parties in the EU/EEA countries, illuminates some attitudinal differences concerning gender quotas among the responding parties (the PARQUOTA Survey).

The report shows that gender quotas have led to remarkably rapid increases in women's representation in some cases but also to disappointment in other cases. The main conclusion is that, in order to be effective, a quota system must be compatible with the electoral system in place and that quota rules – for example, of 30 or 40 per cent women on electoral lists – must be supplemented with rules concerning rank order as well as – in the case of legislated quotas – effective legal sanctions.

Quotas are only one among many measures for increasing women's political representation. In general, the political parties are the gatekeepers to gender balance in political decision making because they control 'the secret garden of nominations'. The study ends with six recommendations for future action.

1. With or without gender quotas, political parties should adopt action plans for recruiting an equal number of women and men as candidates for 'winnable' seats and, in general, for making party politics more inclusive.
2. Tools for gender monitoring of nominations and elections should be developed.
3. Multiple measures, such as capacity-building programmes, should be developed and applied.
5. If gender quotas are applied, they must be compatible with the electoral system if they are to be effective.
5. Explicit rules about the implementation of gender quotas, such as rank-ordering rules, legal sanctions for non-compliance (legislated quotas) and a 'contract' with the local party organisations (voluntary party quotas) are needed.
6. In the case of legislated quotas, institutional bodies should supervise the implementation. Money should be provided for further research on the implementation and effects of gender quotas.

Table of contents

Executive summary	2
Section A: Mapping and Cross-Country/Cross-Party Analyses	
1. Mapping of electoral gender quotas: frequency and types	8
Introduction	8
1.1. International recommendations	9
1.2. Constitutional reform and rejection	10
1.3. Mapping the use of gender quotas	10
1.4. Types of gender quotas	13
1.5. Electoral systems and quota design	16
1.6. Political parties as gatekeepers	17
2. Quotas – a hotly debated issue	18
2.1. Arguments for and against quotas	18
2.2. Fast track vs incremental track	21
2.3. Quota discourses in the eight case studies	22
2.4. Political party views on quotas	24
3. The implementation of gender quotas	26
3.1. The effects of the electoral system	28
3.2. Which are best: voluntary or legislated quotas?	29
3.3. Leap change vs gradual change	30
3.5. Sanctions for non-compliance	34
3.6. Quotas and the effectiveness of women politicians	36
3.7. Recommendations	37
Section B: Case Studies	
Belgium: a best practice put in perspective	42
France: <i>'parité'</i> under the law	51
Germany: successful quota rules in a gendered society	60
Poland: one step forward, one step back. The Polish dance around a quota system	72
Slovenia: from voluntary to legislated quotas	82
Spain: towards a more gender-equal state	92
Sweden: small steps, big consequences	100
The United Kingdom: political parties and quota reform	110

Appendices

The methodology of the quota study _____	118
About the authors _____	119
Acronyms and abbreviations _____	121

Tables and figures

Figure 1. Mapping of gender quotas at different electoral levels: the eight case studies _____	12
Figure 2. Quotas in different stages of the nomination process _____	15
Figure 3. The incremental track model and the fast track model _____	22
Figure 4. Women's representation in national parliaments, by type of quota _____	27
Figure 5. Development of the percentage of women in municipal councils in Baden-Württemberg _____	68
Table 1. Women's representation in national parliaments in the EU/EEA countries: level of representation, quota type and electoral system (lower house or unicameral parliament) _____	11
Table 2. Political parties' views on the importance of gender in candidate selection _____	24
Table 3. Political parties' general positions on gender quotas _____	24
Table 4. Women's national representation in the eight case studies through four elections – before and after the introduction of quotas _____	30
Table 5. The construction and effect of legislated gender quotas in five European countries _____	33
Table 6. The construction and result of voluntary gender quotas in six social democratic parties in Europe _____	34
Table 7. The percentage of women in the two most recent Belgian elections (for all levels) _____	44
Table 8. The percentages of women elected to the political assemblies in France, by voting method and the terms and conditions of the law on parity _____	54
Table 9. Percentages of female candidates and women elected to the National Assembly, by parliamentary party, 1997–2007 _____	56
Table 10. The percentages of male candidates at the legislative elections of June 2007, by the strength of the party in the electoral district in the first round of the presidential election in April 2007 _____	57
Table 11. Women in the German national Parliament (Bundestag) 1949–2007 _____	64
Table 12. The percentage of women in the parliamentary party groups of the Bundestag (Bundestagsfraktion), by political party _____	64
Table 13. The percentage of women elected by direct election and on party lists, elections to the Bundestag, 2005 _____	65
Table 14. Success rates of female and male candidates in the Bundestag election of 2002, by party _____	66
Table 15. The percentage of women in parliaments and governments of the German states (Bundesländer), 1992–2006 _____	67

Table 16. The percentage of women in local councils in municipalities with 10,000 inhabitants and more, by party affiliation, 1 January 2002 _____	68
Table 17. The percentage of women in the German parties' governing boards (Parteigremien) ____	69
Table 18. Female members of the Polish Parliament _____	73
Table 19. The percentage of women in regional and local councils in Poland _____	73
Table 20. The percentage of women on lists of candidates and among members of Parliament in Poland since 1997 _____	76
Table 21. The percentage of women among the parliamentary candidates in 2007 in Poland in the parties which subsequently won parliamentary seats (lower chamber only) _____	76
Table 22. Parties in Slovenia with voluntary quotas and other provisions _____	84
Table 23. The introduction of legislated quotas in Slovenia _____	86
Table 24. Comparison of the last two local elections in Slovenia _____	87
Table 25. Total number of candidates and percentage of women candidates at last two local elections in Slovenia, by party _____	87
Table 26. Comparison of elected female councillors in the last two local elections in Slovenia, by party _____	88
Table 27. Number and percentage of women deputies in the Slovenian National Assembly, 1990–2004 _____	89
Table 28. Comparison of the percentages of female candidates for elections to the Slovenian National Assembly, by party, 1992–2004 _____	89
Table 29. Comparison of the numbers and percentages of female deputies in the Slovenian National Assembly, by party, 1992–2004 _____	89
Table 30. Number and placement of female candidates for election to the European Parliament in Slovenia, 2004, by party _____	90
Table 31. The percentage and number of women deputies in Spain, 1977–2008, for the three largest political parties or coalitions _____	96
Table 32. The percentage of women elected in national elections in Spain, two most recent elections _____	97
Table 33. Municipality elections in Spain: women's political representation at the two most recent elections _____	98
Table 34. The proportions of women nominated and elected to the Swedish Parliament 1998, 2002 and 2006 _____	103
Table 35. The implementation of quota rules and 'soft quotas' on party lists in Sweden, 2002 and 2006 _____	104
Table 36. Women in elected bodies in Sweden: national, regional and local levels and the European Parliament _____	105
Table 37. Women on party executive boards in Sweden, 2008 _____	107
Table 38. Women as top officials in government offices in Sweden in 1973, 1985, 1998 and 2006 _____	107
Table 39. Women in parliamentary party delegations in the United Kingdom, 1983–2005 _____	113
Table 40. Women's representation in the Scottish Parliament, 1999–2007 _____	114

Section A

Mapping and cross-country/ cross-party analyses

1. Mapping of electoral gender quotas: frequency and types

Introduction

Gender quotas to increase the political representation of women have recently been introduced in about half of the countries in the world. About 45 countries have introduced electoral gender quotas by law, while in another 50 or so countries some political parties have written voluntary party quotas into their statutes. Up to now, Europe has not been in the forefront of this new development; however, recently many new measures have been adopted also in a European context in order to achieve gender balance in political assemblies.

Today, women constitute approximately 18 per cent of the members of all the world's parliaments. In Europe, in 1998, 15.2 per cent of the parliamentary seats were occupied by women, and today, ten years later, the figure has only increased to 21.1 per cent¹. In terms of regional averages, a process of convergence is taking place between most major regions of the world. For a very long time the Nordic countries and the Netherlands were alone at the very top of the world rank order in terms of women's political representation, but this is no longer the case. Most of the countries that today are able to challenge the position of the Nordic countries and the Netherlands have introduced some type of electoral gender quota, as has happened in Argentina, Belgium, Costa Rica, Rwanda, South Africa and Spain – countries that have all passed the 30 per cent threshold (<<http://www.ipu.org>>; <<http://www.quotaproject.org>>).

This report investigates the adoption of electoral gender quotas, their implementation and their effects on women's political representation. It consists of two sections. Section A is a mapping and cross-country/cross-party analysis of the use of gender quotas in the European Union (EU) and European Economic Area (EEA) countries². This section has three themes: first, a mapping of the adoption of electoral gender quotas; second, an analysis of the arguments used in the quota debates; and, third, a study of the implementation of gender quotas and their possible effects.

Section B contains eight case studies, covering Belgium, France, Germany, Poland, Slovenia, Spain, Sweden and the United Kingdom (UK). For a discussion of the selection of these cases, see appendix I on the methodology of the study. The catalogue of questions for all the case studies includes the following.

1. What are the dominant arguments used in favour of and against the implementation of quotas?
2. What types of quota regulations are in use, what do they entail, what levels of election do they target and how compatible are they with the electoral system in use?
3. To what extent are quota regulations, if any, implemented? Are there any placement mandates, sanctions for non-compliance and/or law enforcement bodies?
4. To what extent has the under-representation of women belonging to ethnic minorities as well as immigrant women been identified as a problem at a national level, and what measures have been introduced to address this issue?

The sources on which this analysis is based thus consist of the eight in-depth country studies plus data collected on the use of quotas in all the EU/EEA countries. Further, a questionnaire was sent to all the political parties in these countries asking questions about their actual use of quotas and other measures to increase women's political representation and their attitudes towards such

¹ The European members of the OSCE (<<http://www.ipu.org>>).

² The following countries are included in this study: the 27 EU member states – Austria, Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovenia, Slovakia, Spain, Sweden and the United Kingdom – and the three EEA members – Iceland, Liechtenstein and Norway.

measures (see appendix I on the methodology). This report will also refer to studies by other researchers on gender quotas around the world and to our own previous research (see the list of references at the end of section A).

In Europe, as in the rest of the world, women are still under-represented in political decision-making assemblies. But many initiatives have started to promote an increase in women's representation in politics. Since 1994 five countries in the EU/EEA have introduced legislated (also called legal) electoral gender quotas into their constitutions and/or electoral laws – most recently Portugal, Slovenia and Spain. In many other European countries, political parties have introduced voluntary party quotas for their own electoral lists, as this report will show. However, the PARQUOTA Survey, which was returned by 80 political parties (see appendix I), also shows that even among political parties that do not use gender quotas many have instead introduced recommendations and guidelines or have otherwise worked actively to increase women's political representation in political assemblies and within the parties' own organisations. However, there are political parties that are doing very little or nothing to improve women's representation.

The focus of this study is on the introduction of gender quota provisions for electoral lists, written down in the law or in individual parties' statutes³. Consequently the many other types of measure to increase women's representation are not the subject of investigation in this report, even if they may be of equal importance.

1.1. International recommendations

Today, the international community recommends that a number of measures be taken in order to promote a more balanced representation of men and women in decision-making bodies. This shift in equality policy towards affirmative action policies is supported by the United Nations (UN) Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979), according to which countries that have acceded have to report regularly on their progress, and by the UN World Conferences for Women. These documents have been important for policies in this area, nationally and internationally, and for legitimating the demands for gender balance in politics put forward by women's organisations.

One of the 12 objectives of the Beijing Platform for Action, adopted at the Fourth World Conference for Women in 1995, was formulated as women's equal access to and full participation in power structures and decision making. There is a clearly stated aim in the document to achieve gender balance in the nomination process as well as in all decision-making processes. The Platform talks about 'discriminatory attitudes and practices' and 'unequal power relations', thus shifting the focus from women's (lack of) resources to the practice of political institutions and political parties. Consequently, affirmative strategies are recommended, even if the controversial word 'quotas' is not mentioned.

Gender balance in decision making is a stated goal of the European Union, and recommendations for the introduction of legislated, regulatory and incentive measures to redress the under-representation of women in decision making have been adopted by all the EU's major institutions⁴. The European Commission's road map for equality between men and women for 2006–10 includes the promotion of equal representation of women and men in decision making as one of the six priority areas for action – all within the framework of the recognition of equality between women and men as one of the fundamental principles of the Community, laid down in the treaties ever since the Amsterdam Treaty. The Council of Europe has also been very active in this field. Its

³ This definition corresponds to the one we have used for the global website on quotas, <<http://www.quotaproject.org>>.

⁴ See, for instance, Recommendation 96/694/EC on the balanced participation of women and men in the decision-making process, from the European Commission, 1996.

Committee of Ministers' Recommendation Rec (2003) 3 on balanced participation of women and men in political and public decision making calls for 'positive action measures'⁵.

1.2. Constitutional reform and rejection

In several countries in the world, gender quotas have been adopted at times of constitutional reform. Actors involved in quota campaigns, including civil society actors, state actors and transnational actors, have many times utilised the rewriting of constitutions and other constitutional reforms as a window of opportunity to push for quotas to be introduced. This is a fairly common trajectory in post-conflict countries.

In other instances, existing constitutions have been used to resist or overturn quotas. In France, for example, the National Assembly in 1982 voted in favour of the introduction of gender quotas in local elections as part of a bill on municipal electoral reform. It was decided that lists of candidates should not include more than 75 per cent of candidates of the same sex. The quota provision was, however, declared unconstitutional by the Constitutional Council, which reviewed the bill, on the grounds that article 3 of the constitution and article 6 of the Declaration of the Rights of Man and the Citizen promoted the principle of equality before the law and precluded any type of categorisation of voters and candidates (see the case study on France).

In the light of this court ruling, campaigns for quotas in the 1980s and 1990s revolved around the existing principle of equality and the normative implications of reform. While proponents of quotas argued the need for constitutional reform, opponents referred to the legal precedent. When the constitution was amended in 1999, with the phrase 'The law favours the equal access of women and men to electoral mandates and elective functions', and the principle of *parité* was specified in the Electoral Law in 2000, advocates had carefully separated the demand for parity from the demand for quotas and created a link between the proposed reform and the goals of French republicanism (Constitutional Law no. 99-569 and Law no. 2000-493).

In the UK, as another example, the Labour Party's policy from 1993 on all-women short lists (AWS), which compelled certain electoral districts to consider shortlists comprising women only, was declared illegal by an Industrial Tribunal in 1996. In this case, two male party members who had tried to obtain nomination in districts designated for AWS claimed that their exclusion from candidate selection violated the Sex Discrimination Act and brought the case to the Industrial Tribunal in Leeds. The Tribunal ruled in favour of the two men, since the policy of AWS did not allow men to be considered as candidates in these districts. In 2002, however, the policy was reintroduced when the Sex Discrimination Bill was approved, permitting parties to apply positive action without risking legal challenge when selecting candidates for election to the House of Commons, the European Parliament, the Scottish Parliament, the National Assembly of Wales and local councils.

1.3. Mapping the use of gender quotas

Table 1 provides an overview of women's representation in national assemblies in the EU/EEA countries. It shows that in most of the countries that have crossed the 30 per cent threshold (most recently Belgium and Spain) some type of quota provision is in use, in the form either of legislated quotas or of voluntary party quotas. Furthermore, the table shows that most of the countries with a high percentage of women in their parliaments apply a proportional representation (PR) electoral system. This is a global tendency. Women's representation in parliaments in the world is around twice as high in countries with PR electoral systems than in countries that use majority/plurality electoral systems (Norris 2006).

⁵ Council of Europe, Recommendation Rec (2003) 3 of the Committee Council of Ministers on balanced participation of women and men in political and public decision making, 12 March 2003; see also Sineau 2003.

Table 1. Women's representation in national parliaments in the EU/EEA countries: level of representation, quota type and electoral system (lower house or unicameral parliament)

Country	Women's representation (latest election)	Type of quota	Electoral system
<i>Above 40%</i>			
Sweden	47.3% (2006)	Party quotas	List PR
Finland	42.0% (2007)	No quotas	List PR
<i>39–30%</i>			
Norway	37.9% (2005)	Party quotas	List PR
Denmark	37.4% (2007)	No quotas	List PR
Netherlands	36.7% (2006)	Party quotas	List PR
Belgium	36.7% (2007)	Legislated quotas	List PR
Spain	36.3% (2008)	Legislated quotas	List PR
Austria	32.2% (2006)	Party quotas	List PR
Germany	31.8% (2005)	Party quotas	MMP
Iceland	31.7% (2007)	Party quotas	List PR
<i>29–20%</i>			
Liechtenstein	24.0% (2005)	No quotas	List PR
Estonia	23.8% (2007)	No quotas	List PR
Portugal	21.3% (2005)	Legislated quotas	List PR
Italy	21.1% (2008)	Party quotas	List PR
Bulgaria	20.8% (2005)	No quotas	List PR
Lithuania	20.6% (2004)	Party quotas	Parallel
Poland	20.4% (2007)	Party quotas	List PR
Luxembourg	20.0% (2004)	Party quotas	List PR
<i>19–10%</i>			
United Kingdom	19.8% (2005)	Party quotas	FPTP
Latvia	19.0% (2006)	No quotas	List PR
France	18.5% (2007)	Legislated quotas	TRS
Greece	16.0% (2007)	Party quotas	List PR
Slovakia	16.0% (2006)	No quotas	List PR
Czech Republic	15.5% (2006)	Party quotas	List PR
Cyprus	14.6% (2006)	No quotas	List PR
Ireland	13.3% (2007)	No quotas	STV
Slovenia	12.2% (2004)	Legislated quotas	List PR
Romania	11.5% (2004)	Party quotas	List PR
Hungary	10.4% (2006)	Party quotas	MMP
<i>Below 10%</i>			
Malta	8.7% (2008)	Party quotas	List PR

Electoral systems

FPTP = First Past The Post; List PR = PR system with party lists including several candidates; MMP = Mixed Member Proportional, a combination of PR and single-member electoral districts; STV = Single Transferable Vote; TRS = Two-Round single-member district System; Parallel = application of two different systems, one List PR system and (usually) one plurality/majority system. The electoral system classifications used here follow Reynolds, Andrew, Reilly, Ben and Ellis, Andrew, *Electoral System Design: The New International IDEA Handbook* (Stockholm: International IDEA, 2005).

Quota types

Legislated quotas (also called legal quotas) are written into constitutions and/or electoral laws. Party quotas are voluntary measures adopted by individual political parties. If at least one of the three largest parties represented in the national parliament uses quotas for its electoral lists, the country is listed here as a country with voluntary party quotas.

Sources: Inter-Parliamentary Union, 2008, <<http://www.ipu.org>>; International IDEA and Stockholm University, 2008, <<http://www.quotaproject.org>>; official statistics, election-day figures – i.e. changes that

have occurred after election day – are not included, which explains some discrepancies between this table and <<http://www.ipu.org>>.

Table 1 shows that two EU/EEA countries have more than 40 per cent and eight have between 39 and 30 per cent women in their national parliaments (the lower chamber or a single chamber in a unicameral parliament). However, as the January 2008 report from the Slovenian EU Presidency shows, the general picture is a mixed one (Antić Gaber 2008). While there has been an increase in women’s representation in the national parliaments, 12 countries still have less than 20 per cent women.

Table 1 indicates that, of the 30 EU/EEA countries, five – Belgium, France, Portugal, Slovenia and Spain – have introduced quotas by law that are binding for all political parties. In 16 of the countries, at least one of the three largest parties has written electoral gender quotas into its statutes, which is the definition used in this study for a country with voluntary party quotas for elections. In nine of the countries, no gender quotas are in use for national elections⁶. Table 1 clearly shows that some type of gender quota for public elections is in use in a majority of the EU/EEA countries.

However, the table also reveals that gender quotas are not a necessary condition for a high level of female representation, as the cases of Finland and Denmark indicate. Nor are quotas a sufficient condition for a high representation of women. As this report will show, the specific design of the quota system is crucial for the successful implementation of quotas.

Electoral gender quotas are not only used at the national level for parliaments but are also applied in local, regional and autonomous state elections and in elections to the European Parliament. The extent to which gender quotas are used at different levels by the eight case study countries is mapped in figure 1. As demonstrated by this mapping, the specific quota regulations adopted in countries with legislated quotas apply to all levels of election. France is an exception to this rule.

In Italy, previous quota laws for national parliament have been abolished, but recently legislated quotas were introduced for the Italian election to the European Parliament. In some cases quota laws have been adopted sequentially. This was the case in Slovenia, where legislated quotas were first introduced for elections to the European Parliament and not until later for other elections (this is further discussed in the case study on Slovenia). In the case of voluntary party quotas, a party will usually apply a quota rule to its lists in elections at all levels⁷. However, some local elections are not based on political party lists to the same extent as national and regional elections, which may limit the effect of quota rules adopted by a central party organisation.

Figure 1. Mapping of gender quotas at different electoral levels: the eight case studies

Legislated/ party quotas	Country	National elections (single/ lower house)	State/ autonomous region elections	Regional elections	Local elections	Elections to the European Parliament
<i>Legislated quotas</i>	Belgium	Legislated quotas	Legislated quotas	Legislated quotas	Legislated quotas	Legislated quotas
	France ^a	Legislated	–	Legislated	Legislated	Legislated

⁶ According to the definition used here, a country in which only smaller parties use gender quotas at elections is not listed as a country with voluntary party quotas.

⁷ Denmark is an exception because gender quotas were abolished there after being in use for only a few years, and were never applied to elections at all levels. The Social Democratic Party applied gender quotas only for elections to the European Parliament and only during the years 1988–96. The Socialist People’s Party used gender quotas for elections the national Parliament and for local councils during the period 1988–90, and for elections to the European Parliament during 1983–90. In both parties gender quotas were abolished because they were no longer considered necessary. However, in the last ten years the previous steady increase in women’s representation in Denmark has stagnated at the national, regional and local levels (Freidenvall et al. 2006).

		quotas		quotas	quotas ^a	quotas
	Slovenia ^b	Legislated quotas	–	-	Legislated quotas	Legislated quotas
	Spain	Legislated quotas	Legislated quotas (varies)	Legislated quotas	Legislated quotas	Legislated quotas
<i>Party quotas</i>	Germany	Party quotas	Party quotas	Party quotas	Party quotas	Party quotas
	Poland	Party quotas	–	Party quotas	Party quotas	Party quotas
	Sweden	Party quotas	–	Party quotas	Party quotas	Party quotas
	UK	Party quotas				

Note. Following the definition used in table 1, a country is listed as having voluntary party quotas if at least one of the three largest parties represented in the parliament uses quotas for its electoral lists.

^a At the local level the French *parité* law is only obligatory for municipalities with over 3,500 inhabitants. Further, the *parité* law is only obligatory for the regional assemblies (26 regions) but not for the general councils (*conseils généraux*) of the 3,966 cantons.

^b Slovenia has not yet held a national election under the new quota law.

Source: the eight case studies.

Other types of gender quotas for appointed positions in decision-making assemblies are also in use in Europe: (a) legislation or regulations concerning the gender composition of public committees and boards were introduced in the Nordic countries in the 1980s and in many other countries since then; (b) legislation in order to achieve gender balance in committees and executives in local politics was adopted in Finland and Norway in the 1990s and most recently in Spain; and (c) legislation demanding a certain minimum of women in the boards of public and private companies has recently been passed in Norway and Spain.

1.4. Types of gender quotas

Quotas in politics may be defined as an affirmative measure that establishes a fixed percentage or number for the nomination or representation of a specific group – in this case women – most often in the form of a minimum percentage, which may be 20, 30 or 40 (Dahlerup 2006: 19). Quotas are generally used to increase the participation of under-represented groups in decision-making positions, for example, in parliaments, governments and local councils (Dahlerup 2006: 19; Squires 2007: 91; Phillips 1995: 62–3). Some researchers talk about just three types of electoral gender quotas (Norris 2004: 190; Lovenduski 2005a: 94). However, a closer analysis will show that many more types are in use today.

It is also common for parties and governments to adopt different forms of targets, recommendations or guidelines regarding gender balance in representative bodies, called ‘soft quotas’ (Dahlerup 2006: 21; Krook et al. 2006: 199–200). These can be defined as a less strict form of quota requirement. The guidelines could involve, for example, targets regarding when and how a certain percentage should be reached (Dahlerup 2006: 21).

Two dimensions of quota systems

A distinction should be made between two dimensions of quota systems (Dahlerup 2006: 19; Dahlerup and Freidenvall forthcoming). The first dimension concerns *where the quotas system is mandated* – in the constitution/the electoral law or in party statutes, as table 1 has illustrated. *Legislated candidate quotas* are included in the constitution and/or electoral laws of a country, and they target the gender composition of the electoral lists of all political parties, for instance, requiring a certain minimum of women candidates. *Voluntary party quotas* are adopted voluntarily by political

parties and take the form of internal party requirements to nominate at least a minimum number or percentage of women for elected office.

However, there is a second dimension. This second dimension concerns the *level of the selection and nomination process* on which gender quotas are used. A quota system may aim to change the gender composition of: (a) the pool of potential candidates, called the aspirants; (b) the candidates that stand for election; and/or (c) those elected (Dahlerup 2006: 19). Figure 2 illustrates various combinations of these two dimensions. The eight case countries are placed in this figure according to type of quota.

Figure 2. Quotas in different stages of the nomination process

Mandated by/level	Aspirants	Candidates	Elected
Legislated quotas (constitution or electoral laws)	Primary quotas	Candidate quotas Belgium France Slovenia Spain	Reserved seats
Voluntary party quotas	Aspirant quotas (shortlists) United Kingdom	Candidate quotas Germany Poland Sweden	Reserved seats

Note. Voluntary party quotas: a country is listed as having voluntary party quotas if at least one of the three largest parties represented in the assembly uses quotas for its electoral lists.

Source. Dahlerup D. (ed.), *Women, Quotas and Politics* (New York and London: Routledge, 2006), p. 21. For regional differences in the use of quota types, see Dahlerup op. cit: 294, table 14.1.

The first step in the electoral selection process is to find aspirants to be considered for nomination, either through primary elections or by nomination committees and other parts of the party organisation. In this step, gender quotas are designed as a requirement that a certain number or percentage of women or of either sex be represented among the pool of candidates under discussion. These kinds of quotas are often dubbed aspirant or primary quotas and have been used in countries with plurality/majority electoral systems (Sawer 2006). Such quota provisions may be legally mandated, as with the primaries in Panama, or voluntary, as in the case of the British Labour Party, as illustrated in figure 2.

In the second step in the selection process, political parties nominate and place candidates on their party lists for public election. A common form of quota rule is that a certain minimum percentage of female candidates must be placed on the parties' lists, for example, 20, 30, 40 or even 50 per cent; but it can also be formulated in a gender-neutral way. This is primarily used in countries with PR electoral systems. Again, candidate quotas may be legally mandated, as in France, Slovenia, Spain and Belgium, or voluntary, as in Sweden, Poland and Germany as illustrated in the middle column of figure 2.

In the third step, which targets those elected, quotas take the form of reserved seats. Regulated in the constitution or electoral law, a certain number or percentage of seats is reserved for women members in the country's legislature. Increasingly today, reserved seats are subject to election, usually elected by a special electorate or by an additional vote, as in the cases of Rwanda and Uganda⁸. Reserved seats are mostly found in countries in Asia and the Middle East and in post-conflict countries in Africa (Matland 2006: 286; Dahlerup 2006: 294, table 14.1). In the EU/EEA countries, reserved seats for women are not used. However, some European countries, such as Croatia, have adopted reserved seats for minorities. Voluntary party quotas at the candidate level are the most commonly used quota type in EU/EEA countries.

⁸ Even if reserved seats are normally written into the constitution or into the electoral laws, in Morocco political parties have adopted a special form of reserved seats, reserving all 30 places on a national list, elected nationwide, for women candidates (Dahlerup and Freidenvall, forthcoming: 4).

Knowledge of different electoral quota systems shows that the result of a specific system is partly dependent on how compatible it is with the electoral system (Norris 2004; Dahlerup 2006; Dahlerup and Freidenvall, forthcoming).

Quotas for women or gender-neutral quotas?

Quotas can be designed as *gender-specific* or *gender-neutral*. Quotas for women require a minimum number or percentage of women. Gender-neutral quota provisions set a minimum and maximum for both sexes, typically no more than 60 per cent and no less than 40 per cent of positions for either sex. In the case of gender-neutral quota provisions, the quota sets a maximum for both sexes, which quotas for women do not (Dahlerup 2005: 142).

In countries with a high level of female parliamentarians, such as the Scandinavian countries, gender-neutral quotas have in a few cases led to men moving up on lists in order to fulfil the quota provisions (Freidenvall et al. 2006: 69). In Denmark, a man was elected to the European Parliament in 1984 thanks to a gender-neutral quota provision in the Socialist People's Party. After a nomination vote among the party members had only placed him as number five, he was moved up number two on the party list thanks to the quota provision. In the end only two members of Parliament (MPs) were elected from that party.

1.5. Electoral systems and quota design

Depending on the electoral system in use, quotas have different designs and are used in different steps of the nomination process (Larsrud and Taphorn 2007).

Quotas in proportional representation systems

In countries with PR electoral systems, candidate quotas are most often used for the party lists (the candidate stage), either voluntarily by the political parties or compulsorily by legal requirement. Candidate quotas are found in several countries in the EU/EEA, commonly adopted voluntarily by the political parties (see table 1). The rules often stipulate that a certain number or percentage of party candidates on the lists should be women. In the EU/EEA countries the proportion varies from 20 per cent up to 50 per cent. The most common percentage globally is 30 per cent for voluntary party quotas (<<http://www.quotaproject.org>>).

In general, it is easier to construct a quota system that is compatible with a PR electoral system, since it is possible to introduce a greater number of candidates on party lists and since parties consciously try to balance their lists in order to win seats. Voluntary party quotas, for example, are used in Sweden and Germany, where some of the political parties have adopted different regulations to ensure that a certain number of female candidates are placed on the party lists. This is further described in the case studies. In Belgium legislated candidate quotas are applied in its PR system, as discussed in the case study on Belgium. Worldwide, legislated quotas vary between 10 and 50 per cent. In Europe (the Council of Europe countries), the variation is from 15 per cent (Armenia) to 30 per cent (Bosnia and Herzegovina) to 50 per cent (Belgium and France). In the EU/EEA countries, legislated gender quotas vary between 50 per cent and 33 per cent (Portugal).

Quotas in plurality/majority and mixed electoral systems

In general, it is much more complicated to construct gender quotas that are appropriate for single-member constituency electoral systems (Dahlerup and Freidenvall, forthcoming). Only one-third of the countries around the world with plurality/majority electoral systems have introduced some sort of gender quota, as compared to four-fifths of the countries with PR systems (Dahlerup 2007: 80–1).

In most plurality/majority systems the parties only select one candidate per party and electoral district, and, consequently, it is not possible to introduce both men and women at the same time, as in a PR system. Instead, quotas can be introduced at the aspirant stage of the nomination process.

An example of aspirant quotas that is often cited is the contested model introduced by the British Labour Party called 'all-women's shortlists'. A shortlist consists of the pool of potential candidates from which the party chooses the actual candidate. The all-women's shortlists only include female potential candidates and are to be applied in half of the 'safe' Labour seats where an MP has retired and also in half of the target marginal seats. Another quota type, which can be placed between the categories of aspirant quotas and candidate quotas, is the successful 'twinning system' applied by the Scottish Labour Party. It involved two electoral districts together selecting one man and one woman, respectively, in order to achieve balanced representation. This model was used in first election to the Scotland's parliamentary in 1999 but is no longer in use (see also Lovenduski 2005b: 119; Norris 2004: 203; Krook et al. 2006: 203; and the case study on the UK). In countries that combine a plurality/majority electoral system with proportional representation lists, party quotas have usually only been applied to the list-based elections, as in the case of Germany. However, thanks to the 'twinning system', the Scottish Labour Party did have its greatest number of women MPs elected from the single-member constituency part of the election, which is rather unusual.

The radical quota law in France, called the '*parité* law' (*parité* means equality or balance), requiring gender balance among all the candidates from a political party, was a great disappointment in the elections to the National Assembly, as it resulted in only 12.3 per cent women being elected in the first election with *parité* in 2002 and 18.2 per cent in the 2007 election. Elections to the National Assembly are based on a plurality/majority system with two rounds. In contrast, the law was a success at the local level, where it applies to municipalities with more than 3,500 inhabitants elected in PR systems. The plurality of quota systems in use is described in the case study on France.

1.6. Political parties as gatekeepers

Many studies fail to take into account that not only countries but even political parties within individual countries differ in the proportion of women in their parliamentary fractions. Parties vary in terms of how many women they nominate, where they place women on party lists and in which electoral districts they promote female candidates, as well as in the proportion of women representing them in elected bodies. Moreover, parties differ with regard to their internal rules for the selection of female candidates, ranging from no rules at all to general goals and targets to voluntary quotas (Lovenduski 2005b; Norris 2006). The selection and nomination process is sometimes called 'the secret garden of nomination'; this refers to the fact that most often voters have very little knowledge of how the candidates they can choose between have emerged. Although voters may be able to choose candidates, they do so only after political parties have limited the options. Thus, parties are the real gatekeepers to public decision-making bodies (Norris and Lovenduski 1995).

During all the stages of the nomination process (see figure 2), political parties play a very important role in the work of equalising the political representation of women and men. The voters may decide how many mandates a party receives, but it is the political parties that are the most decisive factor in deciding who receives the mandates, even in most open list systems.

Party ideology influences the adoption of formal rules for women's political representation. Studies have shown that voluntary candidate quotas are most common in parties on the left of the political spectrum, including social democratic, labour, communist, socialist and green parties. International Socialist Women, an organisation of social democratic women, has successfully campaigned for gender quotas in both Western and Eastern/Central Europe. However, while left ideology once had a strong influence on women's political representation and on the adoption of quotas, the

support for female candidates has spread across the ideological spectrum, and gender quotas or 'soft quotas' have also been used by parties oriented towards the centre and right (Norris 2004: 198; Matland and Studlar 1996; Caul 1999).

Another aspect that needs to be taken into account is the process of imitation, or contagion. Political scientists Richard Matland and Donley T. Studlar (1996) argue that support for gender quotas is diffused across parties due to a process of contagion. Contagion is a process through which dominant parties are forced to adopt quotas by being seriously challenged by minor parties, usually located to the left of the ideological spectrum. Once one party has introduced a new policy, this triggers a process by which other parties may feel forced to follow suit. By nominating women, small parties demonstrate that there is no penalty for promoting women, and larger parties will feel inclined to respond to internal as well as external pressures by actively supporting women. According to Matland and Studlar, this will clearly be the case for parties that are ideologically close to the parties initiating the promotion of women. These parties fear losing voters to the innovating party. Over time, as each party reacts to an electoral threat from close political competitors, the perceived need to nominate women will lead to more or less all the parties on the political spectrum complying with the new norms in order to demonstrate their commitment to equal rights, as in the Norwegian case. The lack of gender quotas among the right and centre parties in Germany, however, shows the limit of this theory. If there is no pressure from the voters – in this case from right or centre voters – to have more women on the lists, then parties may consider gender irrelevant and will avoid gender quotas.

2. Quotas – a hotly debated issue

At the same time as the introduction of gender quotas is spreading rapidly across the world and is raising hopes for increases in women's political representation, quotas are also meeting fierce resistance. Not all women support quotas, not even all feminists; and men are also divided on the issue. As the case studies show, opinions vary in terms of effects and repercussions but also concerning the meaning of key concepts in political analysis, such as 'equality', 'representation' and 'rights'.

2.1. Arguments for and against quotas

Some of the most common arguments for and against quotas are listed below.

Arguments against quotas

- Political representation is about the representation of ideas and interests, not about gender or the representation of social groups.
- Political representation is a question of merit – let the best candidate for the job win!
- Quotas go against the principle of equal opportunity for all and the principle of equal treatment, since one group is given priority.
- Quotas are discriminatory, since one group of candidates will be favoured at the expense of better-qualified candidates who are set aside. Thus, quotas represent reverse discrimination, where better-qualified men will lose out in order to achieve a quota for women.
- Quotas are in conflict with the principle of local autonomy, since the prerogative of party organisations to decide over their own candidate selection processes is restricted.
- Quotas are undemocratic, since voters should have the final say on who is to represent them.
- Many women do not want to hold office. If they did, their numbers in politics would increase.
- Many women do not want to be elected just because they are women. Quotas contribute to a suspicion that women have been promoted thanks to their sex rather than their talent.

- Quotas for women will be followed by demands for quotas for other groups, which will result in what has been termed an increased ‘balkanisation’ of politics and a politics of sheer group-interest representation (Phillips 1995: 22).
- Quotas are irrelevant. Women and men have equal status in society.
- Quotas are symbols of ‘Soviet-style’ forced emancipation.

Arguments for quotas

- Political assemblies should reflect the major social groups in society. Since women constitute half of the population, they should have half of the positions in public decision-making bodies.
- Political representation is not only about merit and competence. It is about representing the people.
- Political representation is about rights and justice. Women have the right as citizens to equal representation. How can the fact that men occupy more than 80 per cent of the parliamentary seats in the world be justified?
- Quotas for women do not discriminate. Rather, they compensate for existing barriers that hinder women from receiving their fair share of political seats, and they prevent further barriers and mechanisms of exclusion.
- Quotas for women do not discriminate against individual men. Rather, quota rules limit the tendency of political parties to nominate mostly men and compel them to seek out active and competent female candidates. For the voters, the opportunities are expanded, since it now becomes possible to vote for parties with women candidates.
- Women are just as qualified as men, but their qualifications are downgraded and minimised in a male-dominated political system.
- Women’s experience is needed in political life. Political assemblies should take advantage of all the resources and of all the pools of competence in society.
- Women are best represented by women, since they have an understanding of what equality means for them, an understanding that men do not have.
- Quotas are a quick method for increasing the number of women elected. Introducing quotas thus accelerates the process and leads to major leaps in the number of women elected.
- Quotas are already in use in other countries, and targets for women’s political representation are acknowledged in several internationally recognised conventions, including CEDAW, as well as the 1995 Beijing Platform for Action.
- Quotas, formal or informal, are already in use for other categories in nomination processes – such as geographical territories, trade union interests, occupation, age and so on.
- Including women may contribute to the process of democratisation and increase the legitimacy of established democracies.

As these lists show, the arguments for and against quotas are based on various assumptions related to key concepts, such as ‘equality’, ‘representation’ and ‘rights’. For instance, while opponents of quotas argue that quotas are in conflict with principles of equal treatment and non-discrimination and become a form of discrimination of men, proponents of quotas argue that they are not a form of discrimination against men but a response to the discrimination against women and an effort to prevent present and future mechanisms of exclusion. Quotas are an attempt to achieve justice. Thus, while the opponents of quotas base their arguments on the classical liberal notion of equality as equal opportunity and the removal of formal barriers, their proponents base their arguments on the notion of equality as real equal opportunity or even equality of result (Dahlerup 2007). The removal of formal barriers, such as extending voting rights to women, is not enough to achieve an equal share of political influence. Rather, active measures must be introduced to achieve substantive equality.

Furthermore, the discursive controversy over quotas is connected to a debate concerning the relation between descriptive and substantive representation of women and the likely consequences

of more women in politics. Many opponents of quotas argue that quotas bypass competitive processes and hence ignore the merit principle that ensures that the best person for the job is selected. Quotas will, consequently, ultimately lead to deterioration in competence: since women will be selected on the basis of quota rules, there will be no need for them to improve their skills. Nor will men improve their skills, since they will know in advance that they will lose out to women.

Advocates of quotas would rather assume that quotas will not only improve the level of female representatives (descriptive representation) but also lead to a more 'women-friendly' agenda (substantive representation). Women will thus bring specific experience and knowledge to politics, which in turn will be beneficial to society, contributing to economic benefits, organisational advantages and other gains to be made from having more balanced and integrated decision-making bodies.

Also, even if women do not represent common ideas, interests or preferences, they could counter the partiality of those who currently dominate elected bodies and could contribute new ideas and new ways of solving common problems. Democracy will thus be revitalised.

Moreover, the debates over quotas feed into a discussion of rights, and in particular of justice and democracy. According to the justice argument, the numerically equal representation of women and men in elected bodies is in itself an expression of parity – of parity democracy – regardless of the ideas and interests of those elected or the policies endorsed. Based on this line of argumentation, quota proponents argue that the issue of gender-equal decision-making bodies is a question of democracy. A society that does not have gender-balanced elected bodies cannot be seen as having an efficiently functioning democracy.

Quotas as preferential treatment, positive discrimination or affirmative action?

At the same time as many opponents of quotas argue that quotas are a discriminatory measure in that they involve treating individuals or groups of people unequally, the proponents of quotas often refer to them as preferential treatment or positive discrimination. This is done partly to counter arguments about quotas being discriminatory against men. However, as the Australian political scientist Carol Lee Bacchi (2006) has pointed out, the reference to quotas as preferential treatment may have severe negative implications. The characterisation of quotas as preferential treatment risks not only stigmatising those who are the target of these measures but also undermining the effectiveness of the measures themselves. By referring to preferential treatment, one could get the impression that certain people need 'special help' in order to improve, thus construing these people as the problem, as being 'disadvantaged'. This is based on the understanding that society generally functions in a fair manner but that some people face prejudice that prevents them from advancing.

In a similar vein, references to positive discrimination indicate that discrimination is taking place and that the principle of equal treatment is sidelined, thus giving rise to negative associations. But quotas are not preferential treatment or positive discrimination, according to Bacchi. Rather, the focus must be shifted from quotas as preferential treatment to quotas as affirmative action and attempts to remedy problems of deep-rooted privilege and to achieve justice (Bacchi 2006: 35).

In sum, the arguments for and against quotas highlight key political concepts, such as 'equality', 'representation' and 'justice', and the debate can also have serious implications for women in politics. As will be illustrated below, the ways in which problems of women's under-representation in politics are framed and the concepts on which they are based have consequences for the strategies that are presented as being relevant solutions.

2.2. Fast track vs incremental track

It has been suggested that a movement towards gender-balanced political representation can take an incremental track or a fast track (Dahlerup and Freidenvall 2005). For instance, it has been suggested that the Nordic countries have taken an incremental track: it has taken approximately 60 years for Denmark, Finland, Iceland, Norway and Sweden to exceed the 20 per cent threshold and 70 years for them to reach 30 per cent. In contrast, countries such as Argentina, Belgium and Rwanda have taken the fast track, introducing legislated quotas in situations in which women only constituted a small minority in Parliament and increasing the percentage of women very quickly. Belgium, for instance, went from 9.4 to 36.7 per cent in the course of just a few elections. By and large, the fast track route has entailed the introduction of legislated gender quotas (Dahlerup and Freidenvall 2005).

The incremental track and the fast track not only represent two different accounts of the actual speed of historical development in women's political representation. They can also be seen as two different types of equality policy, where one promotes formal equality based on the principle of gender equality as equal opportunity and the other promotes substantive equality based on the principle of gender equality as equality of results.

The two tracks can also be seen as involving two models, constructed as an analytical distinction between two ideal types, which are based on different problem identifications with regard to the diagnosis of women's under-representation, different goals in terms of women's political representation and, as a consequence, different political strategies for change. The two models are also based on different perceptions of historical development.

Figure 3. The incremental track model and the fast track model

	The incremental model	The fast track model
Diagnosis	Women lack resources	Discrimination and mechanisms of exclusion
Goal	More women in politics	Gender-balanced elected bodies
Strategy	Capacity-building activities	Active measures, such as gender quotas
View on historical development	Gender equality will be reached in due time	Gender equality will not be reached by itself

Source: adapted from Dahlerup, Drude and Freidenvall, Lenita, ‘Quotas as a “Fast Track” to Equal Representation of Women: Why Scandinavia is No Longer the Model’, *International Feminist Journal of Politics*, 7/1 (2005), p. 29.

According to the *incremental track discourse*, the primary problem of women’s under-representation in politics is that women do not have the same political resources as men, for instance in terms of education, experience, time and money. Also, while ingrained attitudes and prejudice against women are recognised, it is assumed that they will eventually disappear as society develops. There is, thus, an inherent notion of gradualism, often imbedded in an optimistic, linear view of progress. With such a diagnosis, skills training for women is promoted, including political candidate schools for women, where women are trained in public speaking and electoral campaigning, etc., mentor projects and so on. In addition, baby-sitting activities, modified meeting hours and so on are promoted in order to help women combine political work with family responsibilities.

The *fast track discourse*, conversely, rejects the ideal of gradual improvement in women’s representation. It is even assumed that an increase in resources might not automatically lead to equal representation. Discrimination and mechanisms of exclusion are identified as the core of the problem, the solution to which may very well be special measures, such as affirmative action. Based on the new diagnosis of the problem associated with the fast track discourse, according to which gender balance will not come about automatically – and backlash might even occur – there is a growing impatience among women (and men) who are not willing to wait decades in order to achieve an efficient functioning of democracy.

Thus, while both models are based on the perception that it is important to have more women in politics, the ways in which problems of women’s under-representation are framed and diagnosed have implications for which political strategies are seen as relevant. If the problem is framed as women’s limited knowledge and experience, strategies such as skills training and other capacity-building activities for women are seen as relevant solutions. If the problem is framed as hidden norms in candidate selection, overt or covert discrimination and other institutional mechanisms of exclusion, the burden of responsibility is shifted to the political system itself and the political parties. While both models suggest important strategies, the latter transfers the focus away from women as the problem and the ones that need to be changed to the inadequacies of the political system and the political parties that have a responsibility to act.

2.3. Quota discourses in the eight case studies

The case studies in this report illustrate various discourses for and against gender quotas.

Discourses against quotas

The most dominant discourse against quotas revolves around *the incremental track discourse*. In most countries increased women’s political representation and ultimately gender-balanced decision-making bodies are recognised goals. However, even if many political parties have identified barriers for women, even in politics, quotas have been rejected or resisted as an option for getting more

women into political office. Only a few political parties totally reject the relevance of gender when it comes to representation (see the Polish case study). Rather, most parties and countries work hard to recruit, educate and nominate women in order to get more women into decision-making bodies, in this way showing that quotas are unnecessary. Many parties have also promoted women in politics through soft quotas. Thus, the predominance of the incremental track discourse shows that many parties agree on the goal but differ in their views of the methods by which it is to be accomplished. This discourse can primarily be found in Sweden, Germany and, most recently, the UK.

Another common discourse against quotas is *the liberal, individualistic discourse*. Even if gender is recognised as an important category, the goal is that it should not play a vital role in politics. Any attempts to redress the under-representation of certain groups in society (e.g. gender, ethnicity etc.) via quotas thus highlight different groups and categories instead of treating each and every one as an individual. Thus, quotas violate the principles of equal opportunity and merit as key considerations in candidate selection. This discourse is common in liberal citizenship models, which favour equal opportunities and place the responsibility for unequal outcomes and prospects for change on individuals themselves. This discourse can be seen in the UK, in particular.

A common discourse in Central and Eastern Europe against quotas is what might be labelled the *post-communist opposition*, where quotas are associated with ‘forced emancipation’ Soviet-style. Although quotas for women under communism were not as prevalent as is commonly believed, arguments for quotas have had difficulty in gaining acceptance in post-communist countries. This has been a strong argument in Slovenia but was recently overcome when quota legislation was passed.

Another discourse, though a less common one, is the traditional view of *politics as men’s business*. Resistance to quotas is here based on patriarchal views of women’s role in society, with women being the principal caretakers of the home and the family. In this discourse, women do not want to take part in politics, and should not be forced to do so. It seems that such traditional attitudes have declined during recent decades, as the Polish case study suggests.

Discourses in favour of quotas

The most dominant discourse for quotas revolves around *justice and democracy*. The major problem of women’s under-representation in politics is deficiencies in the functioning of democracy. Quotas are thus seen as a method of redressing injustice and democratic deficiencies. This discourse is fairly common in consociational and corporatist citizenship models, which in general terms share a commitment to social partnership and consensus and to democracy defined as ‘as many as possible’ rather than as ‘bare majority’. The case studies on Belgium and Spain, as well as Germany and Sweden, exemplify this position. This discourse is also common in republican states, where universalism rather than individualism is promoted and where quotas are seen as a method for promoting equal opportunity. The French case study is an example of this.

Many post-conflict societies as well as countries under major reconstruction represent a window of opportunity for the inclusion of women and minority groups. Here quotas have been introduced with the help of donor countries, other forces – such as the Stability Pact Gender Task Force for South-Eastern Europe – and local women’s movements. The discursive framing has here centred around *democratisation* and adjustment to international norms on representation. The case study on Slovenia demonstrates this position to some extent.

The fast track discourse on women’s under-representation as one of discrimination and exclusion has been less dominant in the eight countries studied. It has been used primarily by feminist movements and by minor parties to the left on the ideological spectrum. The major reason for this

is probably that gender quotas remain controversial and that campaigns for quotas are framed by prevailing and contextually based beliefs about equality, representation and rights.

2.4. Political party views on quotas

In the PARQUOTA Survey, which has been sent to all political parties in the EU/EEA as part of this project, political parties were asked to state their general position on the importance of gender in candidate selection by choosing the option which comes closest to the general orientation of their party. The result is presented in table 2.

Table 2. Political parties' views on the importance of gender in candidate selection

Figures are percentages of respondents.

	<i>Gender is a crucial criterion in candidate selection since there is both internal and external pressure for more gender-balanced decision-making bodies</i>	<i>Gender is important in candidate selection due to internal pressure, e.g. by women's groups</i>	<i>Gender is important in candidate selection since more women among the party's candidates will attract more voters</i>	<i>Gender is not important in candidate selection</i>
<i>Parties</i>				
All (N=63)	54.0	11.1	17.5	17.5
Left	66.7	10.0	16.7	6.7
Centre	50.0	9.1	22.7	18.2
Right	27.3	18.2	9.1	45.5
<i>Women's representation in parliamentary group</i>				
All (N=67)	50.8	10.8	18.5	20.0
0–25%	23.5	11.8	29.4	35.3
26–45%	50.0	10.0	23.3	16.7
>45%	77.8	11.1	0.0	11.1

Source: PARQUOTA Survey 2008. N: 63; 67. The political parties were asked to place themselves as left, centre or right.

As table 2 shows, a majority of the parties responding to the PARQUOTA Survey indicated that gender is a crucial criterion in candidate selection. Parties to the left and centre parties chose this option to a greater extent than parties to the right. While two-thirds of the left parties (66.7 per cent) and half of the centre parties (50.0 per cent) believe gender is crucial in candidate selection, a minority of the parties to the right (27.3 per cent) share this view. Almost half of the parties to the right (45.5 per cent) indicated that gender is not important in candidate selection.

Table 2 also shows that parties with more women parliamentarians (26–45 per cent and 46 per cent or more) indicated that gender is a crucial criterion in candidate selection. Correspondingly, parties with fewer women parliamentarians (0–25 per cent) were more divided on the issue: while one-quarter chose the option that gender is crucial, one-third was of the opposite opinion, and the remaining parties indicated one of the two other options.

The parties were also asked to choose which of three options concerning quotas came closest to the general orientation of their party. Table 3 illustrates the general position on gender quotas of the parties responding (PARQUOTA Survey 2008).

Table 3. Political parties' general positions on gender quotas

Figures are percentages of respondents.

	<i>Quotas are a good and fair method</i>	<i>Quotas are a 'necessary evil' since it is the only way to rapidly increase the number of women in elected bodies</i>	<i>Quotas are unacceptable and in principle wrong</i>
<i>Parties</i>			
All (N=65)	35.4	32.3	32.3
Left	66.7	26.7	6.7
Centre	13.0	47.8	39.1
Right	0.0	16.7	83.3
<i>Women's representation in parliamentary group</i>			
All (N=66)	33.3	31.8	34.8
0–25%	22.2	22.2	55.6
26–45%	20.0	40.0	40.0
>45%	67.7	27.8	5.6
<i>Party leader</i>			
All (N=67)	34.3	31.3	34.3
Male	26.7	31.1	42.2
Female*	50.0	31.8	18.2

* Female or female and male party leader.

The political parties were asked to place themselves as left, centre or right.

Source: PARQUOTA Survey 2008. N: 65; 66; 67.

Table 3 shows that parties are split on the issue of gender quotas. While one-third of the respondents (35.4 per cent) chose the option that gender quotas are a good and fair method, one-third (32.3 per cent) chose the option that quotas are a 'necessary' evil, and one-third (32.3 per cent) believed that quotas are unacceptable and in principle wrong.

Moreover, as table 3 shows, parties to the left on the political spectrum seem to be more positive towards quotas than parties in the centre, and much more positive than parties to the right among the parties responding. While 66.7 per cent of the left parties responding chose the alternative that gender quotas are a good and fair method, only 13.0 per cent of the centre parties marked this alternative and none of the parties to the right.

Furthermore, table 3 illustrates that party fractions with a greater proportion of women parliamentarians selected the alternative that quotas are a good and fair method to a greater extent than parties with a smaller proportion of female parliamentarians. Similarly, the alternative that quotas are a good and fair method was chosen by parties with female party leaders or a male and a female party leader to a greater extent than parties with a male party leader.

This survey thus shows that there is a significant correlation between a party's position on the left–right ideological spectrum and the views it expresses on gender as an important candidate selection criterion and on quotas. Moreover, it shows that there is a correlation between a party's proportion of women in the party parliamentary fraction and its views on gender as an important candidate selection criterion and on quotas. The more women in a party's parliamentary fraction, the more positive the party is to the presupposition that gender is a crucial candidate-selection criterion and

to gender quotas. Likewise, the data show that there is a correlation between the sex of the party leader and the position of the party on quotas.

Finally, viewing the two tables together, a correlation between a party's attitudes on gender as a crucial criterion in candidate selection and support for quotas can be seen. Parties that express positive attitudes towards gender as a crucial selection criterion tend to support gender quotas. And, conversely, parties that believe that gender is not important in candidate selection tend to have a more negative position on gender quotas.

3. The implementation of gender quotas

Much of the debate for and against gender quotas rests on predictions about the future. Will women's representation in fact increase with quotas? Will this occur rapidly, following the so-called fast track model, or are the effects of quotas mainly gradual? Which factors other than the quota percentage are important for the successful implementation of quotas? Moreover, will there be a sufficient number of women candidates, and will the women elected on the basis of quotas be particularly inclined to raise gender-sensitive policy issues – or is this frequently-asked question in fact wrongly phrased?

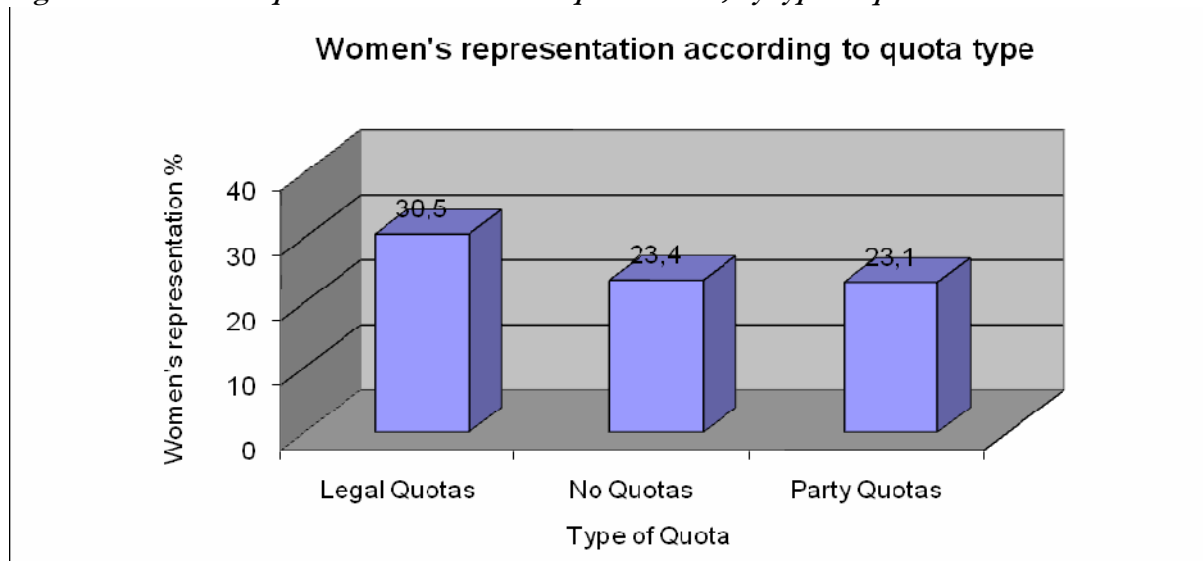
Even if gender quotas are a relatively recent phenomenon, it is now possible to draw some preliminary conclusions about how quotas work, at least on a short-term basis. Quotas are today the subject of many studies, mostly single-country studies. However, in order to increase knowledge about quota discourses, quota types and quota implementation, it is important to conduct comparative, cross-national and cross-party research on quotas, as in the present study. The following analysis is based on the eight case studies as well as on other research on experiences with quotas from around the world, including our own (Ballington and Binda 2005; Dahlerup and Freidenvall 2005; Dahlerup 2006; Dahlerup 2007; Larsrud and Taphorn 2007; Dahlerup and Freidenvall forthcoming).

A general conclusion is that in many instances gender quotas have led to historic leaps in women's representation but that the actual *effect* of quotas is dependent on many factors, not least the design of the quota system. Quotas do not automatically lead to the highest representation of women. Moreover, they are not the only way of increasing women's representation, and are therefore not a necessary condition for a high representation of women in politics, as the cases of Finland and Denmark show (see table 1). In addition, quotas do not guarantee that a certain number of women will be elected (with the exception of reserved seat systems). Most quota regulations only aim to guarantee that women are among the candidates for election (Dahlerup 2007).

Consequently, the relevant question to ask is: Under what additional circumstances might gender quotas produce what most advocates of quotas seek – an increase in women's political representation, or even 'gender balance' in political assemblies? To answer this question, this study will look at the interaction between quota types and electoral systems, at the regulations regarding ordering and at sanctions for non-compliance. One of the most frequently asked questions is whether voluntary party quotas or legally-mandated quotas are to be preferred.

The effect of quotas should be evaluated in relation to the different quota types and how they are implemented. Figure 4 compares the electoral results in all the 30 EU/EEA countries according to quota type.

Figure 4. Women's representation in national parliaments, by type of quota



Note: Countries with voluntary party quotas are defined as countries in which at least one of the three largest political parties in parliament has quotas for women. This is independent of how well the quotas are implemented by the political parties. Parliaments where only smaller parties apply quotas are listed under 'no quotas' for the purpose of this comparison. Since the new quota laws in Slovenia and Portugal have not yet been applied in a national election, these countries are placed under countries with party quota, since such quotas were in use before the legislation.

As table 1 has shown, gender quotas are a widely used measure in the EU/EEA countries. Figure 4 reveals, perhaps surprisingly, that women's representation on the average is rather similar under the three quota regimes, with countries applying legislated/legal quotas at the top with 30.5 per cent women. This should not be surprising, since legislated quotas apply to all the parties in a country, while only some parties may have adopted quotas when they are voluntary. Furthermore, countries like Denmark and Finland contribute to the high representation of women in countries without quotas.

However, within each category, major variations between political parties are to be found, as the PARQUOTA Survey shows: very high levels of women's representation in a party's parliamentary fraction are found among parties with voluntary party quotas as well as among parties without such quota regulations.

The following quotations from a number of political parties are selected to illustrate the wide range of measures taken by individual political parties, ranging from strict application of written gender quotas to various types of soft quotas to no measures at all to recruit women to the electoral lists.

Quotations from parties concerning what they do to recruit women to their electoral lists and their attitudes on quotas – from the PARQUOTA Survey. The percentage of women in the parties' parliamentary fraction has been included.

'The entire list of candidates must have a 50% representation of women. Also candidates number one and two must not be of the same sex. We encourage the practise of every other candidate being female' (Norwegian Labour Party, 49% women in parliamentary fraction).

'We are a very young party and have only participated in one election. In the case of that recent election, we were actually lacking candidates. But we did balance the genders on regional candidate lists' (Estonian Green Party, 17% women).

'Special organisation for women within the party, leadership courses for women and encouragement of women to participate, etc.' (Alliance for Future of Austria, BZÖ, 14% women).

'We don't believe in quotas as the optimal way of securing equality, we want to stimulate equality not dictate it. We apply a gender perspective throughout the parties' different activities, both organisational and political, but we do not apply quotas as we prefer to make use of other measures..... We guarantee that we have a gender perspective by continuously looking at the distribution of representation in relation to different positions but without establishing a quota system that has to be met by a definite and fixed target percentage' (Centre Party, Sweden, 38% women).

'The Campaign for Gender Balance was established in 2001, as an alternative to gender quotas. The Campaign provides mentoring schemes, specific training and networking events for potential and current female candidates' (Liberal Democrats, UK, 14% women).

'Furthermore, instead of quotas, the party has less formal ways of increasing the number of women representatives. In 2004, the Christian Union adopted a resolution that calls on national and subnational party boards and committees to have at least 1 woman among the top 3. Again: it is not a formal party regulation, just an expressed ambition' (Christian Union, the Netherlands, 33% women).

'It has been a good tradition (informal rule) to put women in winnable positions on election lists. For example in the last national elections there were women among first 3 candidates in 10 of 12 regional lists' (Estonian Centre Party, 32% women).

'All of these measures aim at preferential treatment, which is not fair. It always puts other people at a disadvantage. All people should be given an equal chance which they also have to deserve. You have to put the right person in the right place, regardless of gender or race. Neither gender nor race is important in candidate selection. Instead you'd better assess a potential candidate's merits and capabilities' (Vlaams Belang, Belgium, 21% women).

The PARQUOTA Survey shows that gender quotas are highly debated within European political parties, both for electoral lists and for the internal party organisation. A left–right divide can be seen here. In response to the question whether there have been discussions within the party on gender quotas for elections, 47 per cent of the left parties that responded answered 'yes, a lot of discussion' and 38 per cent 'yes, but not much discussion', while only 15 per cent answered 'no discussion'. The corresponding figures for centre parties are 32 per cent, 44 per cent and 24 per cent, while the answers from those right parties that responded show that there has been less discussion on gender quotas: 14 per cent answering 'a lot of discussion', 36 per cent 'yes, but not much' and 50 per cent have had no discussion on gender quotas at all.

The focus of the following analysis is on what factors influence the effects of actual electoral gender quotas once quotas have been adopted, either by law or as voluntary party quotas.

3.1. The effects of the electoral system

The electoral system is extremely important for the implementation of quotas. One key factor is the number of available seats candidates are competing over, that is, district and party magnitudes. It is generally agreed that large electoral districts, and even more so large party magnitudes in each district (PR systems), are favourable for the election of women and also facilitate quota systems, since this allows for the nomination of many candidates for winnable seats⁹.

However, researchers disagree on the importance of closed as opposed to open list elections for women's chances of being elected. With open lists, the voters, by voting for individual candidates, can change the order of the candidates on the lists, whereas in closed-list systems the nominating

⁹ District magnitude is the number of representatives an electoral district elects to the legislature. Average party magnitude is the average number of seats elected per party in the district (Matland 2006: 284).

party's rank-ordering of the candidates is decisive for which candidates will be elected. In evaluating the effect for women of open as opposed to closed lists, it all comes down to whether the parties or the voters can be expected to be more favourable towards women candidates. No general conclusion on open versus closed lists is possible, since the results of preferential voting for women candidates seem to vary over time, between countries and even between parties within the same country. In some parties and in some elections, women candidates do receive strong electoral support; in other parties and other elections, the voters favour male candidates (Caul 2001; Htun and Jones 2002; Matland 2006).

Furthermore, a quota system that is not compatible with the electoral system in place will remain purely symbolic (Matland 2006; Dahlerup and Freidenvall forthcoming). Because it is so difficult to apply a quota system to an electoral system based on single-member electoral districts, which the cases of the UK and France (at the national level) exemplify, the new trend of introducing quotas will tend to increase the gap in women's representation between countries with plurality/majority systems and those with PR systems. Scotland and Wales, however, have shown a way to combine quotas and single-member electoral districts, as has India with its 33 per cent reserved seats for women in local elections.

3.2. Which are best: voluntary or legislated quotas?

For advocates of quota the crucial question is which are the more effective in terms of increasing women's representation – *voluntary or legislated gender quotas*? The results in figure 2 do not provide any help, as it only shows averages. Several criteria seem to be relevant when evaluating the effectiveness of legislated versus voluntary party quotas. The analysis shows both commonalities and differences between these two main quota types.

The first criterion is how the two types of quota systems work in terms of *successful implementation*. When one compares legislated and voluntary party quotas at the candidate level, the conclusion is that the two types function to a great extent in the same way and that the success of the implementation process depends very much on the same factors – the specific type of electoral system, the mean party and district magnitude, rank-ordering rules, open or closed lists, and sanctions for non-compliance.

What is generally important for candidate quotas, be they voluntary or legislated, is that quota regulations initiate a process within each of the political parties in which the party leadership places more emphasis on trying to recruit a greater number of women candidates and treats it more seriously.

Some see legislated gender quotas as emanating from above, leaving the local party organisations and potential women candidates unprepared. There may be some truth to this. However, seen from the point of view of local party organisations, even voluntary party quotas may be viewed as coming 'from above'. The only sanction available in the case of voluntary candidate quotas is pressure from central party organisations and from the public if a local nominating body does not comply with the party rules on quotas. In general, local organisations must be stakeholders in this process, whether it be legislated or voluntary party quotas, in order to achieve long-term results with regard to the empowerment of women. In general, the strength of women's groups within the political parties and of the international, national and local women's movement, as well as good-faith compliance on the part of political parties, are vital.

The second criterion is *the level of compliance*. The main difference between legislated and voluntary party quotas is that the former are binding for all political parties. Moreover, legislated quotas make it possible to have legal sanctions on parties that do not comply with the quota rules, which can be enforced by the electoral authorities. In contrast, voluntary party quotas are only binding on the

individual parties that adopt them, and the degree of compliance in local districts may vary. However, even with voluntary party quotas, individual parties and their many party districts may show a high level of compliance, as in the cases of Swedish and German political parties with gender quotas. In the Netherlands, the central political parties have sometimes made agreements (“contracts”) with their local party organisations concerning stipulated percentages of women (Leyenaar 2004: 174). Further, even legislated quotas may not be adhered to by all the political parties, as the French case study has shown. Here the type of sanction is important (see below).

A third criterion, however, is *how easy it is to pass quota regulations in the first place in the two systems*. The chances of getting a quota reform through is an important consideration for the advocates of quotas, and in this respect there are differences between the two quota systems. Even if legislated quotas may be preferred, since they are binding for all parties, it obviously takes a majority in parliament to introduce them, and this may prove difficult. However, all over the world male-dominated parliaments – all the parliaments in the world have a majority of male members – have recently passed gender quota laws to include more women. This is truly an amazing development.

In contrast, voluntary party quotas may begin with only one party – usually the most gender-sensitive party. This first move may start a chain reaction, providing legitimacy and momentum for demands for gender quotas in other parties due to party competition. This kind of chain reaction – a contagion effect – has taken place, for instance, in Sweden and Germany, although only among parties on the left. In several other cases, for instance in Slovenia, Bosnia and Herzegovina, Belgium and Spain, voluntary party quotas preceded legislated quotas. Usually, quota laws have been initiated by those political parties that were already making use of voluntary party quotas.

3.3. Leap change vs gradual change

Table 4 shows women’s representation at the national level in the eight selected countries in a historical perspective, focusing on the past four elections. Successive elections, rather than specific years, are used here, since experience shows that it may take several elections to implement a quota system.

Table 4. Women’s national representation in the eight case studies through four elections – before and after the introduction of quotas

Country	Election 4	Election 3	Last election but one	Most recent election	Difference (1–4)
Belgium (L)	1995: 12%	* 1999: 23.3%	2003: 35.3%	2007: 36.7%	+24.7
France (L)	1993: 6.0%	1997: 10.9%	* 2002: 12.3%	2007: 18.5%	+12.5
Slovenia (L) ^a	1992: 12.2%	1996: 7.8%	2000: 13.3%	2004: 12.2%	±0
Spain (L)	1996: 21.6%	2000: 28.3%	2004: 36.0%	* 2008: 36.3%	+14.7
Germany (P) ^b	* 1994: 26.3%	1998: 30.9%	2002: 32.2%	2005: 31.8%	+ 5.5
Poland (P)	1997: 13.0%	* 2001: 20.2%	2005: 20.4%	2007: 20.4%	+7.4
Sweden (P) ^c	* 1994: 40.4%	1998: 42.7%	2002: 45.2%	2006: 47.3%	+6.9
United Kingdom (P)	1992: 9.2%	* 1997: 18.2%	2001: 17.9%	2005: 19.8%	+10.6

Source: Inter-Parliamentary Union (IPU) and the case studies. The first election after the introduction of quotas is marked *.

Key to quotas:

Legal or legislated quotas (L) are written into constitutions and/or electoral laws.

Party quotas (P) are voluntary measures adopted by individual political parties. Quotas are considered to have been introduced when at least one of the three major parties represented in the parliament has done so.

^a Slovenia introduced legislated quotas for national Parliament in 2006, so they have not yet been used in an election.

^b Following this definition of party quotas, Germany is classified as having introduced quotas in 1990, when the Social Democratic Party decreed that 40 per cent of all candidate lists should be women. In the 1990 election, women constituted 20.5 per cent of those elected.

^c In Sweden, the Social Democrats adopted party quotas in 1993. In the election prior to the introduction of quotas, the percentage of women in the national Parliament was already high, at 33.5 per cent.

Table 4 also illustrates whether the introduction of quotas has had an immediate effect on women's representation. If a leap change is defined as a leap in women's representation from one election to the next that exceeds 10 percentage points, the table shows that the introduction of gender quotas in several countries does seem to have had an immediate effect, even if other factors, of course, may have played a role.

In *Belgium* there was a jump from 23.3 per cent in 1999 to 35.3 per cent in 2003. The combined effect of quotas and larger electoral districts was significant, as the Belgian case study explains. Larger districts do not automatically lead to a greater number of women candidates. However, this reform, one may conclude, represented a window of opportunity for the push for more women candidates provided by the law and the general discussion on women's under-representation.

In *France* the successful quota law at the local level resulted in a leap change in one election of about 20 percentage points, while the result at the election to the National Assembly was very disappointing. At the level of nomination, *Slovenia* experienced a leap change due to the new quota law – from 21.2 per cent female candidates in the local elections in 2002 to 32.8 per cent in 2006 – although only increasing women's share of those elected from 13.5 to 21.5 per cent. In *Spain*, on the other hand, the quota law did not result in any increase, probably because women's representation was already high in Spain and the rank-order rules introduced did not add any new incentives to the existing practice of the political parties.

Globally, legislated quotas have led to several historic leaps in women's representation, most notably in Costa Rica and Argentina, where legislated quotas drastically increased women's representation – in Argentina from 5 per cent in 1995 to 34 per cent in 2003 and in Costa Rica from 19 to 35 per cent in 2002, in the latter case in just one election (Araújo and García 2006).

'It takes three elections to implement a new quota rule', it was said in the Norwegian discussion on quotas in the 1980s (Dahlerup 1988). The reason is that most parties are hesitant to get rid of an incumbent MP (most of whom are males) and therefore prefer to wait for a seat to become vacant. In general, research has shown that the incumbency factor is important and prevents a rapid increase in the representation of women and minorities.

Compared to legislated quotas, voluntary quotas tend to result only in gradual increases in the overall representation of women, as the above quotation indicates. With voluntary quotas, in contrast to legislated quotas, not all parties become bound by quota regulations at the same time. Consequently, when studying the effect of voluntary party quotas, the focus has to be on the individual parties.

The British Labour Party's all-women shortlists are an exception, leading to a leap change in the 1997 election in which the application of all-women shortlists increased the percentage of women among the Labour Party's MPs from 13.7 per cent in 1992 to 24.2 per cent in 1997.

In Sweden, the voluntary party quotas have led to smaller and more gradual, though nonetheless constant, improvements in women's representation. The starting point was high (e.g. so-called high-echelon quotas), and even the 'zipper' quota regulation of 1993 in the Social Democratic Party only increased the percentage of female Social Democratic MPs from 41 to 48 per cent between the 1991 election and the 1994 election (Freidenvall et al. 2006: 75). In a zipper system, female and male candidates are alternated on the list. Due to the Social Democratic Party being the largest

political party in the Swedish Parliament, the Social Democrats' quota (together with the re-election of the Green Party and the failure of the right wing party, New Democracy, to be re-elected) contributed to a new high in women's overall representation in the Swedish Parliament – 40.4 per cent in 1994 as compared to 33.5 per cent in the 1991 election. In the same way, the very high level of women's representation in the new democratic South Africa in 1994 was also the result of a quota regulation within the dominant party, the African National Congress (ANC).

3.4. The importance of rank-order rules

Under all electoral systems – and with legislated as well as voluntary candidate quotas – it is important that the quota provisions include rules about the gendered rank-ordering of candidates on the lists and according to 'winnable' seats. In fact, a quota system that does not include such rank-order regulations may be completely symbolic. Thirty per cent women placed at the bottom of a candidate list in a PR system – closed or open – leads to nothing but disappointment. Consequently, many quota systems today combine rules about the total number of women and men on the candidate lists, for instance, no less than 40 and no more than 60 per cent of each sex, with specific rules concerning the gender composition among the top candidates (in PR systems). Also, in plurality/majority systems, having 50 per cent women candidates may result in the election of very few women if the female candidates are mostly placed in constituencies where the party is normally weak. Some examples of rank-ordering systems follow.

In Slovenia, the quota law for local elections requires at least 40 per cent of each sex and alternation by sex on the first half of the list. However, for the first transitional period only 20 per cent women candidates are required and only one candidate of each sex in at least one of the first three places. The Slovenian case study shows that all the political parties complied with the transitional requirements.

The most radical rank-order system in use today is the zipper system, which under the right circumstances renders a result close to gender balance by alternating women and men throughout the list, as the Swedish and German case studies show. For small parties, even a 50 : 50 per cent quota combined with zipper rules may result in few women being elected:

'Most party districts adhere to a 50% policy. However, since there is often only one elected representative from each district, this does not guarantee that there are as many women as men among the representatives' (the Christian Democrats in Sweden, 38% women in the parliamentary fraction ¹⁰).

This quotation highlights the importance not only of the mean district magnitude but also of the average number of seats won by individual parties – what Richard Matland calls the importance of party magnitude (Matland 2006). Acknowledging this, the Green Party in Germany has decided that the zipper list must be headed by a woman, as described in the German case study. In general, the green parties have been in the forefront in many countries in achieving gender balance. Some green parties even allow a majority of women, while most other parties aim at strict gender balance. Here is an example of gender quotas in the party organisation:

'If there is a sufficient number of female candidates, party bodies and chairs of assemblies shall be occupied on the basis of parity. Parity is achieved if at least half of the posts are occupied by women. If the number of posts is uneven, the proportion occupied by women must be more than half in order to achieve parity' (The Greens, Luxembourg¹¹).

Table 5 presents an overview of the construction of gender quotas in five European countries. The quota requirements vary from 33 to 50 per cent, but more important for the variations in the results are the rank-order rules and the sanctions for non-compliance. The new Spanish quota law of 2007

¹⁰ PARQUOTA Survey, answer to an open question.

¹¹ PARQUOTA Survey, answer to an open question.

requires that lists in elections at all levels be composed of no more than 60 per cent of either sex. In addition, this rule also applies to every five posts on the list. The results of the first national election after the quota law was disappointing to quota advocates, since there was no change at all in women's representation in the Spanish House of Deputies, as the case study on Spain shows. The explanation is probably that these rank-order rules did not push the parties any further, since Spain previously had a relatively high level of female representation (over 30 per cent).

Table 5. The construction and effect of legislated gender quotas in five European countries
General election (lower chamber or unicameral parliament). Most recent election

Quota rules	Belgium	France	Slovenia	Spain	Portugal
Quota (%)	50	50	35 ^a	40	33
Rank-order rules/winnable seats ^b	1 of top 3 /later 1 of top 2	None	None	40% of 'eligible' posts	Every 3rd candidate
Sanctions	Places shall remain empty	Financial penalty	Rejection of list	Rejection of list ^c	Financial penalty
Women candidates	50%	42%	NA ^d	47%	NA
Variation in women's repr. in party groups in parl.	0–50%	0–26%	0–29%	0–42%	NA
Elected women	36.7%	18.5%	(12.2%) ^d	36.3%	(21.3%) ^e

Note: NA = no information available.

^a For the first election after the new law only 25 per cent is required.

^b The rank-order rules are all minimum requirements, for example, in the Belgium case at least one of both sexes out of the top three on the list. All these countries have formulated their quota regulations in a gender-neutral way.

^c The parties are given a short period to amend their lists.

^d No general election for the national Parliament has yet been held in Slovenia since the new quota law.

^e No general election has yet been held in Portugal since the new quota law.

In Belgium, the quota regulations have been gradually strengthened. The law passed in 2002 states that lists must include an equal share of women and men. In case of non-compliance, places on the lists have to be left open. Moreover, in the first election in which the law was applied, the top three positions on the lists could not be held by members of the same sex. In the subsequent elections, the top two on the list cannot be of the same sex. For the rest of the list no rank-order rules were installed. As the Belgium case study shows, only a few women were placed in the top position. The lowest result came from the Walloon Parliament, where the political parties complied with the overall provision of an equal number of men and women but with the result that only 19 per cent women were elected. Again, the Belgium case study shows that the actual construction of the rank-order rules in combination with district and party magnitudes are decisive for the outcome.

Even if all French parties had obeyed the law and nominated 50 per cent women and men in the 2002 or 2007 elections – which most of them did not – gender balance would not have been assured. If most women are placed in districts with low chances of election for that specific party,

then the requirement of 50 per cent women candidates has little effect. In single-member districts, quota rules should target safe or winnable seats in order to have an effect – like the British Labour Party’s all-women shortlists for vacant seats (see section 1.5 and the case study in this report).

3.5. Sanctions for non-compliance

The effective implementation of quotas is also dependent on the sanctions for non-compliance. Even if legal sanctions are only possible in legislated quota systems, central party organisations may have some power to influence decisions during the nomination process of the local party organisations.

Sanctions may be financial, as in the case of France at the national level. The French case shows, however, that only small parties cannot afford non-compliance. In general, the study of gender quotas worldwide shows that the most effective sanction involves the right of the electoral authorities to reject lists that do not have a sufficient number of women in the prescribed positions – and the use of that right. This radical sanction is, in general, seldom used. Why? Because the political parties, in order to avoid having their lists rejected, work hard to recruit a sufficient number of women.

In general, changing the recruitment pattern of political parties and making them seriously look for and develop a greater number of female candidates is at the core of any gender quota system.

Table 6 illustrates all major elements of voluntary party quota design in six social democratic parties in Europe. The table shows variations in target (35–50 per cent) and in rank-order rules, as well as in the sanctions applied for non-compliance. The rate of compliance and the result in terms of women’s representation can be seen from the table.

Table 6. The construction and result of voluntary gender quotas in six social democratic parties in Europe

Party quotas for general election (lower chamber of unicameral parliament) at the most recent election

	Austria	Germany	Ireland	Norway	Sweden	UK
Party name	Sozial demokratische Partei Österreich	Sozial demokratische Partei Deutschland (SPD)	Labour Party	Arbeider partiet	Social Demokraterna	Labour Party
Quota rules						
1. Quotas (%)	40%	40%	40% target	50%	50%	35%
2. Rank-order Rules \ winnable seats	The zipper system is recommended: alternating between women and men on the party list	Zipper system: the list must be given in turn to a man and a women and every 5th seat can be taken by a man or a woman.	No strict rules because of the STV voting system	– The two first candidates on the list must be of opposite sex: – 50% women among first 6 candidates on list – 50% women on the list – zipping is recommended	Zipper system: alternating between women and men on the party list	AWS in half of the vacant constituency seats

	Austria	Germany	Ireland	Norway	Sweden	UK
3. Internal party sanctions	Yes A general monitoring documents the progress	No	Yes The electoral area has to seek a waiver from the party's National Executive Committee if women candidates cannot be found	Yes Party organisations are asked to re-nominate	No	No
4. Implementation of quotas in the last general election	In a majority of the constituencies	In a majority of the constituencies	NA	All constituencies	In a majority of the constituencies	NA
5. Elected women in parliamentary party fraction	38.2%	36.0%	35.0%	49.2%	50.0%	28.0%
6. Women's representation in parliament (all parties)	32.2%	31.8%	13.3%	37.9%	47.3%	19.8%

Note: NA = no information available.

Sources: PARQUOTA Survey 2008; case studies on Germany, Sweden and the UK in this report.

Three of the social democratic parties in PR or mixed electoral system families (Austria, Germany and Sweden) have adopted the zipper system, where women and men are placed in alternate slots on the party lists. While the system is mandatory in Germany and Sweden, it is a recommended policy in Austria. In Norway, which also has a PR electoral system, there are multiple placement rules: the first two candidates on the list must be of the opposite sex, and there must be a gender balance among the first six candidates and among all candidates on the list. In the British Labour Party, the system of all-women shortlists means that shortlists consisting entirely of women are applied in certain electoral districts (in at least half of all seats where incumbent Labour MPs are retiring). In the Irish Labour Party, there are no strict rules since all seats are considered winnable.

Furthermore, in three of the six parties sanctions for non-compliance have been adopted and are being implemented by the parties' central organisations. For instance, in the Norwegian Arbeiderpartiet, the party organisations are being asked to reorder lists in order to comply with the stipulated rules. In the Irish Labour Party, a waiver must be obtained from the National Executive Committee if an electoral district fails to come up with female candidates.

Table 6 also shows that the parties differ in terms of the actual implementation of the stipulated quota rules. In the PARQUOTA Survey, two parties responded that they applied the quota rules in almost all electoral districts, while two applied them in all electoral districts¹².

Finally, table 6 shows that one of the six parties, the Swedish Social Democrats, has reached its stipulated goal (50 per cent) in terms of proportion of elected women. For three of the parties, the difference between the stipulated goal and the outcome is less than 5 percentage points – the Norwegian Arbeiderpartiet (0.8 point), the Austrian Sozialdemokratische Partei Österreich (1.8 point) and the German Sozialdemokratische Partei Deutschland (4 points). For the Irish Labour Party and the British Labour Party the differences are 5 and 7 percentage points, respectively. Although not all six parties have reached their stipulated numerical goals, the

¹² PARQUOTA Survey 2008, case studies on Germany and Sweden.

proportion of women elected in the parliamentary party fractions of all six is higher than the total proportion of female parliamentarians in the respective national parliaments. The biggest difference can be found in the Irish Labour Party, the British Labour Party and the Norwegian Arbeiderpartiet.

Was it difficult to find a sufficient number of women to stand for election under new quota rules, as some critiques of quotas predicted? Most of the parties that responded to the PARQUOTA Survey said they had not had difficulty finding a sufficient number of female candidates, but one-third agreed that it had been difficult. In general, during the course of the historical increase in the numbers of women candidates, parties have been able to find qualified women, especially if they started recruiting a long time before elections rather than at the last minute. However, at the local level there have been reports of a lack of women candidates, even in non-quota systems. The general trend is that, ever since women gained the suffrage, the numbers of female candidates and of women elected have gradually increased all over the world. If the parties make serious use of inclusive strategies and at the same time open up for changes in old patriarchal structures, then there seem to be few problems with regard to recruiting a balanced number of women and men in politics.

3.6. Quotas and the effectiveness of women politicians

In the quota debate, some feminist opponents argue that quotas do not guarantee more gender-sensitive legislation. In contrast, the advocates of quotas often express the hope that a greater number of women in politics will change the male bias of politics. In general, the connection between ‘descriptive’ (percentage) and ‘substantial’ (content) representation is a much debated issue within feminist research. The focus of this study is descriptive representation – that the political assemblies should mirror the population in terms of gender. However, some remarks concerning the connection between quota systems and the effectiveness of elected women politicians will complete this analysis.

Most studies show that it is women politicians who have placed issues of gender equality on the political agenda. Even if women politicians differ as much as male politicians, and are usually divided between the different political parties along the same lines as men, their entry into politics has changed the political agenda (Wängnerud 2000; Lovenduski 2005a; Lovenduski 2005b).

However, the often-heard question ‘Do women in politics make a difference?’ may be wrongly posed. An alternative could be: ‘Do men in politics make a difference?’.

The adoption of gender-sensitive policies depends on many factors, such as the strength of the women’s movement, the power of equality agencies within the state apparatus, the relative strength of various political forces, the general debate in society about gender and so on. The very debate about introducing gender quotas, whether they are passed or not, may in fact influence the willingness of women to stand for election (the supply side) as well as the desire of the political parties – the gatekeepers to elected positions – to recruit more women (the demand side).

For studies of quota systems, the specific question to be raised is whether the very design of a quota system hampers the effectiveness of women politicians, once elected, in doing their job the way they want. This should be studied both in a short-term and in a long-term perspective, and, consequently, some conclusions will have to wait until quota systems have been in operation for a longer period of time.

There is obviously a need to develop more elaborate criteria for the evaluation of the effectiveness and legitimacy of women elected under different conditions. Historically, women’s movements have been both supportive of, but also very critical of, women who have been elected. In the case

of quotas, the prediction that women elected on the basis of quotas ('quota women') would be met with suspicion and stigmatisation has, in general, not turned out to be true. When stigmatisation occurs, it is often found in countries with a generally negative attitude towards women politicians, no matter how they are elected. Again, the very design of the quota system may play a role. In 50 : 50 per cent zipper systems women are not elected on the basis of quotas any more than men are. It is, thus, very important to design quota systems in such a way that they give the maximum degree of legitimacy to those nominated and elected.

The experience with quota systems so far is that, in general, the voters have little or no knowledge of how nomination takes place. After the election, when an assembly starts to work, very little attention is normally paid to how the MPs were nominated – all votes count. In fact, gender is just one category added to the many categories that are important in the nomination process, including incumbency, occupation, trade union affiliation, age, residence and position within civil society.

3.7. Recommendations

Parties as gatekeepers

A general conclusion of this study is that political parties are vital in the promotion of women in politics. The power to recruit, select and nominate candidates is in the hands of political parties, whatever the electoral system. Any attempt to address the issue of women's under-representation in politics must, therefore, target the political parties and their views and strategies on more inclusive decision-making assemblies.

Recommendation 1

All political parties should adopt an action plan for the recruitment of women and other under-represented groups based on an analysis of the causes of this under-representation.

Recommendation 2

Political parties and women's organisations as well as other stakeholders should develop tools for gender monitoring of nominations and elections.

Recommendations, targets and additional measures

A second general conclusion of this study is that the goal of gender balance in decision making may be attained by several measures and that multiple measures remain necessary for the achievement of more inclusive decision-making assemblies. As this study has shown, the proportion of women in elected bodies may very well be increased by measures other than quotas, such as targets and recommendations, actions plans and capacity-building activities in individual parties. However, it is important to point out that the application of these measures depends on the good-faith compliance of the political parties, since there are no legislated sanctions for non-compliance. In addition, this study has found that, without written quota provisions, the placement of women on party lists and the distribution between female and male candidates in good or bad districts for the party needs to be negotiated in every candidate selection process, which might result in less stable proportions of women parliamentarians across time.

The presence of a strong women's movement is also an important factor in the promotion of women in politics. Women's organisations may mobilise the electorate and put pressure on the political parties or on governments to adopt special measures to enhance the political representation of women. Without an active pressure group, women's political representation might not increase as quickly as desired. In order to support women candidates and to ensure the representation of women's diverse interests in public decision-making assemblies, the mobilisation

and organisation of women are crucial preconditions for capacity building, political empowerment and the enlargement of the pool of eligible aspirant women.

Recommendation 3

With or without gender quotas, multiple measures should be applied, such as capacity-building programmes, support to women's organisations, recommendations and targets with specific goals according to the choice of the party in order to redress the problem of women's under-representation in politics.

Gender quotas

A third conclusion is that gender quotas are an effective policy tool for increasing women's representation in political bodies, if adequately constructed. Both legislated quotas and voluntary party quotas may lead to permanent increases in women's political representation at all levels. But quotas do not automatically result in equal representation of women and men in political decision making. This study suggests that the introduction of quotas may fall short if they are not compatible with the electoral system in use and do not include rules about rank order and sanctions for non-compliance.

Rank-ordering rules are critical to the successful implementation of legislated quotas and party quotas in List PR electoral systems. If 40 per cent of a party's candidates on the electoral list in a PR system are women but they are placed at the bottom of the list, this may result in no women being elected at all. In plurality/majority electoral systems, rules are needed with regard to the gender distribution of 'winnable' or 'safe' seats.

Furthermore, gender quotas must be specific and stipulate details of implementation. When there is a lack of clear criteria or when quota provisions are vague, considerable discretion is left to the local political parties to apply quotas as they see fit.

Finally, for quota provisions to be effective, there must be sanctions for non-compliance. On this point, legislated quotas and party quotas differ. In countries with legislated quotas, effective sanctions take the form of strong financial penalties on parties that do not comply with the law or the right of electoral management bodies to declare a party's list of candidates invalid. The successful implementation of legislated quotas therefore requires institutional bodies that administer, supervise and control the application of quotas. In parties that have party quotas, on the other hand, there are no legal sanctions for non-compliance. The sanction available is pressure from central party organisations, women's groups and the electorate.

Recommendation 4

If gender quotas are applied, they must be compatible with the electoral system in use in order to be effective.

Recommendation 5

If gender quotas are applied, clear criteria for quota implementation, such as placement mandates or rank-ordering rules, should be stipulated. In systems with legislated quotas, legal sanctions for non-compliance, such as strong financial penalties and withdrawal of lists, must be allowed for. When voluntary party quotas are adopted, the central party organisation must make a 'contract' with local party organisations about the practical implementation of the quota regulations.

Recommendation 6

If legislated quotas are applied, institutional bodies should be mandated to administer, supervise and control the implementation of the gender quota laws. Money should be made available for research on the implementation and effect of gender quotas.

List of references

- Antić Gaber, Milica, 'Women in Political Decision-Making: Monitoring Report by the Slovenian Presidency', Slovenian Presidency of the EU, 2008
- Araújo, Clara and García, Ana Isabel, 'The Experience and the Impact of Quotas in Latin America', in Drude Dahlerup (ed.), *Women, Quotas and Politics* (New York and London: Routledge, 2006), pp. 83–111
- Bacchi, Carol, 'Arguing for and against Quotas: Theoretical Issues', in Drude Dahlerup (ed.), *Women, Quotas and Politics* (New York and London: Routledge, 2006), pp. 32–51
- Ballington, Julie and Binda, Francesca, *The Implementation of Quotas: European Experiences*, Quota Report Series (Stockholm: International IDEA, 2005)
- Caul, Miki, 'Women's Representation in Parliament: The Role of Political Parties', *Party Politics*, 5/1 (1999), pp. 79–98
- Caul, Miki, 'Political Parties and the Adoption of Candidate Gender Quotas: A Cross-national Analysis', *Journal of Politics*, 63/4 (2001), pp. 1214–29
- Dahlerup, Drude, 'From a Small to a Large Minority: Women in Scandinavian Politics', *Scandinavian Political Studies*, 11/4 (1988), pp. 275–97
- Dahlerup, Drude, 'Increasing Women's Political Representation: New Trends in Gender Quotas', in International IDEA, *Women in Parliament: Beyond Numbers. A Revised Edition* (Stockholm: International IDEA, 2005)
- Dahlerup, Drude (ed.), *Women, Quotas and Politics* (New York and London: Routledge, 2006)
- Dahlerup, Drude, 'Electoral Gender Quotas: Between Equality of Opportunity and Equality of Results', *Representation*, 43/2 (July 2007), pp. 73–92
- Dahlerup, Drude and Freidenvall, Lenita, 'Quotas as a "Fast Track" to Equal Representation of Women: Why Scandinavia is No Longer the Model', *International Feminist Journal of Politics*, 7/1 (2005), pp. 26–48
- Dahlerup, Drude and Freidenvall, Lenita, 'Gender Quotas in Politics: A Constitutional Challenge', in Susan Williams (ed.), (forthcoming 2008)
- European Commission, 'Women in Decision-making 2007: Analysis of the Situation and Trends', January 2008
- Freidenvall, Lenita, Dahlerup, Drude and Skjeie, Hege, 'The Nordic Countries: An Incremental Model', in Drude Dahlerup (ed.), *Women, Quotas and Politics* (New York and London: Routledge, 2006), pp. 55–82
- Htun, Mala and Jones, M. T., 'Engendering the Right to Participate in Decision-making: Electoral Quotas and Women's Leadership in Latin America', in N. Craske and M. Molyneux (eds), *Gender and the Politics of Rights and Democracy in Latin America* (London: Palgrave, 2002), pp. 32–56
- Krook, Mona Lena et al., 'Western Europe, North America, Australia and New Zealand: Gender Quotas in the Context of Citizenship Models', in Drude Dahlerup (ed.), *Women, Quotas and Politics* (New York and London: Routledge, 2006), pp. 194–221
- Larserud, Stina and Taphorn, Rita, *Designing for Equality: Best-fit, Medium-fit and Non-favourable Combinations of Electoral Systems and Gender Quotas* (Stockholm: International IDEA, 2006)
- Leyenaar, Monique, *Political Empowerment of Women: The Netherlands and Other Countries* (Leiden and Boston: Martinus Nijhoff Publishers, 2004)
- Lovenduski, Joni, *Feminizing Politics* (Cambridge: Polity Press, 2005) (2005a)
- Lovenduski, Joni (ed.), *State Feminism and Political Representation* (Cambridge: Cambridge University Press, 2005) (2005b)

- Matland, Richard E., 'Enhancing Women's Political Participation: Legislative Recruitment and Electoral Systems', in Azza Karam (ed.), *Women in Parliament: Beyond Numbers* (Stockholm: International IDEA, 1998), pp. 65–90
- Matland, Richard E., 'Electoral Quotas: Frequency and Effectiveness', in Drude Dahlerup (ed.), *Women, Quotas and Politics* (New York and London: Routledge, 2006), pp. 275–92
- Matland, Richard E. and Studlar, Donley T., 'The Contagion of Women Candidates in Single Member and Multi-Member Districts', *Journal of Politics*, 58/3 (1996), pp. 707–33
- Norris, Pippa, *Electoral Engineering: Voting Rules and Political Behavior* (Cambridge: Cambridge University Press, 2004)
- Norris, Pippa, 'The Impact of Electoral Reform on Women's Representation', Special Issue, *Acta Politica*, 41 (2006), pp. 197–213
- Norris, Pippa and Lovenduski, Joni, *Political Recruitment: Gender, Race and Class in the British Parliament* (Cambridge: Cambridge University Press, 1995)
- Phillips, Anne, *The Politics of Presence* (Oxford: Clarendon, 1995)
- Sawer, Marian, 'Introduction', in Marian Sawer, Manon Tremblay and Linda Trimble (eds), *Representing Women in Parliament: A Comparative Study* (New York and London: Routledge, 2006)
- Sineau, Mariette, *Genderware: The Council of Europe and the Participation of Women in Political Life* (Strasbourg: Council of Europe Publishing, 2003)
- Squires, Judith, *The New Politics of Gender Equality* (New York: Palgrave Macmillan, 2007)
- Wängnerud, Lena, 'Testing the Politics of Presence: Women's Representation in the Swedish Riksdag', *Scandinavian Political Studies*, 23/1 (2000), pp. 67–91

Databases

<<http://www.ipu.org>>

<<http://www.quotaproject.org>>

The European Commission's database on women and men in decision-making:

<http://ec.europa.eu/employment_social/women_men_stats/index_en.htm>

Section B

Case studies

Case study

Belgium: a best practice put in perspective

Petra Meier

1. The electoral system

All elections in Belgium are based on a proportional list system, but there are certain differentiating features across different levels of elections, some of which are important for the promotion of a gender balance in political decision making. A first and important differentiating feature is district magnitude – the number of representatives an electoral district elects to the legislature. District magnitude varies because there are large disparities in population density and also because different assemblies and elections at different levels use different types of districts. While the representatives of the Flemish Parliament, for instance, are elected in provincial electoral districts, their Walloon colleagues are elected in electoral districts that follow the boundaries of much smaller administrative districts.

A second differentiating feature is the 5 per cent formal provincial threshold applied to the House of Representatives¹³ and the Flemish Parliament. A third differentiating feature is the fact that the calculation of the seats allocated to the various parties is based on the D'Hondt highest average method for all elections except for the communal elections, for which the Imperiali system is used. Finally, in all elections except communal elections, substitutes are elected on a list that is separate from the list of effective candidates¹⁴.

Elections are characterised by a system of multiple preferential votes, but preferential votes apply for only 50 per cent in the allocation of seats to candidates, the other 50 per cent being allocated on the basis of the list vote¹⁵. Hence, the electoral lists are 'half-open': the order in which candidates appear on the list does not completely determine who is elected. Nonetheless, the candidate's position on the list does influence his or her chances of getting elected, because positions higher on the list take advantage of the list votes. Of all elections, the communal elections are characterised by the highest number of preferential votes being cast. Multiple preferential voting has a longer tradition in communal elections than in the other elections, but voters also tend to vote more personally in communal elections. Consequently, the percentage of candidates who are elected regardless of the list order is much higher in communal elections; about half of the candidates are elected because of their personal score. For other elections the number of candidates elected through preferential votes is increasing since the rule has been established in 2003 that preferential votes count for 50 per cent in the allocation of seats to candidates (Celis and Meier 2006; Meier 2007).

¹³ Except for two electoral districts, Vlaams Brabant and Brussel-Halle-Vilvoorde/Bruxelles-Hal-Vilvorde.

¹⁴ The candidate on the substitute list who came out best at the elections will substitute the first MP dropping out during the parliamentary term, the candidate who came out second-best will substitute the second such, and so on. This implies that candidates on good positions on the list of substitutes often have more chance of becoming an MP than candidates on hopeless positions of the list of effective candidates, due to the fact that candidates elected on that latter list might decline their seat (because they are a member in another assembly and only figured on the list to attract votes, or because they become a member of government and therefore need to give up their parliamentary seat, etc.).

¹⁵ The relative impact of the list vote and of preferential votes is slightly different at the communal level.

2. Legislated quota provisions

From the 1970s onwards, the women's movement and political women's groups pleaded for 'more' and later on for 'an equal number' of women in politics, putting forward legislated gender quotas as a way of overcoming structural thresholds for women. Not all the advocates of gender quotas necessarily thought that quotas were the ideal arrangement. Rather, many saw quotas pragmatically, as the most efficient and reliable solution, reasoning that without structural measures nothing would change. Their case was that quotas were the only means of overcoming the subtle mechanisms of discrimination that women encounter in trying to find their way in a men's world. Actors in the women's movement and women MPs also explicitly mentioned men's will to preserve their dominant power position.

Opponents of quotas, mainly to be found within the Liberal and Far Right parties, claimed that they preferred sensitising and training measures, if anything at all, for women because a quota would diminish the status of women so elected. They saw the problem in terms of a lack of concern on the part of the electorate and a lack of aspiration to political office on the part of women. They argued that women lacked interest in politics compared with men, probably because of the demanding rules of the political game. Women's putative lack of interest was sometimes overtly invoked, but it was mainly disguised by the argument that there were no barriers to women's participation in politics. In addition, the opponents of quotas explicitly rejected the idea that the reason why women experience difficulty entering politics was the unwillingness of men to share power (Meier 2005b).

After the 1991 elections, the feminist movement managed to get a point about the position of women in politics included in the government declaration thanks to unusually extensive consultations with civil society organisations. This resulted in the federal government itself having to take the lead on such matters. In 1994 a first gender quotas act was adopted¹⁶. It stipulated that electoral lists must not comprise more than two-thirds of candidates of the same sex. In the event of non-compliance, the authorities in charge of receiving parties' lists of candidates would not accept the list. The act was applied to the 1994 and 2000 communal and provincial elections (on the occasion of the former, with the temporary measure that lists needed to comprise at least 25 per cent female candidates) as well as to the 1999 European Parliament, federal and regional elections. The 1995 general elections were exempted from the quotas.

From the beginning, the 1994 act was criticised because it did not insist on an equal number of women and men or impose a placement mandate to guarantee that women were given eligible positions on the parties' electoral lists. This criticism led to the 2002 gender quota acts, compelling parties to put forward an equal number of female and male candidates¹⁷. Moreover, candidates of the same sex may not occupy the top two positions on a list. Non-compliance will again result in the list being rejected by the public authorities.

Equal numbers of female and male candidates were to be achieved by the time of the second election to take place after the acts entered into force (in 2007 for elections to the Senate and the House of Representatives, and 2009 for regional and European Parliament elections). In the first election after entry into force (in 2003 for elections to the Senate and the House of Representatives, and 2004 for regional and European Parliament elections), the first three positions on the electoral lists could not be occupied by candidates of the same sex.

¹⁶ Act of 24 May 1994 to promote a balanced distribution of men and women on electoral lists, *Belgisch Staatsblad*, 1 July 1994.

¹⁷ Act of 17 June 2002 to guarantee equal representation of men and women on the electoral lists for the European Parliament, *Belgisch Staatsblad*, 28 August 2002; Act of 18 July 2002 to guarantee equal representation of men and women on the electoral lists for the federal Parliament and for the Council of the German-speaking Community, *Belgisch Staatsblad*, 28 August 2002; Special Act of 18 July 2002 to guarantee equal representation of men and women on the electoral lists for the Council of the Walloon Region, the Flemish Council and the Council of Brussels Capital Region, *Belgisch Staatsblad*, 13 September 2002; Act of 13 December 2002 containing various changes of the electoral legislation, *Belgisch Staatsblad*, 10 January 2003.

While the 1994 act applied to all elections, the 2002 acts do not apply to communal and provincial polls, since organising them had become the responsibility of the regions. All the regions (Flanders, Wallonia and Brussels) have adopted measures copying the national legislation, with the exception that in Flanders only one of the three top candidates has to be a woman, due to resistance in some of the parties to having more women in top list positions. In sum, therefore, the legislated quota provision is very homogeneous across all levels of elections, from communal to European Parliament elections. In contrast to other countries, in Belgium no distinction has been made in the sense that legislated quotas only apply to certain levels of elections or that different legislated quotas apply to different levels of elections. This is all the more interesting since these quota provisions have been adopted by authorities which are in charge of different (levels of) elections.

Another interesting feature of the Belgian legislated gender quota provisions is their sanctioning and enforcement mechanisms. Again unlike those of other countries, the Belgian provisions do not give parties the option of ignoring the quotas, for instance by paying a fine. In the run-up to the first gender quotas act of 1994, sanctioning mechanisms such as a cut in a party's allowances were discussed, but in the event none of the allowances were withheld, mainly because of party leaders' opposition to such sanctioning mechanisms. The only sanction applied is that electoral lists that do not conform to the quota provisions are not accepted. Since this excludes parties from participating in an election, parties respect the gender quota provisions. However, this compulsory character of the gender quota provisions at least partially explains the limited scope of the first gender quotas.

There is no monitoring of the gender quota provisions. The 2002 gender quota acts stipulated that the acts would be evaluated, but this was not specified further. In defence of the law it has to be stressed that monitoring the gender quotas is difficult because of the complexity of separating out their precise impact from that of other factors (Meier 2004a).

3. The number of women in electoral politics

Until the mid-1990s, on average women accounted for no more than 5–10 per cent of those elected. From the second half of the 1990s when the first quotas act was adopted, however, the number of women standing or elected rose spectacularly at all levels of elections. For most elections, this trend was still visible during the two most recent elections. In the federal elections of May 2003, 35 per cent of those elected to the House of Representatives and 38 per cent of those elected to the Senate were women. In the latest elections, of June 2007, the percentage of women MPs elected rose slightly, to nearly 37 per cent, while the proportion of women elected to the Senate dropped to 30 per cent. A similar, though less significant, drop can be seen in the results of elections to the European Parliament, where 29 per cent of the Belgian candidates elected in 2004 were women, which was slightly lower than the 32 per cent elected in 1999.

In the various regional legislatures the share of women elected climbed from 11 per cent to 19 per cent (in the Walloon Parliament), from 20 per cent to 31 per cent (in the Flemish Parliament), and from 35 per cent to 46 per cent (in the Parliament of the Region of Brussels-Capital), or it remained stable at 24 per cent (in the Parliament of the German-speaking Community), between 1999 and 2004. At the provincial level the percentage of women candidates elected rose from 29 per cent to 37 per cent between 2000 and 2006, while at the communal level it rose from 27 per cent to 33 per cent.

Table 7. The percentage of women in the two most recent Belgian elections (for all levels)

Latest election (2004–7) ^a			Election before last (1999–2003) ^b		
% women candidates	% women top position	% women elected	% women candidates	% women top position	% women elected

		candidate list			candidate list	
European Parliament	49%	20%	29%	44% ^c	20% ^c	32% ^c
Senate	50%	36%	30%	50%	30%	38%
House of Representatives	50%	26%	37%	50%	23%	35%
Flemish Parliament	49%	17%	31%	39% ^c	17% ^c	20% ^c
Parliament of the Region of Brussels-Capital	50%	20%	46%	39% ^c	36% ^c	35% ^c
Walloon Parliament	49%	13%	19%	36% ^c	15% ^c	11% ^c
Parliament of the German-speaking community	50%	0%	24%	38% ^c	33% ^c	24% ^c
Provincial councils	48%	^d	37%	42% ^c	23% ^c	29% ^c
Communal councils	49%	^d	33%	40% ^c	18% ^c	27% ^c

^a The latest regional and European Parliament elections took place in 2004, communal and provincial elections in 2006 and federal elections in 2007.

^b The last-but-one regional and European Parliament elections took place in 1999, communal and elections ones in 2000 and federal elections in 2003.

^c Gender quotas act of 1994 in force.

^d Data not available.

Sources: Communal and provincial elections: 1999: Marissal, Claudie and Hansen, Ingrid, *Naar een paritaire democratie: Analyse van de gemeenteraadsverkiezingen van 8 oktober 2000* (Brussels: Federaal Ministerie van Tewerkstelling en Arbeid, 2001); 2006: own data; **regional elections:** 1999: Verzele, Valérie and Joly, Carine, *La représentation des femmes en politique après les élections du 13 juin 1999* (Brussels: CRISP, 1999); 2004: own data; **federal elections:** 2003 and 2007: Fiers, Stefaan, Servranckx, Ellen and Pilet, Jean Benoit, *La participation des hommes et des femmes à la politique belge* (Brussels: Institute for the Equality of Women and Men, 2006) for percentage women on top positions, otherwise own data; **European Parliament elections:** 1999: Verzele and Joly 1999; 2004: Fiers et al. 2006 for percentage women on top positions, otherwise own data.

In sum, the percentage of women elected at the various electoral levels varies between 19 and 46 per cent¹⁸. On average the percentage of women candidates elected has increased significantly over the last 15 years. The slight reverse in elections to the Senate and the European Parliament is curious, especially as both have traditionally been among the more gender-balanced assemblies. However, a sizeable drop in percentage terms often reflects just one or two fewer women, since the overall number of seats is low. While traditionally the percentage of Belgian women elected to the European Parliament has been high compared to several other levels of elections, it is now somewhere in the middle of the range. As is explained below, this change in position has to do with the increasing party magnitude – the number of seats parties win in a given electoral district – at other levels of elections in Belgium. The percentage of Belgian women elected to the European Parliament is still relatively high compared to many other countries.

In parallel to the increase in the number of women in elective politics, there are also more women in executive positions. Here again important differences are found between levels of government. While women account for between 25 per cent and 33 per cent of ministers in most governments, one-third of the communal councils of the previous legislature in Belgium had no woman elected representative. Since a parity clause was inserted in the Belgian constitution in 2002, all executives

¹⁸ These percentages do not take into account the variation in percentages of women elected in the various provincial or communal councils.

need to include at least one woman, and governments at all electoral levels do now include at least one woman.

4. The impact of legislated quota provisions

To summarise, the 2002 legislated gender quotas were in force for the most recent elections at all electoral levels, and the former (1994) legislated gender quotas were in force for the last-but-one elections at these levels. The only exceptions are federal elections (to the House of Representatives and Senate), where the new gender quota provisions have already been applied twice. It is interesting to note that, when the gender quotas acts prescribed a minimum of 33 per cent female candidates, the latter tended to be more numerous than the requested minimum (see table 7).

This 'doing better than what the law prescribes' can also be observed on the occasion of earlier elections. However, when the 2002 gender quotas acts prescribe an equal number of female and male candidates, the margin given by the law tends to favour male candidates. When electoral lists comprise an odd number of candidates, there tends to be one more male candidate than female (which explains why the percentage of female candidates is a little below 50 per cent). An equal sharing of access to positions of political decision making is still not in evidence. This is also reflected in the number of women heading electoral lists. The placement mandate in the 2002 gender quotas acts has not led to an increase in the number of women occupying the top position on lists of candidates. Most parties position their first female candidate only in second place.

Given the unimportant difference between the numbers of women candidates at the various levels of election and the numbers of women elected at these levels, there seems to be no direct link between the number of female candidates and the number of women elected. Similarly, the number of women candidates for top positions seems not to be related to the number of women elected.

The differences in the numbers of women elected across the different electoral levels are at least partly due to the differences in the electoral system that are explained above. A feature of the electoral system that seems to have influenced the share of women elected is district magnitude and, more precisely, party magnitude. It is difficult to assess the exact impact of party magnitude, since it is almost impossible to control for all other independent variables, but there are strong indications that the rise of the number of women in politics is at least partly due to an increase in party magnitude. An increase in party magnitude has always been accompanied by an exceptional rise in the number of women elected. In 1993 the Senate was reformed, bringing all the former electoral districts back to two, one for each of the major language groups. At the next election, in 1995, there was a phenomenal increase in the number of women elected to the Senate.

The introduction of provincial districts on the eve of the 2003 elections also profoundly altered party magnitude in the case of elections to the House of Representatives; and the Flemish Parliament followed this example in 2004. The introduction of electoral districts along the boundaries of the provinces eliminated a couple of very small districts in both assemblies. This involved a considerable rise in party magnitude since the number of parties remained stable. Parallel to this increase in party magnitude, there was a considerable rise in the number of women elected to the House of Representatives in 2003 and in Flanders in 2004. In the run-up to the regional elections of 2004 the number of seats had been raised in the Parliament of the Region of Brussels-Capital, in order to guarantee the Dutch-speaking community a minimum of 17 MPs, but the number of parties did not alter. This increase in party magnitude was followed by a leap in the number of women elected in the 2004 elections, coming close to parity.

High party magnitude involves more winning candidates on a list and, since parties feel the need to present lists containing a 'healthy mix of candidates' – a major aspiration of the past decade, and a synonym for a list reflecting diversity in terms of sex (women), age (initially younger but recently

also senior candidates), ethnicity (mainly candidates with their roots in North and Sub-Saharan Africa or Turkey), sexuality (gay and lesbian candidates) and disabled candidates – women are on the winning side¹⁹. Another indication of the importance of party magnitude is the fact that the largest number of women is found in those assemblies that have sizeable electoral districts. The Parliament of the German-speaking Community and that of the Region of Brussels-Capital were the assemblies where the highest party magnitude was to be found initially. Both started off with a higher proportion of elected women than their counterparts.

However, an increase in party magnitude does not seem to be a necessary condition for an increase in the number of women elected. The first leap forward in the number of women MPs in the House of Representatives took place in 1999, before the introduction of the provincial electoral districts. Similarly, at the 2004 regional elections the number of women elected to the Walloon Parliament rose considerably, although it had not increased the size of its electoral districts. In both cases the increase in the number of women elected should be attributed to the gender quota acts. While the gender quota acts had no intrinsic power, they stimulated a process whereby political parties sought to ‘outbid’ each other in terms of commitment to gender sensitivity. It is this contagion effect rather than the legal dispositions of the act that caused the number of women MPs to rise in assemblies that had been lagging behind, such as the House of Representatives and the Walloon Parliament.

As a legal instrument, however, the gender quota provisions have not had an effect. This is not least due to another feature of the electoral system – the impact of the personal score of candidates obtained through preferential votes. The idea behind legislated gender quotas containing placement mandates is to place female candidates in safe seats. The halving of the impact of the list vote combined with the strategic placing of well-known candidates towards the bottom of the lists increases the likelihood that these candidates will be elected at the expense of candidates who figure at the top of the list. Traditionally safe seats at the top of electoral lists lose their safe character. Well-known candidates at the bottom of the list attract votes but they generally have no intention of taking up their mandate. Even if they refuse their mandate, someone from the list of substitutes will take up their mandate. In this respect the placement mandate of the new gender quota acts has no intrinsic value.

And at the level of communal elections, where no separate lists of substitutes are employed, the use of preferential votes is so frequent that it tends to undermine the placement mandate contained in the legislated gender quotas. Also, the increased impact of personal scores is favourable for well-known candidates, and here women have a disadvantage given their historical under-representation in politics.

In the long run, the increase in the number of female candidates may lead to women politicians becoming better known, which might raise their personal scores and hence their chances of getting (re)-elected (Meier 2005a, 2008).

5. Voluntary party quotas and their impact

Before the legislated gender quotas were adopted, the three major Flemish parties (Christian Democrats, Liberals and Socialists), the French-speaking Christian Democrats and both green parties already applied their own quotas or target figures to their electoral lists. While the existence of party measures paved the way for a gender quotas act in 1994, it is interesting to note that this act in turn stimulated the introduction of further party measures. Once the act had been

¹⁹ While the position of women from ethnic minorities as well as immigrant women is identified as a problem that requires particular attention in (gender equality) policies, their position in politics is not questioned as such. Most parties tend to pay attention to including candidates from ethnic minorities, and in many cases women do better among them than men, among other reasons – but not exclusively – because they help to address the lack of candidates both from ethnic minorities and from the female sex.

introduced, individual parties adopted new measures in response to it in order to outbid other parties in terms of women-friendliness. These new party initiatives, in their turn, paved the way for the new and more stringent gender quotas acts in 2002.

This contagion effect between legislated gender quotas and voluntary party quotas indicates that the parallel use of legislated and party gender quotas is not a question of duplication. Rather, it can create a dynamic which opens up the political forum to women more than would have been the case if either party or legal measures alone had been applied (Meier 2004b). However, an analysis of party statutes and rules in 2005/2006 showed that these do not contain more provisions on gender equality than they had two decades ago (Meier et al. 2006). Parties tend to have less gender quota provisions than before, at least when it comes to the composition of electoral lists. In contrast to two decades ago, most party statutes contain the rule that at least one person in the party presidium has to be a woman. But parties have no other formal rules with respect to gender equality when it comes to functions within the party apparatus (both paid staff and elected positions). Hence, the legislated gender quota provisions did not spark off similar measures for functions within the party apparatus (both paid staff and elected positions).

Nonetheless, in order to meet the legislated gender quotas, parties are paying more attention to female candidates than they did 15 years ago. They mobilise within the party structure and broader networks or even launch general calls in order to find female candidates. This is especially the case for elections that require a large number of candidates, such as communal elections, where many lists have to be filled, or elections for the Parliament of the Region of Brussels-Capital, where party magnitude is high. However, even if parties do pay more attention to female candidates than they used to, women tend to have a utilitarian but not an intrinsic value for parties. Women are valued because of the quota provisions and because women are considered to attract voters, but not because parties intrinsically subscribe to the parity principle.

Also, at least within the party headquarters the conviction reigns that the candidate selection process and other nomination processes within the party are transparent, open and not gender-biased. Research in Flanders has revealed that women active in politics are not convinced of this neutrality (Meier forthcoming). They consider that their under-representation in politics can partly be explained by the fact that they may lack some of the assets (such as contacts and networks) that facilitate a political career, but also that they are given fewer chances than male colleagues. In their view, the causes of women's under-representation are to a great extent to be found at a more structural level, for example in the way in which political parties operate when selecting candidates for electoral lists or deciding on political careers.

Male politicians differ significantly in their explanation of women's under-representation in politics. They believe that women's under-representation in politics is due to their personal choices and that the system functions as it should. Men do not think that women face discrimination, or lack the formal or informal assets needed to build a political career, or fail to invest enough in such a career. According to men, women are simply less interested in political office than men are, giving priority instead to their family life, and this explains the lower participation of women in politics.

Finally, voluntary party quotas do not have the same status as legislated gender quotas. Especially if gender quota provisions are not put down in documents that are binding upon the party, they can be set aside whenever they conflict with other priorities. Furthermore, research on the latest (2006) communal elections reveals that voluntary party quotas seem to get adopted in circumstances where they are less necessary (Meier and Verlet forthcoming). It seems that local party sections tend to adopt voluntary quotas that are meant to complement the provisions of the law whenever the ideological climate is women-friendly, where party magnitude is highest and when the number of women present within the local section is already relatively significant. In this respect voluntary gender party quotas are only of a second order.

6. Other quotas

Belgian citizenship is believed to be embedded in its social groups. Belgium is a consociational society that recognises and integrates different social groups into decision-making processes. Such recognition means that, in this political system, descriptive representation prevails whereby the membership of public bodies and elected assemblies should mirror the society by including the salient groups. Although the segmentation of Belgian political and civil society is decreasing, and political ideology tends to have a less lasting influence on people's choices with respect to, for instance, a party, health insurance or a newspaper than before (De Winter et al. 2006), the balanced representation of key social groups and the representativeness of institutions continue to be seen as essential legitimising features of the political system.

There is, furthermore, a consensus that it is legitimate to institutionalise the presence of specific social groups. There is no reluctance to enshrine structural measures in party and other organisations' statutes, legislation or the constitution in order to ensure the presence of particular social groups in bodies of representation or of public interest. Thus there exist numerous rules to ensure the presence of the main ideological and philosophical or language groups whenever relevant. For instance, in all relevant parliaments the various language groups are guaranteed reserved seats (Meier 2000, 2003). It was partly on the basis of this 'logic of presence' that quotas for women were argued for and adopted, not only for electoral lists but also for public advisory committees (Meier 2005b). However, language and sex or gender are the only criteria for which formal quotas apply to electoral politics. While parties pay increasing attention to issues of age, ethnicity and sexuality, there are no formal quotas for such social groups.

7. Concluding remarks

All in all, political variables have an important impact on the position of women in Belgian politics. While a large district magnitude is favourable for women, the importance of preferential votes might in the longer run have a beneficial effect for women. Adaptations to the electoral system that were meant to balance sex ratios in politics – the gender quota acts – have, in themselves, had less of a positive impact on the number of women elected than those modifications that were not intentionally introduced to increase the number of women.

Moreover, the potential of the gender quota acts was partly undermined by the parallel modifications of the electoral system – more precisely the increase in district magnitude. Similarly, the intrinsic impact voluntary party quotas have had is questionable. While feminist actors in civil society support such measures, and the same goes for numerous women who are active in politics, the overall internal party and other political support for quotas is low. Among others, traditional conceptualisations of gender roles are at the basis of this adoption and implementation of efficient gender quota provisions.

References and further reading

- Celis, Karen and Meier, Petra, *De macht van het geslacht: Gender, politiek en beleid in België* (Leuven: Acco, 2006)
- De Winter, Lieven et al., 'Party System(s) and Electoral Behaviour in Belgium: From Stability to Balkanization', *West European Politics*, 29/5 (2006), pp. 933–56
- Fiers, Stefaan, Servranckx, Ellen and Pilet, Jean Benoit, *La participation des hommes et des femmes à la politique belge* (Brussels: Institute for the Equality of Women and Men, 2006)

- Marissal, Claudie and Hansen, Ingrid, *Naar een paritaire democratie: Analyse van de gemeenteraadsverkiezingen van 8 oktober 2000* (Brussels: Federaal Ministerie van Tewerkstelling en Arbeid, 2001)
- Meier, Petra, 'The Evidence of Being Present: Guarantees of Representation and the Example of the Belgian Case', *Acta Politica*, 35/1 (2000), pp. 64–85
- Meier, Petra, 'Nog niet voltooid of gewoon discriminerend? Groepsvertegenwoordiging in termen van taal en sekse', *Tijdschrift voor Sociologie*, 23/2-3 (2003), pp. 189–208
- Meier, Petra, 'De kracht van de definitie: Quotawetten in Argentinië, België en Frankrijk vergeleken', *Res Publica*, 46/1 (2004), pp. 80–100 (2004a)
- Meier, Petra, 'The Contagion Effect of National Gender Quota on Similar Party Measures in the Belgian Electoral Process', *Party Politics*, 10/3 (2004), pp. 583–600 (2004b)
- Meier, Petra, 'Le système électoral belge et les rapports de genre', in Bérengère Marques Pereira and Petra Meier (eds), *Genre et politique en Belgique et en Francophonie* (Louvain-la-Neuve: Academia-Bruylant, 2005), pp. 23–34 (2005a)
- Meier, Petra, 'The Belgian Paradox: Inclusion and Exclusion of Gender Issues', in Joni Lovenduski et al. (eds), *State Feminism and Political Representation* (Cambridge: Cambridge University Press, 2005), pp. 41–61 (2005b)
- Meier, Petra, 'Een vergelijkend perspectief op de positie van mannen en vrouwen in de lokale politiek', *Res Publica*, 49/1 (2007), pp. 46–64
- Meier, Petra, 'Belgium: The Collateral Damage of Electoral System Design', in Manon Tremblay (ed.), *Women and Legislative Representation: Electoral Systems, Political Parties and Sex Quotas* (New York: Palgrave, 2008), pp. 137–47
- Meier, Petra, 'A Gender Gap Not Closed by Quotas: The Renegotiation of the Public Sphere', *International Feminist Journal of Politics* (forthcoming)
- Meier, Petra and Verlet, Dries, 'La position des femmes en politique locale belge et l'impact des quotas', *Revue Suisse de Science Politique* (forthcoming)
- Meier, Petra et al., *Partis belges et égalité de sexe: une évolution lente mais sûre?* (Brussels: IEFH, 2006)
- Verzele, Valérie and Joly, Carine, *La représentation des femmes en politique après les élections du 13 juin 1999* (Brussels: CRISP, 1999)

Case study

France: ‘*parité*’ under the law

Mariette Sineau

1. Introduction

France is the first country in the world to have adopted a law requiring that there be equal numbers of male and female candidates at certain elections. This reform ‘from above’ has only caught on little by little as being necessary, due to opposition from the parties to assuring women adequate access to political representation. The new concept of ‘*parité*’ has a considerably greater symbolic reach than that of a quota. It has prospered because it seems to reconcile the irreconcilable – the equality of the sexes and the difference between them. It thus embodies a double logic – that of equality, according to the Republican ideal, and that of affirmative action, which is more foreign to French culture.

2. At the root of the reform

2.1. The political–historical context

Applauded by the Council of Europe in 1989 (Sineau 2003), the word ‘*parité*’ was adopted in France in the early 1990s by intellectuals, party activists, women’s associations and feminists. The rise of this demand is based on the realisation of the shortcomings of Republicanism, which has long excluded women from politics. In France, a century elapsed between the granting of ‘universal’ male suffrage (in 1848) and the granting of political rights to women (in 1944). Legal equality resulted in de facto inequality. At the start of the 1990s, French women held 6 per cent of the seats in the National Assembly, as well as the Senate and lagged well behind many European women in terms of their presence in Parliament. Their marginalisation on the national scene contrasts with their satisfactory representation in the European Parliament: since the 1994 elections, they have made up nearly 30 per cent of the French members of the European Parliament.

The under-representation of French women in the *res publica* – which is rooted in history – also has political reasons (Sineau 2001 and 2005). In 1958, the re-establishment of the Two-Round single-member district system for electing the members of the National Assembly – an unusual system in Europe – has had as a consequence to impede women’s entry to the National Assembly²⁰. This system is such that ‘there is only one elected because there is only one vacant seat’ (Emeri 2001); it is also used for electing members of the Senate (50 per cent of the seats) and the regional assemblies (*conseils généraux*). It is ‘difficult’ for women because it leads the parties to nominate the candidate who is best known among the electorate, and therefore has the best political backing. It discriminates against outsiders even more because in France it goes hand in hand with the possibility of accumulating positions in elected office and functions; the law of 5 April 2000 has limited this possibility, but it still remains legal to hold two major elective offices simultaneously. The combination of these two rules has spawned a model of *homo politicus*, who, gender-neutral in theory, is in practice masculine, because it gives a ‘hidden benefit’ to those notables who are established in a particular territory (Sineau 2008).

²⁰ Under the Fifth Republic, on one occasion, in 1986, the single-member district system was set aside in favour of List PR.

In order to correct the discriminatory effect of the single-member constituency system, the parties could have taken voluntary measures. The Communist Party has long been the only party to reserve a certain informal quota of seats for women at elections, but it has become politically marginal. The Socialist Party, born in 1971, waited until 1996 to vote in a quota of 30 per cent women in general elections, lagging behind its fellow parties elsewhere (Dahlerup and Freidenvall 2005). (In 1979, for elections to the European Parliament, which took place with one round proportional party list vote, it had set a quota of 30 per cent women.) For 20 years, for the legislative elections from 1973 to 1993, the percentage of women fielded by the Socialists (which was less than that of the Communist Party) only once exceeded 10 per cent (in 1986); and the percentage of female deputies in the socialist group has always been below this threshold. On the right, neither the Union for a Popular Movement (UMP) nor the Union for French Democracy (UDF) has applied a quota. Only the Greens, since their founding in 1984, have incorporated the parity principle in their selection of candidates for election (and in the decision-making body of the party).

Finally, the politics of legislated quotas came up against a decision from the Constitutional Council: on 18 November 1982, it invalidated an article of the law of 1982, setting a maximum of 75 per cent representation of each sex on the candidate lists at municipal elections. This decision, made in the name of the equality of citizens under the law, set a precedent for future case law. The legitimisation of reform has been made possible by international law: by making the principle of affirmative action in order to balance out power between the sexes lawful, the United Nations Organisation, the Council of Europe and the European Union have helped the French legal culture to transform. In addition, the crisis of political representation, which is acute in France, has made the male monopoly on the *res publica* unpopular. Since then, the marginalisation of women has been viewed as a symptom of a 'flawed' democracy, and parity has been perceived as a necessary remedy. The political actors are taking action on this. Since the presidential election of 1995, political programmes have incorporated the theme of sharing power between the sexes. The political alternation which brought the left into power in 1997 has pushed the calendar of reforms to the forefront: the Socialist Prime Minister, Lionel Jospin, placed parity at the centre of political modernisation.

2.2. *Ideological controversy: universalism revisited*

The question of parity has transcended the boundaries between left and right and has divided the feminists. The theoretical and political debate that preceded the reform fuelled intense controversy over the meaning of universalism (Gaspard et al. 1992; Lépinard 2007; Sénac-Slawinski 2008). The 'fundamentalist' republicans criticised the reform in the name of universalism. According to them, the French nation, which belongs to all the citizens, is an indivisible body that transcends groups (social classes, gender ...). By targeting the unity of representation, parity places the Republic in jeopardy. To delegitimise the parity reform, some have pointed out the dangers of the American intransigent belief in a quota system. Others have objected that parity would 'naturalise' politics, that it would send women back to their nature; this is rejected by the 'egalitarian' feminists. The 'universalists' admit that the Republic has not kept its promises to women, but find the remedy of equal representation for both sexes even worse.

On the other side the advocates of the reform justify parity and criticise the liberal individualism that underlies the Republican order. Real equality should replace formal equality, which carries the seeds of exclusion along with it. Parity is presented as being different from quotas, promoting not representation of minorities but equality of status between the sexes. Is it not the only way of ensuring that women have real equality of candidacy? This notion has been scoffed at by the French parties, which, as in other democracies, hold the monopoly of candidate nominations. Those who are in favour of parity reject all accusations of 'particularism': women are not a category; rather they represent half of humanity. The universality of the difference between the sexes must serve to prompt a rethink of Republican universalism.

3. The legislated texts

3.1. The initial laws

The constitutional law of 8 July 1999, pertaining to equality between women and men, adds the following to article 3 of the constitution: ‘the law grants equal access to women and men to elected office and electoral functions’. It states (article 4) that the political parties ‘contribute to the implementation [of this principle] in the conditions determined by the law’. The reform may have been criticised as ‘minimalist’, but it nonetheless links a very symbolic break since it substitutes a bi-sexed order for the universal abstract. Republican France, based on universalism, paradoxically becomes the first democracy organised on the basis of parity of representation for both sexes.

The law of 6 June 2000, ‘aiming to grant equal access for women and men to elected office and electoral functions’, is often called the law on parity, even though the word was carefully avoided. It imposes a double rule – mandatory numerical equality of male and female candidates for all election lists, optional for legislative elections.

For votes by the List PR system, the law makes it mandatory for the parties to present 50 per cent of its candidates of each sex (allowing for rounding). If they do not abide by this rule, the list is invalidated. In addition, strict alternation of women’s and men’s names is mandatory from the beginning to the end of the list. Initially, the law allowed a strict alternation for the single-round system, and an alternation by block of six candidates for the two-round system. Since the reforms of 2003 and 2007, however, (see section 3.2), strict alternation is required for all the list votes. The elections concerned with the mandatory parity of candidacies with strict alternation on the lists are elections to:

- the European Parliament;
- half of the Senate (departments having four senators or more);
- the regional councils; and
- the municipal councils in towns with 3,500 inhabitants or more (that is, only 7.7 per cent of towns).

For the single-member electoral district system of voting in the general elections, which makes it technically difficult to put the principle of equal rights into practice, the law imposes financial penalties. It penalises parties that do not present 50 per cent of their candidates from each sex (give or take 2 per cent). The penalty is deducted from the first tranche of the party subsidy from public funds (proportionate to the number of votes obtained in the first round), while the second tranche of the subsidy (proportionate to the number of candidates elected) is still paid in full. The subsidies are cut by a percentage that is equal to half of the difference between the percentage of candidates of each sex: for example, if a party presents 40 per cent women and 60 per cent men on its list, the difference is 20 points and the first tranche of the subsidy is reduced by 10 per cent.

In its initial version, the law left free of restraint not only the electoral functions of members of the assembly bureaux, including mayors, deputy mayors, and vice-presidents and presidents of regional councils, but also several others:

- half of the seats in the Senate, elected by the single-member electoral district system (in the small departments);
- the departmental assemblies, elected by the single-member electoral district system; and
- the municipal councils in towns with less than 3,500 inhabitants, elected by the majority system (that is, 92.3 per cent of the towns).

The legal vacuum pertaining to the departmental assemblies is the real weak point of the law, given that they are the pool from which MPs are recruited²¹. Thus, the French law takes on a double character. It is both elaborate, reflecting the complexity of the voting methods, and deficient.

3.2. *The subsequent reforms*

The law of 11 April 2003 establishes strict alternation for the regional lists, and that of 31 January 2007 introduces four modifications.

- For the coming legislative elections (in 2012, except in the event of a dissolution), it increases the financial penalties for parties that do not present 50 per cent of their candidates from each sex, give or take 2 per cent: these penalties increase to 75 per cent of the difference on average.
- For departmental assemblies, the law allows for ‘replacements’ – who substitute the incumbent in the event of a resignation – and establish a ‘parity ticket’: the incumbent and the replacement must be of opposite genders.
- For municipal elections (towns with 3,500 inhabitants or more), the law requires strict alternation on the lists.
- Finally, the law imposes parity for the executive bureaux of the regions and those of the towns (3,500 inhabitants or more). From now on, the vice-presidents of the regional councils and the deputy mayors are elected by the list system (instead of simple majority); on each list, the difference between the numbers of candidates of each sex cannot be more than one.

4. *Evaluation of the law*

Now that the law has been applied for eight years during different ballots, it can be evaluated. First of all, it is a question of measuring statistically the advances women have made in their representation within the local and national assemblies, and then evaluating the parties’ strategies of opposition to the law. Ultimately, the effects produced by the law both inside and outside the political arena should be addressed.

4.1. *The balance assessed: unequal progress*

The law has stimulated a two-speed ‘feminisation’ – quick for the assemblies elected by the list system and slow for the National Assembly which is elected by the single-member electoral district system. This goes back to the contents of the law which in the first case imposes strict and mandatory constraints, and in the other case enacts rules that are looser or optional. For the list system, the law, which forces the parties to employ parity and strict alternation of the candidates, has automatically led to a quasi-parity of those elected. The municipal elections of 2001 and 2008, and the regional elections and elections to the European Parliament of 2004 show that the legislative tool has been effective in bringing about equality.

Table 8. The percentages of women elected to the political assemblies in France, by voting method and the terms and conditions of the law on parity

Assembly	Before the law	After the law		Voting system	Electoral district	Terms and conditions of the parity law
National Assembly	(1997) 10.9	(2002) 12.3	(2007) 18.5	SMD	577 electoral districts	Optional parity with financial penalties
Senate	(1998)	(2001)	(2004)	List PR (large	101	Large departments

²¹ Financial sanctions have not been possible since there are no rules for public financing of electoral campaigns in cantons with fewer than 9,000 inhabitants.

	5.9	10.9	16.9	departments)	departments	Mandatory parity Strict alternation
				SMD or PM(small departments)		<u>Small departments</u> No parity
European Parliament	(1999) 40.2	(2004) 43.6	-	List PR	8 super-regions	Mandatory parity Strict alternation
Regional councils	(1998) 27.5	(2004) 47.6	-	List PR	26 regions (+ departmental sections)	Mandatory parity Strict alternation
General councils (departmental assemblies)	(1998) 8.6	(2001) 9.8	(2008) 13.1	SMD	4,003 cantons	No parity
		(2004) 10.9				
Municipal councils (town with 3,500 inhabitants or more)	(1995) 25.7	(2001) 47.5	(2008) 48.5	List PR	2,692 towns	Mandatory parity Alternation in blocks of 6 (in 2001) Strict alternation (in 2008)
Municipal councils (towns with ≤3,500 inhabitants)	21.0	30.0	32.2	List M	32,455 towns	No parity

Notes: SMD = single-member district; PM = plurality with majoritarian system; PR = proportional representation; List M = list majoritarian.

Source: Observatoire de la parité entre les femmes et les hommes, Ministry of the Interior.

At the municipal elections of 2001 (in towns of 3,500 inhabitants or more), the application of the law led to an increase of nearly 85 per cent in the percentage of women elected – from 25.7 per cent to 47.5 per cent (see table 8). After the municipal elections of 2008, this share is now 48.5 per cent. At the regional elections of 2004, the dynamic was almost as strong; the percentage of women elected went from 27.5 (in 1998) to 47.6 (+73 per cent). At the 2004 elections, the proportion of women among those elected to the European Parliament rose from 40.2 per cent (which was already high) to 43.6 per cent (+8 per cent). The progression has been slowed down by a diluted proportional approach that resulted in the creation of eight super-regions, in replacement of the higher proportional representation of a nationwide constituency. Applied in elections for the Senate, when one-third of the Senate was replaced²² in 2001 and again in 2004, the law made possible a certain breakthrough for women, their share of seats in the upper house going from 5.9 per cent in 1998 to 10.9 per cent in 2001, and to 16.9 per cent in 2004.

In terms of legislative elections, the law – applied twice, in 2002 and in 2007 – had ambiguous outcomes. It brought about a quick feminisation of the candidacies for the National Assembly, but a slower feminisation of the members elected. The percentage of female candidates, which was less than a quarter in 1997 (before the law), reached 38.9 per cent in 2002, then 41.6 per cent in 2007; whereas the percentage of women among elected deputies, which was 10.9 per cent in 1997, stagnated at 12.3 per cent in 2002, only to reach 18.5 per cent in 2007, and then stay steady at 18.2 per cent, according to the composition of the government²³ (see table 9). The progress made

²² The members of the French Senate, which is indirectly elected by an (elected) electoral college, are replaced one-third every three years. From 2011, half will be replaced.

²³ In France, members of the National Assembly cannot be ministers in the executive branch (article 23 of the constitution).

by women in terms of number of seats won was more distinct in 2007 (when it increased by 50 per cent) than in 2002 (+12 per cent). Nevertheless, it remains modest when compared with the progress made in 1997 (before the law on parity) (+84 per cent). That leap forward was essentially due to the Socialist Party, which won the elections: in 1996 it had voted in a quota of 30 per cent of candidates in legislative elections.

Table 9. Percentages of female candidates and women elected to the National Assembly, by parliamentary party, 1997–2007

Parliamentary parties	Female candidates			Women elected		
	1997	2002	2007	1997	2002	2007
Communist Party (PC)	26.8	44.0	48.2	11.1	19.0	20.0
Socialist Party (PS)	27.8	36.3	46.5	17.6	16.3	25.9
Greens	27.7	50.4	50.2	9.0	33.0	25.0
Rally for the Republic (RPR) in 1997 (Union for a Popular Movement (UMP) in 2002 and 2007)	7.7	20.6	26.6	3.6	10.4	14.3
Union for French Democracy (UDF) in 1997 and 2002 Union for French Democracy-Modem in 2007 (UDF-Modem) (democratic movement)	8.9	18.9	27.9	6.4	6.8	0
New Center* (or European Social Liberal Party)	-	-	36.9	-	-	0
Total of the parties	23.0	38.9	41.6	10.9	12.3	18.5

* Party comprising the former deputies of UDF-Modem who reached electoral agreements with the UMP, thus splitting from the UDF, the party of François Bayrou.

Source: Observatoire de la parité entre les femmes et les hommes, Ministry of the Interior.

4.2. Opposition from the political parties and deficiencies of the law

For elections by the list system, the parties had no freedom of choice²⁴: parity of the candidacies was mandatory. For the legislative elections, however, they often adopted strategies of bypassing the law. In 2007, as in 2002, it was the small parties, not represented in the National Assembly, that respected the parity of the candidacies the most. The parliamentary parties (except the Greens) have been the most neglectful of the parity of the candidacies. There are two reasons for this. The first reason is political. The larger parties, especially those to the right, have outgoing deputies to replace (in 2007, the UMP had more than 360 outgoing deputies), which makes it difficult to open the candidacies to women. The second reason is financial: being financially well endowed, they are able to pay the fines. In 2002, the annual penalty for not respecting the parity principle increased for the large parties: it was more than 4 million euros for the UMP, 1.3 million euros for the Socialist Party, 582,000 euros for the Union for French Democracy, and 119,000 euros for the Communist Party.

From the legislative elections of 2002 to those of 2007, the parties, particularly those to the left, had to show more respect for parity, under pressure from activists. Even so, as in 2002, each parliamentary party presented on its lists far more women than were actually elected (see table 9). In 2007, 26.6 per cent of the UMP candidates were women but only 14.3 per cent of those actually elected were women, and for the Socialist Party the corresponding figures were 46.5 per cent and 25.9 per cent. Is this elimination of women to be explained by their performing less well? Or was it because the parties assigned them to electoral districts where the party was least likely to win?

²⁴ In the Senate elections, those standing down developed a strategy for getting round the law by putting themselves on another list. Rather than being beaten in third place on the official list, they preferred to be placed first on another list, and the parties did not disavow this strategy.

This can be checked by examining the scores obtained by the main political forces in the first round of the presidential elections²⁵ in 2007, and by classifying the electoral districts into four groups according to these scores. For the Communist Party, the Socialist Party and the UMP, analysis of the candidacies at the legislative elections is revealing (see table 10): the greater the influence of the party in the electoral district, the higher the percentage of male candidates at these elections (and the lower the percentage of female candidates). As in 2002, the parties preferred to back the men in the electoral districts that they could win. Women are very much the victims of a double discrimination: less often represented, they are standing for election in constituencies that was lost in advance (Murray 2004; Sineau and Tiberj 2007).

Table 10. The percentages of male candidates at the legislative elections of June 2007, by the strength of the party in the electoral district in the first round of the presidential election in April 2007

Scores at the 1st round of presidential election	Proportion of male candidates at the legislative elections				
	Communist Party	Socialist Party	Greens	Union for French Democracy-Modem	Union for a Popular Movement
Very weak score (--)	25.2	38.2	42.0	58.3	47.8
Weak score (-)	41.8	37.5	45.5	54.9	66.0
Strong score (+)	57.7	60.4	47.9	54.9	81.3
Very strong score (++)	64.6	60.8	47.1	58.7	79.7

Source: calculations performed with the assistance of F. Chanvrlil (Center for Political Research of Sciences Po).

The parties found out how to use an ambiguous law that enables them to receive money primarily from the 'legislative election fund' (the number of candidates elected), not respecting the parity of the candidates and the officials elected as a result. In an electoral system that privileges the incumbents, the parties – particularly those to the right – have preferred to pay the fines rather than agree to put forward good female newcomers. Within the UMP group, which holds 55.1 per cent of the seats in the National Assembly, women currently represent 14.3 per cent (compared to 10.4 per cent in 2002). For the Socialists, who had fewer outgoing deputies than the UMP, the advancement of women has been greater: they account for 25.9 per cent of the party's deputies (compared to 16.3 per cent in 2002).

All in all, the parties bear the responsibility for having betrayed the mission given to them by article 4 of the constitution. Despite having a law on affirmative action, France has not caught up in terms of the percentage of women deputies. In ten years, it has even regressed, going from 42nd position on the world ranking in 1997 (before the law), to 65th in 2002, 58th in 2007, and 63rd in 2008 (as ranked by the Inter-Parliamentary Union, 29 February 2008). Among the EU countries, France is stagnating in 18th place, below the average (23.7 per cent women in Parliament²⁶). In contrast, Belgium – which has legal parity applied to the list system – is ahead (with 35.3 per cent of female deputies in 2008).

²⁵ This took place before the general elections, on 26 April and 11 May 2007.

²⁶ Figures as of 21 December 2007 (Fondation Robert Schuman).

5. 'Virtuous dynamic': the symbolic power of the law

Has the law on parity had an effect beyond strict field of application? It has first spread to the ministerial level²⁷. The government of François Fillon, formed after the legislative elections of 2007, has seven female ministers out of 16 (43 per cent). If French women are still behind in terms of the legislative power they hold, they are at the forefront where positions in the executive branch are concerned (the European average being 25 per cent women on 31 December 2007²⁸). In addition, they occupy important positions (including as ministers of justice, the economy, finance, and labour, and the interior). This is a 'first' for a government of the right.

The law has also brought about a 'virtuous dynamic' in terms of the municipal councils in small villages (which are not covered by the parity law): the proportion of women elected there has gone from 21 per cent in 1995 to 30 per cent in 2001. However, this movement has only marked time since then, with only 32.2 per cent of those elected being women in 2008. The shock wave of the 'parity revolution' has extended to certain local executive functions – deputy mayors (26.4 per cent were women in 2001²⁹) and vice-presidents of regional councils (34.6 per cent were women in 2004). On the other hand, it has not had any positive effect at the four following levels: in the departmental assemblies (13.1 per cent women elected in 2008); and in the supreme executive bodies of the local assemblies (13.8 per cent of mayors are women³⁰, 3.8 per cent presidents of regional councils are women, and 3.9 per cent of the presidents of departmental assemblies are women in 2008). The degree of feminisation at the base and (to a lesser extent) at the intermediate levels has not matched that at the top.

In addition, the law of 6 June 2000 has played the role of a 'conscience awakener' to the political parties: nearly all have had to 'sacrifice' to the spirit of parity by ensuring a better representation of women in their decision-making bodies. Within the sphere of the trade unions, the law has also been an instrument to legitimise the representation of women. Medef (the association of larger French employers) has elected Laurence Parisot as its director – a change that carries a symbolic value in the business field where men are still dominant³¹.

The logic of parity has reached companies: in February 2006, a law was passed that imposes a quota of 20 per cent women on the boards of directors of the joint-stock companies and public companies, to take effect within five years. This provision has been censured by the Constitutional Council as contrary to the principle of equality (a decision made on 16 March 2006). The constitutional reform passed in July 2008 adds the following article: 'The law grants equal access to women and men to professional and social responsibilities'. In future, it allows Parliament to institute 'parity' in the economic sphere.

6. Conclusion

The record of a semi-failure of the French legislation must be moderated by positive considerations related to the symbolic power of the law: the law has been an instrument to legitimise the representation of women in the entire public realm. However, the law, poorly thought out for the legislative elections, can be perfected. One solution would be to do away with all public funding for

²⁷ In France, since the 1970s, proportionally more women have always been appointed to government than elected to Parliament, particularly when the left has been in power.

²⁸ Source: see note 26. After the reshuffle of March 2008, there were no changes among ministers; among junior ministers, there are now six women out of 22 (previously there were four out of 16).

²⁹ Of these, 23.9 per cent were in towns with fewer than 3,500 habitants and 36.9 per cent were in towns with 3,500 habitants or more. For 2008, the percentage of women deputy mayors is not yet known, but it should approach numerical parity as a result of the law of 31 January 2007. See section 3.2 above.

³⁰ In 2008, 14.2 per cent of the mayors of smaller communes are women, compared with 9.6 per cent in towns with 3,500 habitants or more.

³¹ Only 4.5 per cent of the members of boards of the major French companies are women.

parties which do not abide by the principle of parity of candidacies for legislative elections. The use of single-member electoral district systems could also be restricted: it is a 'conservative' system that tends to perpetuate the status quo and does not lend itself well to the application of parity. For legislative elections, a significant dose of PR could be introduced. Last, but not least, the reform establishing the single elected office for deputies (without the possibility of accumulating positions) would make it possible to open the circle of political elites to women, and to avoid the confusion of the executive and the deliberative powers on one single person.

References and further reading

- Dahlerup, Drude and Freidenvall, Lenita, 'Quotas as a fast Track to Equal Representation for Women: Why Scandinavia is No Longer the Model', *International Feminist Journal of Politics*, 7/1 (2005), pp. 26–48
- Emeri, Claude, 'Uninominal (scrutin)', in Pascal Perrineau and Dominique Reynié (eds), *Le dictionnaire du vote* (Paris: PUF, 2001), pp. 919–20
- Gaspard, Françoise et al., *Au pouvoir citoyennes! Liberté, Egalité, Parité* (Paris: Editions du Seuil, 1992)
- Lépinard, Eléonore, *L'égalité introuvable: La parité, les féministes et la République* (Paris: Presses de Sciences Po, 2007)
- Observatoire de la parité entre les femmes et les hommes, <<http://www.observatoire-parite.gouv.fr>>
- Rainbow, Murray, 'Why Didn't Parity Work? A Closer Examination of the 2002 Election Results', *French Politics*, 2/3 (2004), pp. 347–62
- Sénac-Slawinski, Réjane, *La parité* (Paris: Presses Universitaires de France, 2008)
- Sineau, Mariette, *Profession: femme politique. Sexe et pouvoir sous la Cinquième République* (Paris: Presses de Sciences Po, 2001)
- Sineau, Mariette, *Genderware: The Council of Europe and the Participation of Women in Political Life* (Strasbourg: Council of Europe Publishing, 2003)
- Sineau, Mariette, 'Institutionalizing Parity: The French Experience', in International IDEA, *Women in Parliament: Beyond Numbers. A Revised Edition* (Stockholm: International IDEA, 2005), pp. 122–31
- Sineau, Mariette, 'The Single Member District System in France: the Hidden Bonus for Notables', in Manon Tremblay (ed.), *Women and Legislative Representation: Electoral Systems, Political Parties and Sex Quotas* (New York, Palgrave Macmillan, 2008), pp. 83–94
- Sineau, Mariette and Tiberj, Vincent, 'Candidats et députés français en 2002: Une approche sociale de la représentation', *Revue française de science politique*, 57/2 (2007), pp. 163–85

Case study

Germany: successful quota rules in a gendered society

Brigitte Geissel

1. Historical background and context

Since its founding in 1949, the political system of the Federal Republic of Germany (FRG) has rested firmly on the principle of representative democracy. The framers of the German constitution, fearing supposed anti-democratic popular tendencies, designed moderating institutions between the people and the exercise of power. Political parties became the most important of these. Parties control access to the legislatures at all levels, in terms of both candidate selection and group access to the policy-making process. Political scientists have even characterised the FRG as a 'party state' because parties make all the most important political decisions.

Germany's electoral system combines proportional representation (the 'party ballot') with plurality voting based on single-member districts ('direct candidates'). However, the party ballot determines how many parliamentary seats each party receives. Each party is assured representation in Parliament according to its share of the party vote – if needed by allocating additional seats. This system is adopted at the level of the nation-state (the Bundestag) and – Germany being a federal nation-state with 16 states (*Bundesländer*) – in elections for most parliaments of the states (*Landtage*). At the level of the nation-state about 50 per cent of the parliamentary seats are elected on each system. Most of the *Bundesländer* have adopted a similar system, but other variants can also be found. (For details see <<http://www.bpb.de/files/1Y4QZ8.pdf>>.) The electoral lists are mostly closed (see also section 3).

2. The origins of quota provisions and debates

Until the 1970s quota rules were hardly discussed in Germany. Debates about the need to increase women's political representation came to prominence with the rise of the Green Party, the emergence of the new women's movement, and the public mood on equality of the sexes.

Debates about gender quotas were conducted within the Green Party from its inception and among the Social Democrats (SPD) from the 1980s. The Party of Democratic Socialism (PDS, since 2007 The Left/PDS) discussed quota rules in the early 1990s, and the Christian Democratic Union (CDU) did so in the mid-1990s. In the Free Democratic Party (FDP) quota rules were never discussed seriously.

The debates within the SPD, as the only big party adopting quota rules, illustrate the arguments 'pro' and 'con' perfectly. Despite the under-representation of women – for example, in 1972 only 5.4 per cent of the SPD members of the Bundestag were women – the SPD majority, including the party's Women's Commission, rejected quota rules for years. However, during the 1980s the arguments changed fundamentally. The dominant framework in the debate that followed was about 'equality' and 'quality'. Since the 1980s the women of the SPD's Women's Commission, along with other proponents, drew on the feminist discourse on gender *equality*, on equality between human beings and the conviction that no group in society should be excluded from political representation. They argued mainly that women should have the same possibilities and political opportunities as men (*Journal: Sozialdemokratischer Informationsdienst* 28 (1988): 10).

Other debate participants referred to *quality* – its enhancement or preservation. They expressed either hope that ‘quota rules improve quality’ or fear that ‘quota rules hinder quality’. Proponents argued that female politicians would enhance the quality of policy making and political outcomes. Inge Wettig Danielmeier, the chair of the SPD’s Women’s Commission, and Hans Jochen Vogel, chair of the Equal Rights Commission of the SPD, argued in their speeches at the SPD’s 1988 meeting that female politicians ‘will change our party. They will also change politics’, and they expected that ‘these changes are a tremendous opportunity’ (*Journal: Sozialdemokratischer Informationsdienst* 28 (1988): 10). This argument was based on the assumption that women and men have different interests, attitudes and experience. Because of Germany’s traditional gender concept – the breadwinner–housewife model – this argument may have been especially convincing in Germany (see also section 5 of this case study).

The breadwinner–housewife model means that one party of a couple, usually the man, earns money and the other, usually the woman, stays at home and is responsible for childcare and housework. The whole German system is based on this model, for example, day-care for toddlers is very rare, schools normally close around noon, and children finish their school day at lunchtime. Mothers are expected to be available for childcare the whole day: for example, if teachers cannot be present, the children are sent home. The German tax system favours the breadwinner–housewife model significantly by offering substantial tax relief for breadwinner–housewife couples. This tax relief adds up to over 20 milliard euros every year and there is hardly any discussion about changing the state’s tremendous support for this lifestyle.

On the basis of this dominant breadwinner–housewife model, the proponents of quotas stressed that women live in different realms from men and that it is mostly women who have to combine family work and employment. They argued that women – more often than their male colleagues – put topics related to the lives of women on the political agenda, thus leading to better policy outcomes (Geissel 1999: 194). Opponents declared that quota rules would lead to a lack of quality in politics because they would undermine performance as the criterion for political promotion. They emphasised that unconstrained, open recruiting mechanisms are needed to find the best candidate and to make sure that candidates are chosen who possess the necessary skills and abilities to be a politician.

To summarise, proponents discussed quota rules in the context of ‘under-representation of women’, framing it with the idea of ‘enhancing the quality of politics’. The way in which opponents framed their arguments focused not on gender but rather on quality and ‘freedom to choose the best’.

3. The adoption of quota provisions

In Germany quota rules were self-imposed by some parties only. Since its inception in 1980, and fixed in the party statute in 1986, the Green Party has had a 50 : 50 rule for all candidates on electoral lists (local, state and nation-state), internal party committees and the party leadership. On electoral lists the odd numbers are reserved for women, including the first place. Women can, however, also be placed on even numbers on the list and women-only lists are allowed. The SPD decreed and implemented its quota rule in 1988: by 1990, 40 per cent of each SPD candidate list on all political levels had to be women. By 1993, 40 per cent of all internal SPD positions, including the internal party leadership, were to be held by women, and by 1998 all the party’s mandates to public office. The PDS introduced a 50 per cent quota rule at its founding in 1990 (local, state and nation-state elections as well as internal party committees).

The CDU and the FDP initially rejected any quota regulations, though the CDU eventually introduced soft quotas (*Quoren*) in the mid-1990s, stating that women should be represented to at least 30 per cent on electoral lists. The statutes also demand that in ‘group elections’ for internal

party positions (*Gruppenwahlen zu Parteiämtern*) at least one-third of the candidates must be female. The Christian Social Union (CSU) decided on a non-binding guideline that ‘women must be taken into account’ and has a kind of voluntary commitment that a woman should get the second position of every electoral list and that there should be at least four women in every ‘block of ten’. However, this commitment is not written into the party’s statutes. The FDP opposes any quota rules because they would not fit with its liberal tradition.

In PR systems, quotas work through the party lists. This means that approximately equal numbers of men and women are represented on the party lists. To guarantee that half of the seats will go to women regardless of how many seats a party wins, the Green Party and the PDS have adopted a ‘zipper system’ alternating one woman and one man. The Green Party even demands that a woman must occupy the first position on the list. The SPD in its statutes established a slightly different kind of ‘zipper system’. Positions on the list must be given in turn to a man and a woman and every fifth seat can be taken by a man or a woman. At the local and the state level (Landtag) the regulations on the listing system are less strict: they are just that 40 per cent of the candidates on the list must be women.

What do the monitoring and sanction mechanisms look like? In the statutes of the CSU and the CDU, neither monitoring mechanisms nor sanctions are stipulated. If women are ‘not considered’, no regulations will prevent the rule being violated (CSU statute, 2007).

The CDU regulation provides a soft formulation – that the list can be rejected if women are not sufficiently taken into account. If not enough women are on the list, an internal election committee has to receive an explanation as to why this is the case. If the quorum for internal positions is not filled, a second election is necessary. However, if the lack of women persists in the second election, the outcome is considered valid (CDU statute, 2007).

The SPD does not provide sanctions in its statute if the quota rules are not complied with for elections to legislative bodies. If in elections for internal party positions more than 60 per cent of one sex is chosen, a second ballot is needed in which only people of the under-represented sex can be elected. If there are not enough people of the under-represented sex available, exceptions are possible (SPD statute on the organisation, 2007).

The women’s statute of the Green Party (2007) established that the election meeting decides about the procedure if no woman is interested to take a reserved position on the list. The female participants at the election meeting have a veto right.

For The Left/PDS, if it is not possible to follow the zipper system because of a lack of female candidates, the positions for women remain open and are filled with a by-election. If the percentage of available women is below one-fourth, exceptions from this rule may be possible. For internal party positions the mechanism is similar: in the first ballot the list must follow the zipper system, even if one position on the list is empty. If there are residual positions, a second ballot is held (statute of The Left/PDS).

In elections for legislative bodies the zipper system may not be the final word. In more and more *Bundesländer* the electoral lists on the local level, and in a couple of cases (e.g. Hamburg) also on the state level, are no longer predetermined by the parties: constituents can decide the order of the elected candidates by accumulating votes on one or several candidates and they can vote for candidates of different parties. Case studies in Baden-Württemberg show inconsistent results on the gender balance. Some electoral districts have voted in favour of women, while in other communities the voters have ‘pushed men up the list’ (Wehling 2000: 205ff).

It may be worth mentioning that most parties had established several informal quota rules for years – in the context of regional background, position in the work force, membership in different political wings and so on. These rules are not written, but in the process of selection and nomination most parties try to balance more conservative versus progressive candidates, candidates from trade unions versus employers, candidates from the north of the country and the south, to mention just a few of the hidden quota rules.

4. Implementation

This section evaluates the effectiveness of the quota system in Germany. It does so in three ways. First, the candidate selection and the nomination process are described briefly. Second, it examines whether the parties that have quota rules comply on the electoral lists with their zipper systems. Third, the numerical outcomes in nation-state, state and local parliaments and in the European Parliament, as well as internal party positions, are analysed.

4.1. Candidate selection and nomination process: quota regulations increase the recruitment of women

Interviews with female German politicians demonstrate that the candidate selection and nomination processes are strongly influenced by quota rules (Geissel 1999; Geissel and Hust 2005). Because of the quota rules, parties were looking for women. In parties with quota rules, female party members often received encouragement to start a political career. Women seem to develop political aspirations more often in these parties than in non-quota parties. The findings of qualitative studies lead to the hypothesis that quota rules lead not only to the mobilisation of women generally but also to the mobilisation of women who do not have a strong political or social elite background.

In contrast, recruitment of women in parties that do not have quota rules is often restricted to women who come from politically involved families and a social elite background. These women have often aspired to political careers from the beginning of their party membership, supported strongly by their families (Geissel and Hust 2005; Geissel 1999; Schwarting 1995: 41ff; Meyer 1994). However, quantitative studies are necessary to substantiate this hypothesis.

4.2. Positions of women on electoral lists: quota rules mostly fulfilled

At elections on the nation-state and state level, parties that have quota rules do mostly abide by them – for example, in Hesse (2008), Mecklenburg-Western Pomerania (2006), Hamburg (2004), Brandenburg (2004), Lower Saxony (2008) or Rhineland-Palatinate (2006), with minor exceptions the SPD follows its zipper system with every fifth position open to each sex (mostly taken by a man). Only in a few cases (e.g. Saxony 2004) did the SPD not fully satisfy its own requirements. The Green Party's lists generally start with a woman and a woman occupies every position with an odd number. The electoral lists of The Left/PDS, where they put up a list, also stick to their zipper system. Exceptions are few and minor. All three parties that have zipper systems show a tendency to get less serious at the end of the lists, where men outweigh women: for example, the SPD list for North Rhine-Westphalia abandons the zipper system at position 90, with the last 30 positions being almost 'men only'. However, these positions on the list seldom have a chance of being elected anyway. Generally, all parties with quota rules make sure that women are well represented on the lists for the *Landtage*.

The following findings on the electoral lists at the local level are based on over 50 randomly selected case studies (for details see the list of 'other sources'). In big cities, compliance is relatively high. For example, in Berlin-Mitte (2006) or Frankfurt/Main (2006) the SPD, The Left/PDS and the Green Party did abide by their respective zipper systems. However, especially in small or rural

districts, quota rules are often not fully applied. There are examples of lists that contain no women or just one woman (Mainz-Drais, Spiesen-Elversberg, Eppstein and Flomersheim of Stadt Frankenthal). But, despite these ‘commonplace exceptions’, it is clear that most local electoral lists of parties that have quota rules provide more women in better positions than do those of the parties that do not have quota rules.

Although at elections to the European Parliament Germany forms a single electoral district, parties are allowed to present lists of candidates at either state or nation-state level. The national party lists generally stick to the rules of the respective zipper system. The party lists of the states differ slightly, but on the whole follow their specific zipper systems.

4.3. Women in legislative and executive bodies: success of quota rules

What about the numerical representation of women? For decades women’s political representation in Germany lagged behind. Until the early 1980s fewer than 10 per cent of elected legislators in the Bundestag were women, but this share climbed to 20 per cent in 1990 and 30.9 per cent in 1998, and it has been stagnant at around 30 per cent since then (see table 11).

Table 11. Women in the German national Parliament (Bundestag) 1949–2007

Figures are for the beginning of the parliamentary term.

Parliamentary term	% of women members
1949–53	6.8
1953–7	8.8
1957–61	9.2
1961–5	8.3
1965–9	6.9
1969–72	6.6
1972–6	5.8
1976–80	7.3
1980–3	8.5
1983–7	9.8
1987–90	15.4
1990–4	20.5
1994–8	26.3
1998–2002	30.9
2002–5	32.3
2005–	31.8

Sources: Penrose, Virginia and Geissel, Brigitte, “‘The Long Run’: Partizipation und Engagement unter geschlechtsspezifischen Zusammenhängen’, in Ulrike Gentner (ed.), *Geschlechtergerechte Visionen: Politik in der Bildungs- und Jugendarbeit* (Königstein/Taunus: Ulrike Helmer Verlag, 2001), p. 198; Hoecker, Beate (ed.), *Handbuch politische Partizipation von Frauen in Europa* (Opladen: Leske und Budrich, 1998), p. 72; <<http://www.db-decision.de>>, August 2003.

As could be expected, there are significant variations in the proportion of women within the parliamentary party groups (see table 12). The results of the elections in 2002 and 2005 illustrate clearly that parties that have quota rules have performed much better regarding gender equality than parties that do not.

Table 12. The percentage of women in the parliamentary party groups of the Bundestag (Bundestagsfraktion), by political party

	Election 2002	Election 2005
SPD	37.8	36.0
Green Party	58.2	56.9
The Left/PDS	(100)*	46.3

CDU/CSU	23.0	19.5
FDP	25.5	24.6

* In the Bundestag a party must have at least three elected members to become a parliamentary party group. The PDS had only two MPs, both female, and was therefore not considered as a parliamentary party group. *Sources:* Statistisches Bundesamt (census bureau); Deutsches Jugendinstitut (DJI), 2005; and <http://www.statistik-bw.de/Veroeffentl/Monatshefte/PDF/Beitrag05_12_11.pdf>, March 2008.

How many women were now elected on the party lists and how many as direct candidates? Table 13 provides information on this question. However, interpreting the findings is an intricate matter as two of the quota parties (the Green Party and The Left/PDS) are relatively small and the probability of their winning districts in direct elections is tiny.

Table 13. The percentage of women elected by direct election and on party lists, elections to the Bundestag, 2005

	Direct election	Party lists
SPD	31.0	45.5
Green Party	–	58.0
The Left/PDS	66.7 (in absolute numbers: 2 out of 3)	45.1
CDU/CSU	14.7	30.3
FDP	–	24.6

Source: <http://www.statistik-bw.de/Veroeffentl/Monatshefte/PDF/Beitrag05_12_11.pdf>, March 2008.

Table 14 shows the numerical relation between candidates on the electoral lists and the elected MPs. The bottom line of this table compares the percentage of female and male candidates who are elected within each party. As could be expected, female candidates in the Green Party were especially successful, whereas female candidates in the CDU had much less chance of success: they are more often ranked at the end of the list.

Table 14. Success rates of female and male candidates in the Bundestag election of 2002, by party

	SPD	Green P.	Left/PDS	CDU	CSU	FDP
No. of women candidates	209	143	96	153	17	84
No. of women elected	95	32	2	43	12	10
Rate of women elected (%)	45.5	22.4	2.1	28.1	70.6	11.9
No. of men candidates	316	225	248	338	62	336
No. of men elected	156	23	0	147	46	37
Rate of men elected (%)	49.4	10.2	0	43.5	74.2	11.0
Differences between % of elected women and men	-3.9	+12.2	+2.1	-15.4	-3.6	+0.9

Note: a rough calculation of the situation at the federal elections in 2005 (according to data from the Statistisches Bundesamt, the census bureau) and the aforementioned rankings within the electoral lists for this election show the same trend.

Source: Deutsches Jugendinstitut (DJI), 2005. Data: Statistisches Bundesamt (census bureau).

Within the national executive body (the cabinet), until the 1980s there were at most two female ministers, but since then constant growth can be seen. In 2002, 17 out of 39 ministers and secretaries were women, and since 2005 five out of 14 ministers have been females (36 per cent) – plus a female chancellor.

The members of the second chamber, the Bundesrat (Federal Council), which represents the governments of the states, are appointed by the cabinets of the states. The percentage of women in the Bundesrat is traditionally low. Although the governments of the states apply the quota rules of their parties to a great extent, as will be shown below, there are no quota rules for the Bundesrat and no such rule has never been discussed. The competences of the single delegates are in any case limited. The delegates to the Bundesrat from any one state are required to cast the votes of the state as a bloc. It is quite customary for the minister-president (i.e. the leader of a German state) to cast all the votes the respective state has.

Within the parliaments of the *Bundesländer* the percentage of women has also risen significantly. The average percentage of women was below 10 per cent until the mid-1980s but has increased gradually, to above 30 per cent since the turn of the millennium. Generally the proportion of women of the SPD in the *Landtage* is, with minor fluctuations, around 40 per cent, the Green Party and The Left/PDS have around 50 per cent women, and the CDU and the FDP have around 20 per cent. However, the distribution between men and women varies significantly between the *Länder*. The lowest rates of women's representation (less than 30 per cent) were found in the two southernmost and most politically conservative states (Bavaria and Baden-Württemberg), while the highest percentage was in Schleswig-Holstein, the city-states (Berlin, Bremen, Hamburg), and the north-western and eastern states (Penrose and Geissel 2001: 198–200; and <<http://www.db-decision.de>>).

The number of women in the executives of the *Bundesländer*, the state governments, depends on the party in charge. With few exceptions the proportion of women in *Landesregierungen* (state cabinets) is higher where the SPD governs alone or as part of a coalition (see table 15). Female leaders of a German state (*Ministerpräsident*) are still rare. The first female leader of a German state was Heide Simonis (Schleswig-Holstein, 1993).

Table 15. The percentage of women in parliaments and governments of the German states (Bundesländer), 1992–2006

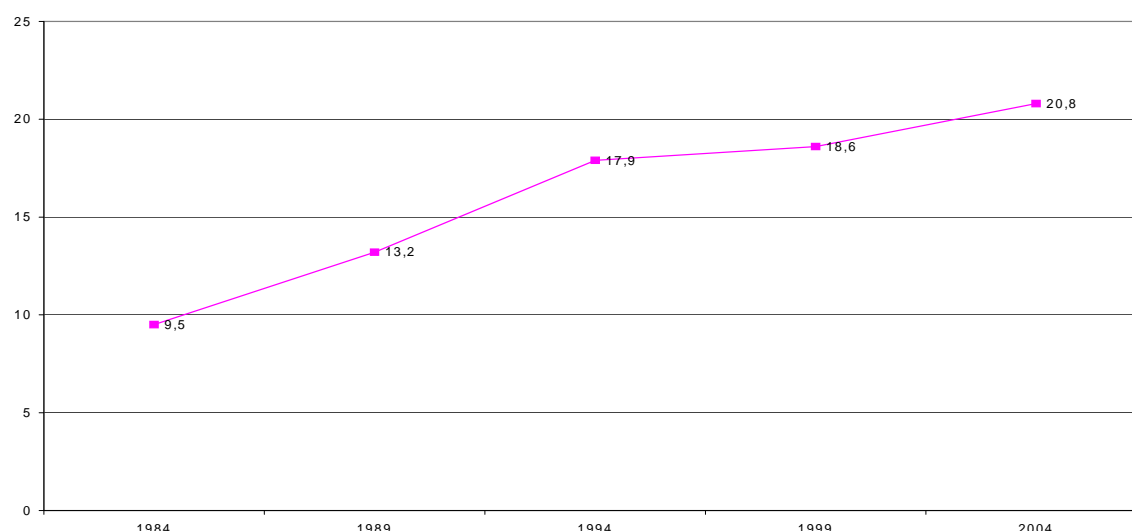
State (<i>Bundesland</i>)	1992		1996		2006	
	State Parl	State Govt	State Parl	State Govt	State Parl	State Govt
Baden-Württemberg (CDU)	11.6	14.3	17.4	16.7	23.7	10.0
Bavaria (Bayern) (CSU)	15.2	9.1	20.9	19.0	26.7	16.7
Berlin (CDU 1991–2001; SPD 2001–)	29.0	12.8	38.3	36.4	33.3	22.2
Brandenburg (SPD 1990–)	19.3	13.0	36.4	25.0	33.0	30.0
Bremen (SPD)	34.0	16.0	39.0	25.0	45.0	28.6
Hamburg (SPD until 2001; CDU 2001–)	33.3	26.9	37.2	20.0	37.2	4.5
Hesse (Hessen) (SPD 1991–9; CDU 1999–)	22.7	34.8	31.8	33.3	30.9	30.0
Mecklenburg-Western Pomerania (Mecklenburg-Vorpommern) (CDU 1992–8; SPD 1998–)	21.2	16.7	28.2	40.0	32.4	27.3
Lower Saxony (Niedersachsen) (SPD 1990–2003; CDU 2003–)	19.5	25.0	26.1	28.6	33.3	30.0
North Rhine-Westphalia (Nordrhein-Westfalen) (SPD until 2005; CDU 2005–)	21.0	12.5	34.4	25.9	28.7	36.4
Rheinland-Pfalz (SPD)	21.8	13.6	29.7	22.2	31.7	27.3
Saarland (SPD until 1999; CDU 1999–)	23.5	16.7	35.3	28.6	33.3	37.5
Saxony (Sachsen) (CDU)	17.5	3.8	29.2	9.1	35.0	10.0
Saxony-Anhalt (Sachsen-Anhalt) (1990–4 CDU; SPD 1994–2002; CDU since 2002)	16.0	7.4	28.3	23.8	31.3	11.1
Schleswig-Holstein (CDU since 2005)	36.0	14.3	40.0	40.0	31.7	55.6
Thuringia (Thüringen) (CDU)	14.6	5.0	28.4	20.0	34.1	10.0

Note: The dates of elections for the German *Landtage* and their legislative terms (four or five years) are not harmonised. The three dates in this table (1992, 1996 and 2006) were chosen because in many states elections took place in or around those years. To add further data would not give any more information about the trend shown in the table.

Source: <<http://www.db-decision.de>>, August 2003.

A study of women in municipal councils in Baden-Württemberg, a *Bundesland* with a traditionally low number of female politicians, reveals a trend already shown at the national level: after a rapid growth of the percentage of women in legislative bodies in the 1990s, the growth flattens (see figure 5).

Figure 5. Development of the percentage of women in municipal councils in Baden-Württemberg



Source: Deutsches Jugendinstitut (DJI), 2005; data: Statistisches Landesamt Baden-Württemberg; Wehling, Hans-Georg, 'Frauen in der Kommunalpolitik', in Theodor Pfizer and Hans-Georg Wehling, *Kommunalpolitik in Baden-Württemberg* (Stuttgart: Landeszentrale für politischen Bildung/Kohlhammer, 2000), p. 3.

Available statistics on the representation of women at the local level are meagre. Most studies were conducted in the 1990s and few current compilations of data are available. On the local level the percentage of women in representative bodies climbed from about 10 per cent in the 1970s to 25 per cent in the mid-1990s (Geissel 1999). This percentage seems to be stagnating – with substantial differences between the parties. The CDU and the FDP, had the lowest percentages of women, with about 20 per cent (2002); the Green Party and The Left/PDS have about 40 per cent.

However, the percentage of women in local representative bodies is not only dependent on their party affiliation. It is generally higher in major cities than in smaller cities and is lowest in the countryside (see table 16). Combining both criteria – party affiliation and size of the municipality – the details confirms that size and party affiliation matter.

Table 16. The percentage of women in local councils in municipalities with 10,000 inhabitants and more, by party affiliation, 1 January 2002

Size of municipality, number of inhabitants	Green Party	Left/PDS	SPD	CDU/CSU	FDP	Total % of women
100,000 and more	49.9	40.3	39.2	26.7	27.4	36.7
50,000–100,000	42.6	35.8	32.3	24.9	17.5	27.8
20,000–50,000	37.4	36.6	28.5	21	16.1	24.0
10,000–20,000	38.5	35	24.7	18.3	18.2	21.3
Total	40.6	36.7	28.5	20.7	18.5	

Source: Deutscher Städtetag, *Statistisches Jahrbuch Deutscher Gemeinden* (Berlin, 2002), p. 95.

4.4. Representation of women on parties' governing boards

The presence of women on the political parties' governing boards (or steering committees and national executive boards) differs as between the parties (see table 17). As mentioned above, the SPD, the Green Party and The Left/PDS adopted quota rules for internal party positions; the other parties have at most non-binding guidelines. In the parties that do not have quota rules – the CDU,

the FDP and the CSU – the proportion of women is mostly around 25 per cent³². In contrast, the percentage of women is higher in the quota parties.

Table 17. The percentage of women in the German parties' governing boards (Parteigremien)

	Steering committee (Präsidium) 2003/2004	National executive board (Bundesevortrag) 2003/2004
SPD	46.2	57.8
Green Party	56.3	50.0
The Left/PDS	—*	50.0
CDU	28.6	39.0
CSU**	26.3	20.9
FDP	33.0	17.6

* Within The Left/PDS no Präsidium exists, just a Präsidium of the Länderrat, which is a different from the Präsidium of the other parties.

** At the federal level the CDU and CSU have to be mentioned conjointly because they work as one parliamentary party. However, on the party level they have different committees and boards.

Source: Deutsches Jugendinstitut (DJI), 2005.

The question whether there are barriers to the effective implementation of electoral gender quotas is difficult to answer because the quota rules seem to work relatively effectively. Every now and then some voices from within a party question the quota rules, but hitherto there seem to have been no serious challenges. It may also be worth mentioning that even in parties that have quota rules the organisational structures, for example time and place of meetings, are based on the concept of a politician without family commitments. (For more examples and details, see Geissel 1999: 129–32.) Thus, on the one hand parties with quota rules may support women, but on the other hand their structures impede women.

5. The outcome of quota implementation and discussion on quotas in other arenas

Up to now the struggle for gender equality has been most successful in the world of party politics, but in other arenas it has not succeeded at all. In social policies the dominant breadwinner model still prevails and quota rules, anti-discrimination policies or affirmative action in the workforce have barely been able to gain ground. For example, the Anti-Discrimination Law, primarily directed at eliminating discrimination in the workplace, was rejected by the Bundesrat in 2005³³, and opportunities to reconcile work and family are still less developed than in other countries (Wahl 2006).

It is extremely difficult to measure whether the increasing number of women in the world of politics has resulted in substantive changes where policy outcomes are concerned. Two examples can be given. Current policies demonstrate a more and more 'mother-friendly' attitude (see the current debate on day nursery or on full-day schools) (although demographic problems may also be a reason for this). Moreover the current minister for families, who has lived in the USA for several years and is familiar with other systems of childcare than the German model, is very active in this field. It is also almost impossible to determine whether the implementation of quota rules facilitated the election of the first German female chancellor, Angela Merkel. The question of outcome – especially in terms of policies – cannot be answered easily in the German case. The topic requires substantial research.

What about under-representation of women from ethnic minorities and immigrant women? The Green Party in particular, and to some extent also the SPD, have identified this problem. However,

³² Web pages of all parties, February 2008.

³³ The bill was finally passed by the Parliament in 2006 in a slightly changed version.

so far no formal rules have been adopted to address the issue and an informal policy is adopted. These parties try to involve women with an immigrant background.

6. Conclusion

The main question of the study on gender quotas in Europe is whether quotas really result in a greater involvement of women in the decision-making process. On the basis of the findings in Germany, the answer is in the affirmative. Quota rules have led to a better representation of women in the decision-making bodies.

References and further reading

- Deutsches Jugendinstitut (DJI), *Kommentierter Datenreport zur Gleichstellung von Frauen und Männern*, München, 2005 <<http://www.bmfsfj.de/Publikationen/genderreport/root.html>>
- Deutscher Städtetag, *Statistisches Jahrbuch Deutscher Gemeinden* (Berlin, 2002)
- Geissel, Brigitte, *Politikerinnen: Politisierung und Partizipation auf kommunaler Ebene* [Opladen: Leske und Budrich, 1999]
- Geissel, Brigitte and Hust, Evelin, 'Democratic Mobilization through Quotas: Experiences from India and Germany', *Journal of Commonwealth & Comparative Politics*, 3/2 (2005), pp. 222–44
- Hoecker, Beate (ed.), *Handbuch politische Partizipation von Frauen in Europa* (Opladen: Leske und Budrich, 1998)
- Journal: Sozialdemokratischer Informationsdienst* 28 (1988)
- Kamenitsa, Lynn and Geissel, Brigitte, 'Women's Policy Agencies and Political Representation in Germany', in Joni Lovenduski (ed.), *State Feminism and Political Representation* (Cambridge: Cambridge University Press, 2005), pp. 106–30
- Meyer, Birgit, 'Die "unpolitische" Frau, Politische Partizipation von Frauen oder: Haben Frauen ein anderes Verständnis von Politik', *Aus Politik und Zeitgeschichte*, 25-26 (1992), pp. 3–18
- Meyer, Birgit, 'Hat sie denn heute schon gekocht? Frauen in der Politik von der Nachkriegszeit bis heute', in Margit Brückner and Birgit Meyer (eds), *Die sichtbare Frau: Die Aneignung der gesellschaftlichen Räume* (Freiburg: Kore, 1994), pp. 369–409
- Penrose, Virginia and Geissel, Brigitte, "'The Long Run": Partizipation und Engagement unter geschlechtsspezifischen Zusammenhängen', in Ulrike Gentner (ed.), *Geschlechtergerechte Visionen: Politik in der Bildungs- und Jugendarbeit* (Königstein/Taunus: Ulrike Helmer Verlag, 2001), pp. 161–257
- Schwarting, Frauke, *'Manchmal hast Du das Gefühl, du stimmst nicht ganz': Erfahrungen von Frauen in Parlamenten* (Münster: Agenda Verlag, 1995)
- Sozialdemokratischer Informationsdienst*, 28/10 (1988)
- Wahl, Angelika von, 'Gender Equality in Germany: Comparing Policy Change across Domains', *West European Politics*, 29/3 (2006), pp. 461–88
- Wehling, Hans-Georg, 'Frauen in der Kommunalpolitik', in Theodor Pfizer and Hans-Georg Wehling, *Kommunalpolitik in Baden-Württemberg* (Stuttgart: Landeszentrale für politischen Bildung/Kohlhammer, 2000), pp. 203–16

Other sources

Current statutes, rules and regulation concerning quota rules – the CDU, SPD, FDP, Green Party, The Left

For the national elections 2002 and 2005 – electoral lists of the CDU, SPD, FDP, Green Party, PDS and The Left/PDS

For the last elections in the states (*Landtagswahlen*) – electoral lists of the CDU, SPD, FDP, Green Party, PDS and The Left/PDS in Baden-Württemberg, Bavaria, Berlin, Brandenburg, Bremen, Hamburg, Hesse, Mecklenburg-Western Pomerania, Lower Saxony, North Rhine-Westphalia, Rhineland-Palatinate (*Rheinland-Pfalz*), Saarland, Saxony, Saxony-Anhalt, Schleswig-Holstein, Thuringia

Electoral lists of the CDU, SPD, FDP, Green Party, PDS and The Left/PDS for local elections: case study of randomly selected municipalities (Mainz, the 13 districts of Mainz, Brandenburg, Cottbus, Frankfurt/Oder, Potsdam, Barnim, Dahme-Spreewald, Elbe-Elster, Havelland, Oberhavel, Oberspreewald-Lausitz, Oder-Spree, Ostprignitz-Ruppin, Schwerin, Südwestpfalz, Berlin-Mitte, Spiesen-Elversberg, Saarlouis, Frankfurt/Main, Wiesbaden-Mitte, Kassel, Leipzig, Uckermark, districts of Bremen, districts of Berlin; Stadt Frankenthal including election for district elections)

Electoral lists for the elections of members of the European Parliament, 1999 and 2004

Case study

Poland: one step forward, one step back. The Polish dance around a quota system

Małgorzata Fuszara

1. Historical background and context

Men and women in Poland were fully enfranchised in 1918³⁴. Before World War II women were not promoted as candidates for Parliament: they made up just over 2 per cent of candidates and were placed at the end of candidate lists. As a result, over the entire period 1919–39, women won 41 seats in the lower chamber (the Sejm) and 20 in the upper chamber (the Senat), thus accounting for 1.9 per cent of members of the Sejm and 3.8 per cent in the upper chamber.

From the end of World War II until 1989, the Polish Parliament consisted of one chamber only, the Sejm. In practice, between 1945 and 1989 candidates were nominated by the ruling party (the United Workers Party) and its allies (the agrarian United Peasants' Party and the middle-class Democratic Party) (Kurczewski 1999). The number of women in Parliament increased, although they never accounted for more than 23 per cent of all deputies.

As a part of the round table agreement between the ruling parties and the political opposition (Solidarity), in 1989 the Senat was reintroduced into the Polish system. The elections to the Senat in 1989 were free, but only 35 per cent of the seats in the Sejm were elected in free elections (the 'contractual Sejm' of 1989–91). Since 1991 MPs have been elected in general, free, equal and proportional elections to the Sejm (article 96 of the constitution), and senators in general and free elections (article 97 of the constitution). Since 1993 there has been a 5 per cent threshold for political parties and a 7 per cent threshold for coalitions³⁵ to win seats in the Parliament. As a result, the number of parties represented in the Parliament fell sharply (currently there are only four parties represented in the Sejm).

2. Women in Parliament and local councils: attempts to introduce quota systems

The percentage of women in the Sejm and the Senat in Poland has always been rather low: it has never exceeded 23 per cent.

³⁴ Poland regained its independence in 1918. The decree of 28 November 1918 on the election procedure for the Sejm, the first legal regulation regarding elections in the reborn Polish state, recognised women's and men's rights to vote and to be elected. The first article read: 'Any citizen aged 21 or over by the day the election is announced, regardless of gender, may vote in the Sejm election'. According to article 7. 'All and any citizens who are eligible to vote ... may be elected to the Sejm'.

³⁵ Article 133 of the Electoral Statute (Ordynacja wyborcza do Sejmu RP i Senatu RP) of 12 April 2001, as amended. According to article 134, parties that are minority-based are not required to pass the 5 per cent threshold.

Table 18. Female members of the Polish Parliament

Year	% of women among members of the Sejm	Year	% of women among members of the Sejm	% of women among members of the Senat
1952–6	17	1985–9	20	
1956–61	4	1989–91	13	6
1961–5	13	1991–3	10	8
1965–9	12	1993–7	13	13
1969–72	13	1997–2001	13	12
1972–6	16	2001–5	20	23
1976–80	21	2005–7	20	13
1980–5	23	2007–	20	8

It is noticeable that the number of women in the Sejm decreased rapidly in the years of political ‘thaw’, that is, when the communist regime was slightly less oppressive. In 1956, the percentage of female MPs in the Sejm reached the exceptionally low level of 4 per cent. The percentage of women fell from 20 per cent to 13 per cent after the first free (in fact partly free) elections in 1989: this happened in all post-communist countries. One factor that seems to be important here should be mentioned: the percentage of women decreases when the Parliament wields real power. When the Parliament seemed to gain real power granted under the constitution (in 1956) or when it actually gained this power (in 1989), the percentage of female MPs fell sharply.

Elections in the autumn of 2001 were preceded by the most extensive programme to increase women’s participation in power, which brought noticeable results. There were a number of reasons for this shift.

1. Three parties (the Alliance of the Democratic Left (SLD³⁶), the Labour Union (UP³⁷) and the Freedom Union (UW³⁸)) guaranteed women a minimum 30 per cent of the positions on their candidate lists.
2. Society’s electoral preferences changed: very rightist parties which promote traditional gender roles did not enter the Sejm at all, while the left-leaning parties had a majority and formed the governing coalition.
3. The women’s lobby gained strength. Before the 2001 elections, women’s non-governmental organisations (NGOs), women politicians and women activists undertook many initiatives aiming to increase women’s participation in power.
4. Attitudes to the presence of women in politics were slowly changing – more and more people share the opinion that women should make up a larger proportion of the membership of authorities.

Table 19. The percentage of women in regional and local councils in Poland

	1998	2002	2006
<i>Sejmiki wojewódzkie</i> (highest, regional level,	11	14	14

³⁶ A left-wing political party, represented in the Parliament, currently in opposition. In the past several prime ministers were members of the party – Jozef Oleksy, Włodzimierz Cimoszewicz, Leszek Miller and President Aleksander Kwasniewski.

³⁷ A left-wing political party, now in alliance with the SLD. The feminist MP Izabella Jaruga Nowacka, who was government plenipotentiary for the equal status of women and men between 2001 and 2004 and vice-prime minister 2004–2005, was a member of the party.

³⁸ Unia Wolności (Freedom Union), a liberal-democratic party, rooted in the Solidarity movement. Among the members of the party were first prime minister after the democratic political transformation, Tadeusz Mazowiecki, the well-known politician Bronisław Geremek and the only women prime minister in Poland, Hanna Suchocka. The party lost the election in 2001 and split: some members formed a new party (demokracy.pl), and some members are currently part of the ruling party Platforma Obywatelska (Civic Platform, the PO).

16 in Poland)			
<i>Rady powiatów</i> (second level, 373)	15	16	16
<i>Rady gmin</i> (lowest local level, 2,489)	16	18	18

After the local elections in 2002 and 2006, 17.8 per cent of councillors were women. Within the confines of local authorities a phenomena of a pyramid exists, with the lowest percentage of women in the regional legislatures (14 per cent), a slightly higher proportion in the *powiat* (16 per cent) and the highest proportion in the lowest-level local councils (*gmina*, 18 per cent).

2.1. Attempts to introduce a quota system into the general legal system

As the above data show, the participation of women in political representation in Poland is much lower than that of men. A debate on the introduction of a mechanism which would accelerate the process of achieving equality between men and women has been conducted on and off since the early 1990s. Attempts to introduce it have centred around two strategies.

1. *The introduction of a quota system as a part of the law on the equal status of women and men.* Drafts of such a law were being created jointly by the Parliamentary Women's Group³⁹, women's NGOs and women experts from the early 1990s. The bill was supposed to regulate fully the issue of equality of women and men, create mechanisms to prevent discrimination, and set up institutions to which a person who suffered discrimination could file a complaint in a discrimination case. One of the most divisive issues in the bill was a 40 per cent quota in all appointed or nominated authorities. The bill was submitted to Parliament many times and just as often rejected.
2. *The introduction of a quota system as a part of the electoral law.* A legislative proposal intended to give both sexes equal opportunities in elections was submitted during debates on the election law in 2001. During those debates in 2001 the UW proposed a regulation that would require parties and election committees to have a minimum quota – at least 30 per cent of their candidates – of each gender among their candidates standing in general elections. The bill was rejected almost without debate.

2.2. The arguments in the debate

The proponents of equalising opportunities for men and women in the public sphere, including in politics, used the following arguments.

1. Inequality exists and it requires the introduction of measures that will make it possible to give men and women equal opportunities. Mechanisms used so far (for example, constitutional regulations) have proved ineffective since the inequalities persist.
2. Quota systems help accelerate processes which are inevitable (such as the increase in the proportion of women among those in power). The point is not to wait for the slow evolutionary change which will lead women to power but rather to actively influence this process by means of legal regulations.
3. Experience shows that women are very good politicians.
4. Quota systems compel political parties to seek out women who are active and competent in holding office.
5. Women are faced with extra requirements and additional barriers in their way into the public sphere, both in professional and in political life; it is therefore necessary to help them overcome these barriers by means of a quota system.

³⁹ The Parliamentary Women's Group was formed in 1990. The main goal of the group is the promotion of women and women's issues. Currently 61 MPs are member of the group.

6. Examples of other countries (in Scandinavia in particular) show that mechanisms aimed at accelerating the entry of women into the public sphere result in the participation of competent, well-prepared women in the exercise of power⁴⁰.

The opponents used the following arguments.

1. Women and men have equal status in Poland; talk of discrimination is demagogic.
2. Unequal participation in power is a consequence of the difference in the roles of women and men: for women, their family status is of primary importance.
3. Unequal participation in power is a consequence of women having less interest in politics and of their unwillingness to hold office. If women want and seek a role in politics and public life, their numbers in politics will increase.
4. The law introduces a mechanism that is artificial; the increased participation of women should arise out of changes in mentality and such changes require time.
5. The introduction of a quota system will result in individuals of lower competence being placed in positions of power.
6. The introduction of a quota system is offensive to women: each woman will be suspected of having been promoted thanks to her gender and not to her talents, competence and qualifications.

2.3. Quotas at the party level

Before the 2001 election, three political parties – the SLD, the UP and the UW – implemented their own rules that the representation of each gender on the candidate list must be at least 30 per cent. The SLD went the furthest in formalising this rule: it introduced a provision into its bylaws (article 16):

- ‘1. Women and men are equally represented among the candidates to party leadership at every level as well as candidates for delegates. No gender can constitute less than 30 per cent of candidates.
2. Section 1 shall apply accordingly to candidates for public offices⁴¹.’

The party currently in power, Civic Platform (the PO), has not introduced a quota system. However, before the 2007 election, following a motion by one of its female members, Iwona Śledzińska-Katarasińska, a resolution was adopted that one of the three first positions on each candidate lists must be held by a woman. There is no sanction for infringing this rule, but the party leadership has been obliged to ensure that it is enforced. In practice, 34 out of 41 electoral districts observed the rule, and three others included a woman in fourth position. In the other four districts, women held positions much lower down the list (in two districts the sixth, and in another two the ninth), which illustrates how difficult it is for women to get high positions on candidate lists even when there is a party rule which theoretically guarantees them a good position.

The remaining two parties which are currently represented in the Parliament – Law and Justice (PiS, a right-wing party) and the Polish Peasants’ Party (PSL, an agrarian party) – have not been using any quota regulations or other mechanisms aimed at ensuring equality between men and women.

⁴⁰ This argument was used without specification concerning country or the mechanism aimed at increasing women’s chances in politics, and was advanced in spite of fact that not all Scandinavian countries introduced quota systems.

⁴¹ There is no sanction for infringing this rule.

3. Evaluation

3.1. Candidate lists in parliamentary elections

As mentioned above, before the elections in 2001 three political parties applied quotas to their lists of candidates. Thanks to these rules, in 2001 women constituted a larger proportion of candidates for Parliament than in previous elections. This increase was also translated into election results: the representation of women in the Sejm rose from 13 per cent to 20 per cent (see table 20).

Table 20. The percentage of women on lists of candidates and among members of Parliament in Poland since 1997

Year	Among candidates for the Sejm	Among candidates for the Senat	Among candidates to Sejm and Senat	Among members of the Sejm	Among members of the Senat	Among members of Sejm and Senat
1997	16	11	16	13	12	13
2001	23	15	23	20	23	21
2005	24	16	24	20	13	19
2007	23	12	22	20	8	18

Thanks to these rules, women, who in the previous (1997) election accounted for only 15 per cent of candidates on the SLD lists, in the 2001 election accounted for 36 per cent of the lists of the SLD–UP coalition, and the share of women on the Freedom Union’s lists rose from 18.5 per cent in 1997 to 31 per cent in 2001. Unfortunately, in the next election the SLD and its coalition partners no longer observed this rule, and the percentage of women on its candidate lists was much lower (in 2005 women constituted 27.6 per cent on the SLD’s candidate lists, and in 2007 they accounted for only 22.2 per cent of those on the lists of the coalition The Left and Democrats – the SLD is member of this coalition). This shows the fundamental weakness of a regulation which is not backed by any sanction.

Before elections the parties which fail to introduce quota systems feel that they need to demonstrate their awareness of the problem of unequal political representation, and try to show that despite the lack of formal regulations they promote women and their presence in high positions. A good example is a speech by the PiS leader, Jarosław Kaczyński, in the 2007 election campaign. He stressed the fact that there were five women in his government – the highest number, he claimed, since 1989 (Jerzy Buzek’s government in the late 1990s had in fact included the same number of women). Despite the lack of quota regulations, PiS had placed women in first position on as many as nine candidate lists (out of 41 electoral districts), which was the highest proportion of first positions held by women in any political party that was subsequently represented in the Parliament.

Table 21. The percentage of women among the parliamentary candidates in 2007 in Poland in the parties which subsequently won parliamentary seats (lower chamber only)

Political party	% of women among candidates	% of women on the first position on the list	% of women among MPs
Civic Platform (PO)	21	12	23
Law and Justice (PiS)	19	22	20
The Left and Democrats (LiD)*	22	12	21
Polish Peasants’ Party (PSL)	18	12	3

Note: This table disregards the German minority which in the 2007 election won one seat, which went to a man. The parliamentary representatives of the German minority have so far not included a single woman.

* The SLD, with its 30 per cent quota, is a member of this coalition.

Thus, with the exception of the PSL⁴², in the recent election the parties differed very little as regards the proportion of women on their candidate lists, or in terms of the proportion of women in their parliamentary representation. These data and analysis of the electoral campaign lead to the following conclusions.

1. Political parties, whether they declare right-wing or left-wing leanings, have not made an important political issue out of the equality of representation of men and women.
2. Women in many parties attempt, particularly before elections, to convince the party leaderships to adopt regulations which prevent the exclusion of women from politics.
3. The introduction of a quota system by some parties, even just on the declaratory level, compels the leaders of the other parties to reach out to the female electorate despite the lack of quotas, for example by means of placing prominent women in top positions on candidate lists and by otherwise demonstrating that the party does promote women.

In Poland there has so far been one study focused on the selection of candidates placed by political parties on their electoral lists (Spurek 2002). Research based on 52 interviews with members of various political parties shows that the most common method of selecting candidates, officially declared and included in party documents, is a combination of grass-roots initiatives to select candidates and subsequent confirmation of the candidacies by the national-level party structures. The respondents stressed that this method of selecting candidates through the local party structures is the most democratic one, and it allows for the promotion of local activists who have contributed much to the work in their region. At the same time, however, some respondents, particularly women, drew attention to the fact that parties' management and leadership, at both local and national level, consist mainly of men, and as a result it is often much more difficult for a woman to become a candidate, and in particular to be given a high position on the candidate list.

The research so far (Fuszara 2006) points to an important barrier that occurs at the candidate selection stage, and greatly influences the effectiveness of the work of women MPs. This barrier is the search for candidates who constitute no threat to the political establishment (which is made up almost entirely of men). It results in women with political achievements being eliminated from politics. Men like to select women candidates whose strongest points are their looks⁴³. This leads to a self-fulfilling prophecy: in politics, there are still too few women with considerable political experience, but women with no experience are being introduced onto the political scene, which confirms the claim that 'women know nothing about politics'. In Poland, this problem has been most pronounced in the case of local elections, where women who were very active as members of local councils have not been included on the lists, and they have established their own committees⁴⁴ with other women (Fuszara 2006).

Political parties have been unfavourable towards women (putting only small numbers of women on the candidate lists, placing women on the bottom of the lists, leaving out women with very good track records and so on), and this led to an exceptionally high number of election committees being founded by women in the period leading up to the 2002 local elections. These included committees set up in large cities (e.g. Szczecin, Warsaw and Kraków) as well as smaller localities: for example, in Świebodzice the Women's Voice committee was set up, in Kruszwica the Nadgoplańska Women's

⁴² The PSL is supported by voters in rural districts and has almost no support in urbanised areas. It placed women in first position on the lists in urban districts (e.g. Warsaw, Gdynia), and men at the top of the lists in rural districts. As a result only one woman was elected; she was placed in first position in Torun.

⁴³ This way of selecting women candidates was stressed by some women politicians interviewing for FEMCIT. Fuszara, M., 'Women MPs: What Happens after Women Get Elected into Parliament?' (unpublished report).

⁴⁴ Article 64 of the Electoral Statute in local elections (Ordynacja wyborcza do rad gmin, rad powiatów i sejmik ów województw, law of 16 July 1998, as amended) states that candidate lists in local elections can be submitted by committees formed by political parties, NGOs or voters. A committee can be formed by not less than five voters supported by 20 others. Lists of candidates have to be supported by no fewer than 25 voters (in *gmina* up to 20,000 inhabitants) or by 150 (in larger ones).

List, in Ozorków Women of Tomorrow, and in the Szemudy local district the Equal Opportunity election committee. Some of these consisted exclusively of women; others also included men on the candidate lists. In some local districts women from these committees were elected, but never in any great number.

Observations about the exclusion of women from politics and the need to increase women's representation were the basis on which the Women's Party (Partia Kobiet) was founded. It presented candidates for election in a number of electoral districts in the 2007 election. The party, which was founded by a famous female writer, was able to bring together well-known women who supported it as well as many women who used to be active in smaller communities but lost the opportunity to work locally on women's issues when the right-wing government took power in 2005⁴⁵. Unfortunately such initiatives have very little chance of gaining significant support and truly entering the political scene⁴⁶. The current system of political party financing means that new parties have practically no chance to establish themselves. This applies not only to the Women's Party but also, for example, to the Green Party.

However, the presence of the Women's Party in certain electoral districts raised the overall percentage of women on the electoral lists: women amounted to 97 per cent of candidates on the Women's Party lists.

3.2. The presentation of men and women candidates in electoral campaigns

One of the most popular forms of presentation of candidates and programmes during the election campaign is television election shows. Analysis of shows prepared by the parties for Channel 1 of public television within their free TV air time before elections in 1993, 1997 and 2001 indicates that the TV election campaign was 'male' – political parties promoted men, and devoted almost all their free air time to their statements. The vast majority of parties devoted less than 10 per cent of their time to women's statements and more than 90 per cent of their time to men's statements (Fuszara 2006).

3.3. Public opinion on gender equality in politics

Public opinion polls show that the protest against the low participation of women in governing bodies is expressed, in the first place, by women, although there is an increase of men who think that women's participation in governing bodies is too low⁴⁷. Society notices inequality of opportunities: a large majority of respondents (74 per cent) maintain that women have less opportunity to succeed in a political career than men. This opinion is presented a little more often by women (78 per cent) than by men (70 per cent). The percentage of women who feel that women have fewer opportunities has increased considerably: in 1993⁴⁸, 64 per cent of female respondents felt certain about this, and in 2000 78 per cent of women thought that women have fewer chances.

Public opinion polls in Poland also show that an increasing number of people think that there should be more women in the public sphere. In 2004, 54 per cent of respondents thought there should be more women in government, 53 per cent that there should be more in the Parliament, and 53 per cent that there should be more in local government⁴⁹. Opinions on this issue are closely correlated with the gender of the respondents. All public opinion research shows that it is much more often women than men who want an increase in women's participation in power (in

⁴⁵ Before the 2005 elections offices for gender equality were created on both the national and regional (*województwo*) levels. After the 2005 elections these offices were dissolved.

⁴⁶ In elections in 2007 the Women's Party did not pass the 5 per cent threshold for political parties.

⁴⁷ Research conducted in 2000, representative sample of 1,010 adult Poles.

⁴⁸ The sample in research conducted in 1993 included only women.

⁴⁹ Research conducted in 2004, a representative sample of 1,002 adult Poles.

Parliament, government, local government, the courts, and high positions in public administration). There is also a clear connection between opinions on women's participation in power and level of education: the higher the level of education, the higher the percentage of respondents who are of the opinion that there should be more women in power than there are now.

Answers to the question whether there is a need for a greater share of women in power do not yet clarify what level of representation is regarded by respondents as appropriate. In 2000 the largest proportion of respondents believed that women should constitute half or more of the membership of the Sejm and Senat (42 per cent), of government (40 per cent), of the public administration (47 per cent) and of local authorities (50 per cent). These opinions are also related to the gender of the respondents: far more women than men favour a considerable share for women in public authorities. Men more often than women think that the gender of persons in positions of authority is insignificant, and more often opt for low participation by women⁵⁰ (Fuszara 2006).

The respondents listed the following reasons for women's lower participation in politics⁵¹.

1. The reason most often cited, given by 30 per cent of respondents, was the burden of duties in the private sphere – motherhood, family responsibilities, housework, responsibility for others, and the potential conflict between these duties and activity in the public sphere.
2. Twenty-three per cent of respondents mentioned discrimination and the barriers placed in front of the women by men – favouring men, fear of competition from women, and male chauvinism.
3. Thirteen per cent of respondents mentioned tradition, custom and stereotype, for example, 'men had power for many many years', 'it is generally believed that power is held by men' and so on.
4. Ten per cent of respondents mentioned women's unwillingness to take on such roles, and a lack of interest in getting involved.
5. Six per cent of respondents spoke of qualities of women such as gentleness, submissiveness, and lack of ability to fight for themselves⁵².

Other reasons that were also mentioned included, inter alia, women being undervalued⁵³, that women lack the political connections which make it possible to succeed, and the decisions of the electorate.

Twice, in 1999 and in 2004, respondents were asked about guaranteeing women a certain number of positions on candidate lists in an election. In both studies the majority of respondents said that the idea was good (63 per cent in 1999, and 53 per cent in 2004), and just over a quarter of the respondents said it was bad (27 per cent in 1999, and 28 per cent in 2004). While the number of respondents who support this solution fell between 1999 and 2004, the number of opponents of the solution remained quite steady, while the proportion of respondents who were undecided increased (from 10 per cent in 1999 to 19 per cent in 2004). The year 1999 saw many debates on the law on equal status of men and women, and there was also a great deal of discussion of the introduction of quota systems to political parties. This probably accounts for respondents' greater certainty as to their opinions on this matter in 1999.

⁵⁰ Men more often than women expressed the opinion that women should constitute less than 25 per cent or even less than 10 per cent of the membership of the Parliament, the government, local governments and high positions in public administration.

⁵¹ An open-ended question.

⁵² The percentages do not add up to 100 since some respondents gave no reasons while others gave more than one reason.

⁵³ Some respondents used this very general expression, without any explanation as to by whom women are undervalued.

3.4. Representation of women in other bodies

In Poland there is no legal mechanism which would make it obligatory to work towards ensuring equal participation of men and women in power. However, a slow process is observable whereby this has been transformed into a political issue. For many years, both before 1989 and after the transformation, either there were no women in government or there was one token woman. For the first time women held five ministerial positions in Jerzy Buzek's government (1997–2001), and then in Jarosław Kaczyński's government (2006–7). There is the same number of women (five) in ministerial positions in the current government of Donald Tusk, which has been in power since 2007 (they currently make up 28 per cent of government ministers).

The situation is similar in local authorities. Until a short time ago, there was no woman *wojewoda* (head of one of the 16 regions⁵⁴). Now four women hold this position (making up 25 per cent of the total).

4. Conclusions

1. Quota systems, even those that are very limited in scope, contribute to enforcing equal opportunities for women and men.
2. When quota systems are not backed by sanctions, they often fail to be observed even if they have been introduced by the parties voluntarily. This may be because these provisions are often adopted by parties immediately before elections, under pressure from women who are not powerful enough and whose political participation is not strong enough for them to be able to force the parties to observe the regulation within a time frame beyond the immediate election.
3. An argument often used by opponents of quota systems is the fear that individuals who are not competent will be appointed to positions of power if such systems are introduced. However, research shows that the opposite mechanism operates in politics: competent women are held away from power and influence by men. This may lead to the deduction that the fear of competition from competent women is one of the most important, but at the same time most carefully masked, reasons for the opposition to a quota system. Moreover, instead of searching for women who are competent, the parties seek out women who have no political experience, who pose no threat to incumbent leaders, and who at the same time serve as evidence that women are inexperienced, 'new' and not knowledgeable about politics.
4. The Polish experience shows that if at least one party introduces a system of enforcing equal opportunities for men and women, other parties attempt to demonstrate that they too are familiar with the issue of equal opportunities and the under-representation of women, for example by appointing more women at government level, or by placing more women on high positions on electoral lists. Thus, even if to a limited extent, the position and opportunities of women are being increased across the spectrum of political parties.

References and further reading

- Fuszara, Małgorzata, 'New Gender Relations in Poland in 1990s', in G. Kligman and S. Gal (eds), *Reproducing Gender: Politics, Publics, and Everyday Life after Socialism* (Princeton, NJ: Princeton University Press, 2000), pp. 259–85
- Fuszara, Małgorzata, 'Kobiety w Polsce na przełomie wieków: Nowy kontrakt płci?' [Women in Poland at the turn of the century: a new gender contract?], in M. Fuszara (ed.) (Warsaw: Instytut Spraw Publicznych Warszawa, 2002)

⁵⁴ Poland is divided into 16 administrative districts (*województwo*), each headed by an official (*wojewoda*) appointed by the prime minister.

- Fuszara, Małgorzata, 'Between Feminism and the Catholic Church: The Women's Movement in Poland', *Czech Sociological Review*, 5 (2005), pp. 1057–75
- Fuszara, Małgorzata, *Kobiety w polityce* [Women in politics] (Warsaw: TRIO, 2006)
- Fuszara, Małgorzata and Zielińska, Eleonora, 'Women and the Law in Poland: Towards Active Citizenship', in J. Lukic, J. Regulska and D. Zvirsek (eds), *Women and Citizenship in Central and Eastern Europe* (Aldershot: Ashgate, 2006) pp. 39–60
- Kurczewski, Jacek, *Posłowie a opinia publiczna* [Deputies and public opinion] (Warsaw: ISNS, 1999)
- Siemieńska, Renata, *Nie mogą? Nie chcą? Nie potrafią? O postawach i uczestnictwie politycznym kobiet w Polsce* [They do not want, they are unable, do they? About attitudes and women's political participation in Poland] (Warsaw: Scholar, 2000)
- Siemieńska, Renata, *Płeć, wybory władza* [Gender, elections, power] (Warsaw: Scholar, 2005)
- Spurek, Sylwia, *Kobiety, partie, wybory* [Women, parties, elections] (Łódź: CPK, 2002)
- Titkow, Anna (ed.), *Szklany sufit: Bariery i ograniczenia karier kobiet* [Glass ceiling: barriers and obstacles in the careers of women] (Warsaw: ISP, 2003)

Case study

Slovenia: from voluntary to legislated quotas

Milica Antić Gaber

1. Historical background and context

In Slovenia, political discussion on the possibilities of implementing some sort of special measures for the improvement of women's representation (quotas included) started at the beginning of the 1990s. The problem in Slovenia was, and perhaps still is, that quotas have negative connotations among politicians, and among the general public as well, and are associated in people's minds with the legacy of the socialist past. Different kinds of quota were used in socialist times as a means of equalising the position of women, peasants and young people in the spheres of decision making. There is a widespread understanding of these times that all were forced to be active and women were forced to be equal, but all that was only the external appearance and not a reality: it was a mask behind which the most powerful Communist Party leaders (in the Central Committee) were the people who decided. After the collapse of the socialist regime, many people – of both genders – had the opportunity to choose – possibly to choose not to be politically active, as well, and to choose between women and men. This is why many people still view gender quotas as a means of forcing women to enter politics (see also Jalušič and Antić Gaber 2001). This was why so many attempts to get quotas accepted as a kind of agreement within the parties, or as a cross-party attempt to put quotas into a specific law (either the law on political parties or the electoral law), failed so many times. (For further details, see Antić Gaber and Gortnar 2004.)

The situation started to change in the late 1990s, for several reasons. One was that EU politicians coming to Slovenia kept asking about the 'absence' of women in politics. At the time of its accession to the EU in 2004, Slovenia, a highly developed country, had one of the poorest levels of representation of women in political decision making. A second is the fact that the governing coalition, with Liberal Democracy of Slovenia (the LDS) as its strongest party (whose support for women's rights and gender equality was widely known in Slovenia), started to think that this was an important problem to solve, and gave it more public support. The third reason was the establishment of a nationwide network, the Coalition for Parity, in 2001. Almost 200 well-known women from different political backgrounds (and parties), as well as some influential male supporters, signed a petition to achieve 'equal representation' in all political decision-making bodies. In 2001, this coalition began to use the process of accession to the EU as a pressure factor. It also worked closely with some female MPs and some prominent male political leaders to introduce changes into the Slovenian legislation to improve the situation of women in politics. (For further detail, see Antić Gaber and Lokar 2006.)

An examination of the changes concerning quota provisions shows that there were three stages in the short history of the policy on gender quotas in Slovenia:

- (1) almost total rejection of the quotas, because they were associated with the socialist past (in the early 1990s);
- (2) the period of the introduction of internal party quotas in some left and centre-left parties, and the rejection of each attempt in the Parliament to introduce quotas into the law (second half of the 1990s); and
- (3) the introduction of gender quotas into the national legislation for national elections, local elections and elections to the European Parliament (middle of the first decade of the 2000s).

Among the supporters of greater representation of women in politics, it was widely believed that the introduction of quotas in the national legislation was an urgent step forward in this respect. Before this, women's representation was visibly stagnating and no improvement was expected in these circumstances unless there were firm quota provisions.

2. The legal situation

Slovenia as parliamentary democracy has a clear division of power between the executive power (the government) and the representative power (the Parliament), which means that elected member of the parliament cannot be a member of the government at the same time. The president is elected by direct vote and has limited political power but can have strong symbolic power. The president is a representative of the state, but does not have any significant legislative power. The Parliament is bicameral, with a lower house, the National Assembly (*Državni zbor*) and an upper house, the National Council (*Državni svet*). The upper house has 40 seats. Elections to the National Council are indirect – they take place through appropriate interest organisations or local communities. The National Assembly has 90 seats (two of these being reserved for the representatives of Italian and Hungarian minorities).

At the local level, there are 210 local communities (compared with 147 in 1994); there are 11 city councils (big cities) and 199 others (smaller towns) and, in these, 3,386 councillors who are directly elected, among them seven representatives of Hungarian, nine of Italian and 19 of Roma populations. In the European Parliament, Slovenia has seven representatives who were directly elected for the first time in 2004.

The electoral system for election to the National Assembly is a (quite complicated) variant of proportional representation. Slovenia is divided into eight constituencies, each of which is further divided into 11 voting units. For each full electoral quota, the party receives one seat from that constituency. Seats remaining when all full quota seats have been awarded are distributed in a second tier, using the D'Hondt method. The two seats reserved for the Hungarian and Italian minorities are allocated according to a First Past The Post (FPTP) system. There is also a 4 per cent electoral threshold.

From the perspective of women's electoral chances, there is an important 'deviation' from the 'pure' PR system that forces the Slovenian political parties to behave like majoritarian parties, namely, in each constituency, the parties submit 11 candidates, but they are not presented as a complete list, as in most PR systems. Rather, constituencies are divided into 11 voting units. Voters cannot vote for the entire party list, but have to choose a party by choosing a single candidate put forward by the party in their voting unit. The votes given to candidates in each voting unit are aggregated in order to determine how many seats the list/party is entitled to receive in the given constituency.

This practice was designed with the aim of limiting 'partitocracy' and assuring a linkage between the MP and the voter, but it has some strange implications. 'Party gatekeepers' must choose one candidate for each of 88 electoral units. This fundamentally alters the logic of formation of the party electoral list in such a PR system. If the party chooses a woman, she will be the only name to represent the party in that voting unit, rather than being part of a party list. This makes 'party gatekeepers' more hesitant to nominate women.

For local elections in Slovenia the situation is complicated. There are two parallel systems – a plurality/majority system for the small towns and a proportional system for the big cities. In small towns, the voters choose among individual candidates and in the bigger cities there are party candidate lists, the number of candidates depending on the number of the seats on the local

council. The positions of candidates are therefore not comparable – in the first the candidate stands as the individual candidate, and in the second as the member of the party list – and in this case there is also a possibility to get a preferential vote. The latter has not yet worked for women.

For elections to the European Parliament, Slovenia is a single constituency. The system is List PR. The position on a list is important – especially since the leading position almost guarantees success. There is also the possibility of a preferential vote, which can alter a candidate's possibility of being elected (as has once occurred, when the candidate in the last position, but who was well known, was actually elected).

3. The introduction of quota provisions

3.1. Voluntary party quotas

Prior to the changes described below, two parties had incorporated quotas into their party statutes – the LDS and the Social Democrats (SD, previously the ZL and ZLSD), both left of centre on the ideological spectrum. A strong women's section in the ZLSD managed to introduce a 40 per cent gender party quota before the general elections in 1996 on all party lists for all elections (Antić Gaber and Lokar 2006). This was a real boost for women politicians in other parties. However, because of the poor results in the national election in 1996, for which the women's share in the electoral lists was (from the influential party leaders' point of view) the reason, the ZLSD made quota provisions voluntary and not obligatory for the next election.

The LDS agreed in its programme from 1990 to have 30 per cent quotas for the next election, but did not act accordingly. In 1994, it accepted the rule that made it obligatory to follow the 30 per cent rule until the last stage of the nomination process (the party council's nomination stage) for the candidate list for the national election. However, this was not reflected in the final result: when they were presented for the election, the party lists were composed of less than 20 per cent of female candidates.

In 1998, the party's Women's Network made a gender-neutral proposal for quotas by which neither gender could have more than one-third of the candidates on the party list for the national election (Antić Gaber 1998: 214). This share was reduced to 25 per cent for the 2000 election by a decision to increase it in each subsequent election by 3 percentage points, with a 40 per cent share of men and women set as the final objective. Influential women from the Women's Network, with internal party pressure, succeeded in making quota provisions obligatory, and this was respected in both subsequent elections – in 2000 and 2004. In 2000, five women from the party made it to the Parliament (out of 34 MPs). In 2004, after the party lost 11 seats, it still maintained three women in the parliamentary party group (out of 23 MPs⁵⁵).

Table 22. Parties in Slovenia with voluntary quotas and other provisions

Party	Year of introduction	Quota	Rules about ranking	Women or neutral	Sanctions	Implementing Body	Sanctions used	Women MPs of the party, 2004 (%)
SD (ZL, ZLSD)	1992	33%	No	Neutral	No	Presidency	No	20.0

⁵⁵ The People's Party tried to follow the track of the LDS and the SD (ZL, ZLSD) but has not introduced party quotas; its Action Plan anticipates a gradual increase in the number of female candidates in accordance with Equality Law.

LDS	1998	33%	No	Neutral	No	Party	No	13.0
	2000	25%	No	Neutral	No	council	No	

Source: Antić Gaber, Milica and Lokar, Sonja, 'The Balkans: From Total Rejection to Gradual Acceptance of Gender Quotas', in Drude Dahlerup (ed.), *Women, Quotas and Politics* (New York and London: Routledge, 2006).

The first two parties that introduced voluntary party quotas were pioneers of gender equality in Slovenia, among political parties and in the political arena more widely. They made further steps in this respect more achievable.

3.2. Legislated quotas

After a period of stagnation in the second half of the 1990s of the political representation of women in Slovenia, and after a few failures to get quotas accepted into the law, awareness that something should be done in this respect started to grow among the left-of-centre-oriented political elite.

3.2.1. The preparation phase

The first step was taken in June 2002, with the adoption of the Act on Equal Opportunities for Women and Men, which contains several provisions for the promotion of gender-balanced participation in decision making. The most important are the following. It determines:

- (a) that the establishment of equal opportunities is a duty of the entire society;
- (b) that it is the obligation of the National Assembly to respect the principle of balanced representation of women and men in the establishment of working bodies and the composition of delegations; and
- (c) that the political parties have a duty to promote gender-balanced representation/participation; furthermore, political parties that are included in the register of political parties shall adopt a plan in which they shall determine methods and measures for the promotion of more balanced representation of women and men within party bodies, and on candidate lists for elections to the National Assembly and to bodies of local communities, as well as for elections for the president of the state.

The second step was taken in June 2004, when the National Assembly adopted the Constitutional Act amending article 43 of the constitution of Slovenia. By this, it added to the provision on universal and equal rights, voting in a new paragraph conferring on the legislature the power to determine, in a law, measures for encouraging equal opportunities for women and men in standing for election to state authorities and local community authorities.

The third step was taken in September 2004 when, in compliance with article 14 of the Act on Equal Opportunities for Women and Men, the government adopted a decree regulating the criteria for implementation of the principle of balanced representation of women and men. The decree lays down the procedure for ensuring balanced representation in the composition of working bodies, and in appointing and nominating government representatives. Both the decree and the act provide that the principle of gender-balanced representation is respected when at least 40 per cent representation of women and men is ensured. In certain specified circumstances the decree permits exemptions from this principle on objectively justified grounds. Such an exemption is permitted in cases where membership of a particular government body stems from a particular function.

3.2.2. The introduction of legislated quotas

In 2004 there were changes to the Act on Election of Slovenian Members to the European Parliament (this even before the amendment to the constitution mentioned above introduced the requirement of gender-balanced representation in parties' lists of candidates.) This act requires that at least 40 per cent representation of each sex is ensured in any list of candidates. Lists of candidates must be drawn up in such a way that at least one candidate of each sex figures in the first half of any list of seven candidates.

In 2005 changes to the Local Elections Act provided that lists of candidates for the election to a municipal council must be drawn up in such a way as to ensure that each sex accounts for at least 40 per cent of all candidates listed, and that the candidates in the first half of the lists must alternate by sex. The act provides that, in the transitional period up to 2014, when 40 per cent representation of each sex becomes compulsory, at least a 20 per cent share of each sex must be listed in the candidate lists for the first local election to be held in 2006; for the election in 2010, the requirement is a 30 per cent share for each sex. In addition during this transitional period, a partial derogation is permitted as regards the principle of candidates alternating by sex in the upper half of the list, which means that it will be regarded as sufficient if they are arranged so that at least each third candidate is of the other sex.

In 2006 there were changes to the National Assembly Elections Act. Article 43 provides that a minimum of 35 per cent of candidates listed on a candidate list shall be of each sex. In the transitional provisions, the act provides that at the first National Assembly elections to be held after the act enters into force the minimum percentage of candidates of each sex shall be 25 per cent.

The lowering of the required quota for the first elections at local and at national level was a result of the political debates in National Assembly, when some parties underlined the concern that they will not be able to ensure the required percentage of female candidates so soon.

Table 23 shows the situation in Slovenia after the introduction of legislated gender quotas for elections at all three levels, with additional provisions required for elections at local level and elections to the European Parliament which are beneficial for female candidates. At all three levels, a party that does not follow the rule risks having its electoral list rejected by the state electoral management body (EMB), which means that this rule can be understood as a firm electoral gender quota rule.

Table 23. The introduction of legislated quotas in Slovenia

Year	Level of election	Quota	Additional provisions
2004	European Parliament	40%	Yes (one of each sex in the first half of the list)
2005	Local	40% (begin in 2006 with 20%)	Yes (one of each sex in the first half of the list; partial derogation possible)
2006	National Assembly	35% (begin in 2008 with 25%)	No

Source: all three laws on elections.

4. Implementation and evaluation

So far, legislated gender quotas have been implemented for the local elections in 2006 – the 20 per cent quota – and for the elections to the EU Parliament in 2004 – a 40 per cent quota (and party quotas have been implemented for the national elections in two political parties). It is thus too early for a comprehensive analysis to be possible, but a few conclusions can be drawn from these two elections.

4.1. Implementation of quotas at the local level

Since the early 1990s there have been more candidates competing for local councillor positions in each election, and there are more local councillor seats available as well. There are also more women competing for these seats at each election. For the elections in 1994, there were six male candidates parallel to one female candidate and in the 2006 elections there were three male candidates to each female candidate.

Table 24. Comparison of the last two local elections in Slovenia

Candidates	2002	2006
All candidates	23,426	26,721
Female candidates	4,976	8,754
% of female candidates	21.2	32.8
No of all councillors elected	3,231	3,386
No of female councillors elected	423	721
% of female councillors elected	13.1	21.5

Source: Statistical Office of the Republic of Slovenia.

The application of the 20 per cent gender quota resulted in many more female candidates standing for election in each party list for the most recent local elections (in 2006). There were also more independent candidates and more elected female independent councillors. All party lists increased their percentage of female candidates compared with the previous election – on average by more than 11 percentage points. Table 24 shows that there is a clear connection between the rise in the number of number of female candidates and the number of female councillors elected. In the 2006 elections, an 11 percentage point rise in the number of female candidates produced an 8 percentage point rise in the number of elected female councillors, which is a very significant result. The question is whether this increase could have occurred without the 20 per cent quota.

Table 25. Total number of candidates and percentage of women candidates at last two local elections in Slovenia, by party

Election	2002		2006	
	No. of candidates	% of women	No. of candidates	% of women
Party				
DeSUS	1,648	25.1	2,026	35.5
DS	281	22.1	168	33.3
GŽ	113	90.3	170	68.2
LDS	2,829	20.0	2,892	31.2
NPS	188	29.8	26	42.3
NSi (SKD)	2,340	21.7	2,517	33.0
SD (ZL, ZLSD)	2,401	24.2	2,606	32.7
SDS (SDSS)	2,703	15.5	2,924	30.7
SEG	185	39.5	348	42.2
SLS	2,629	14.9	2,836	29.8
SMS	1,104	28.4	774	37.9
SNS	428	15.2	840	31.1
Zeleni (Greens)	468	27.1	405	36.5
ZZP	312	15.7	330	31.8
Independents	5,024	21.8	5,296	32.4
Coalitions	65	16.9	188	33.5
Total	23,426	21.2	26,721	32.8

* Only parties with more than 100 candidates are included in this table.

Source: Statistical Office of the Republic of Slovenia, *Lokalne volitve 1994–2006* [Local elections 1994–2006], Ljubljana, April 2007.

Table 25 shows that only one of the larger party list in the 2006 elections had slightly less than 30 per cent female candidates (the Slovenian People's Party, SLS, with 29.8 per cent).

Apart from one party (the Association for the Primorska Region, ZZP), all the parties show a rise in the share of elected female representatives. Some of these, like the Democratic Party of Retired Persons of Slovenia (DeSUS), the SD, the Social Democratic Party (SDS) and the Youth Party of Slovenia (SMS), show quite a visible rise in the share of female councillors in their party groups at the local level.

All in all, the rise in numbers of elected female councillors at the local level can be interpreted as impressive. The final result is not fully satisfactory: the percentage of women is still quite low, even if it has risen by almost 8 percentage points. So long as the above-mentioned ranking orders do not change for the worse for the next local elections, and women can be expected to benefit from the possibility of the preferential vote, there should be more women elected at each next election. However, more work needs to be done by political women themselves in mobilising women voters to vote for women.

Table 26. Comparison of elected female councillors in the last two local elections in Slovenia, by party

Election	2002		2006	
	No. of councillors	% of women	No. of councillors	% of women
Party				
DeSUS	19	12.7	32	20.8
LDS	117	13.3	140	14.5
NSi (SKD)	38	13.3	33	14.5
SD (ZL, ZLSD)	54	19.1	106	27.5
SDS (SDSS)	41	9.2	161	23.8
SLS	50	10.3	84	17.8
SMS	19	15.8	11	25.0
SNS	4	9.5	6	11.8
Zeleni (Greens)	19	7.7	2	16.7
ZZP	2	7.7	1	6.3
Others	60	14.8	145	20.1
Total	423	13.1	721	21.5

Source: Statistical Office of the Republic of Slovenia, *Lokalne volitve 1994–2006* [Local elections 1994–2006], Ljubljana, April 2007.

As far as the representation of minorities is concerned, at the local level there are few communes where the Roma population is based, and this is reflected in the fact that there are few Roma councillors. Their number has grown from election to election, from one in 1998 to 11 in 2002 and to 19 in 2006. Among the elected Roma councillors in 2002 was one woman, and in 2006 there were two women. However, representation of other minority groups (nationalities from the previous common state, Yugoslavia – Croats, Serbs, Bosnians, Macedonians and others) has not been yet taken in consideration in Slovenia.

4.2. Representation of women at national level (National Assembly)

As stated above, the National Assembly has 90 seats, two of them reserved for the representatives of national minorities (Italian and Hungarian). The representation of women in the National Assembly is low. It was at its lowest after 1996 election (at 7.8 per cent) but has stayed constant at slightly over 10 per cent since then (see table 27).

Table 27. Number and percentage of women deputies in the Slovenian National Assembly, 1990–2004

Year of election	No. of women	% of women
1990	27	11.3
1992	12	13.3
1996	7	7.8
2000	12	13.3
2004	11/12*	12.2/13.3*

* The number after the government was formed.

Source: State Electoral Commission and parliamentary web pages.

As mentioned above, two political parties (the LDS and the SD) adopted quota provisions for their candidate lists for national elections. Table 28 shows that these parties have the highest percentages of female candidates (the LDS 25 per cent in 2000 and 28 per cent in 2004, and the SD 33 and 31 per cent in 2000 and 2004, respectively), but this has not resulted in a visible increase in female representation in their parliamentary party groups.

Table 28. Comparison of the percentages of female candidates for elections to the Slovenian National Assembly, by party, 1992–2004

Party	Year of election			
	1992	1996	2000	2004
DeSUS	–	–	17.0	22.4
LDS	9.3	13.6	25.3	28
NSi (SKD)	11.2	9.5	16.2	23
SD (ZL, ZLSD)	15.5	40.9	33.3	31
SDS	7.9	11.9	12.8	10.5
SLS	8.7	13.6	12.8	16.9
SNS	7	8.9	20.3	15.5
Total	14.8	19	23.5	25.0

Source: author's own calculation on the basis of the parties' candidates lists, Statistical Office data and data of the State Electoral Commission.

The LDS' and the SD's shares of female parliamentarians are the biggest in terms of absolute numbers, but not relatively in comparison with some other small parties, such as New Slovenia (NSi), where the share of women in the party group is 28 per cent. It was also obvious that quota provisions that were accepted and respected only by two parties could not bring bigger increases in female representation in the National Assembly, especially if they do not win the election.

Table 29. Comparison of the numbers and percentages of female deputies in the Slovenian National Assembly, by party, 1992–2004

Election	1992	1996	2000	2004
	No. (%)	No. (%)	No. (%)	No. (%)
Party				
DeSUS	– / –	1 (20.0%)	0 (0%)	0 (0%)
LDS	2 (9.1)	1 (4.0%)	5 (14.7%)	3 (15.0%)
NSi	2 (16.6%)	1 (25.0%)	1 (25.0%)	2 (28.5%)
SD (ZL, ZLSD)	2 (14.2%)	0 (0%)	3 (27.2%)	2 (25.0%)
SDS	0 (0%)	1 (6.2%)	0 (0%)	2 (7.4%)
SLS	2 (20.0%)	1 (10.0%)	0 (0%)	0 (0%)
SNS	– / –	– / –	2 (25.0%)	1 (20.0%)
Other	1	1	1	1
Total	12 (13.3%)	7 (7.8%)	12 (13.3%)	11 (12.2%)

Source: Author's own calculation on the basis of the parties' candidates lists, Statistical Office data and data of the State Electoral Commission.

4.3. Implementation of gender quotas for elections to the European Parliament

Slovenia has been a member of the EU since May 2004. An amendment to introduce gender quotas for elections to the European Parliament was accepted by the National Assembly shortly before the election in June 2004. There were 13 party lists competing for seven seats in the European Parliament, and four got members elected: the NSi, the LDS, the SDS and the SD.

Table 30. Number and placement of female candidates for election to the European Parliament in Slovenia, 2004, by party

Party	No. of women candidates (for 7 seats)	Placement of women candidates	No. of women elected/no. of MEPs elected for the party
SD (ZL, ZLSD)	3	2, 4, 6	0/1
DSS	3	2, 4, 5	0
GŽ	4	1, 2, 4, 5	0
LDS and DeSUS	3	2, 5, 6	½
NSi	3	2, 4, 6	½
DS	3	2, 4, 6	0
SDS	3	2, 3, 6	½
SEG	4	2, 3, 4, 5	0
SLS	3	3, 5, 6	0
SMS and Greens	4	1, 2, 3	0
SN	3	1, 3, 5	0
SNS	3	3, 5, 6	0
SSN	3	2, 5, 7	0
Total			3/7

Source: Government information office.

Table 30 shows that this provision forced all the political parties to follow the rule and there was no party that did not place 40 per cent of women on its candidate list (for further details, see Fink-Hafner 2005). Only three small parties placed women at the top of their lists. Among the 13 parties that competed for seats in the European Parliament, two put women in third position and lower, eight (all the biggest parties) put a woman in second position, and three put a woman in first position – the SMS, Slovenia is Ours (SN) and Women's Voice (GŽ) – although none of these three got through. Three parties (the NSi, the LDS and the SDS) won two seats each and each has one male and one female member of the European Parliament (MEP). It can be assumed that these three parties calculated if they got only one seat it would go to a male candidate, but if they got two there would be a female as well. The party that put its first woman in third position, or the small parties that put their first woman in second position on the list, knew that they did not have a serious chance of being elected.

Slovenia now has 42.9 per cent female MEPs (and takes fourth position among the EU countries) compared with 30.3 per cent women in the European Parliament as a whole. Without the provision in the law on elections to the European Parliament, which required 40 per cent gender quotas and the placement of a candidate of each sex in the first part of the list, this result would not have been possible.

5. Conclusion

A period of stagnation of women's representation in politics, combined with the activities of women activists in party politics and outside it (in the Coalition for Parity, and some researchers),

led to an open public debate about legislated gender quotas for the elective positions in politics. As a result, quota provisions were incorporated into the three laws for elections at the local, national and European levels. Immediate results at the local and European levels have been analysed in this case study, but in the long term the results are still to be seen. It is, however, clear that for now that gender quotas serve their purpose – to improve the possibilities for women candidates to stand for election in greater numbers and to improve their chances of being elected once they appear on the electoral lists. This is more than obvious if one analyses the candidate lists and the statistics of elected female councillors after the last elections at the local level in Slovenia.

References

- Antić Gaber, Milica, *Ženske v parlamentu* (Ljubljana: Znanstveno in publicistično središče, 1998)
- Antić Gaber, Milica and Lokar, Sonja, 'The Balkans: From Total Rejection to Gradual Acceptance of Gender Quotas', in Drude Dahlerup (ed.), *Women, Quotas and Politics* (New York and London: Routledge, 2006)
- Antić Gaber, Milica and Gortnar, Maruša, 'Gender Quotas in Slovenia: A Short Analysis of Failures and Hopes', *European Political Science*, 3/3 (2004), pp. 73–9
- Fink-Hafner, Danica, 'Evropske volitve 2004 v Sloveniji – učinkovitost volilnega inženirstva v korist bolj uravnotežene zastopanosti spolov', in Alenka Krašovec (ed.), *Volitve v evropski parlament: res drugorazredne volitve?* (Ljubljana: Fakulteta za družbene vede, 2005), pp. 107–29
- Jalušič, Vlasta and Antić Gaber, Milica, *Ženske – politike – možnosti: Perspektive politike enakih možnosti v srednji in vzhodni Evropi* [Women – politics – equal opportunities: Prospects for gender equality politics in Central and Eastern Europe], Zbirka Politike (Ljubljana: Mirovni inštitut, Inštitut za sodobne družbene in politične študije, 2001)
- Državna volilna komisija, State Electoral Commission, <<http://www.dvk.gov.si/>>
- Governmental offices for communication, <<http://www.ukom.gov.si/slo/koledar/volitve-e-parlament/o-volitvah/kandidatne-liste/>>
- Statistical Office of the Republic of Slovenia, *Lokalne volitve 1994–2006* [Local elections 1994–2006], Ljubljana, April 2007
- Local elections 2006, results, <http://www.stat.si/pxweb/Database/Splosno/06_volitve/06566_lok_volitve/06590_vol_obc_sveti_2006/06590_vol_obc_sveti_2006.asp>
- Resolucija o nacionalnem programu enakosti moških in žensk 2005–2013 [Resolution on the National Program for Equal Opportunities for Women and Men, 2005–2013], <<http://www.uradni-list.si/1/objava.jsp?urlid=2005100&stevilka=4350>>
- Statistical Office of the Republic of Slovenia, <http://www.stat.si/pxweb/Database/Splosno/06_volitve/06566_lok_volitve/06568_vol_obc_sveti/06568_vol_obc_sveti.asp>
- State Statistical Office, <<http://www.stat.si/pxweb/Dialog/Saveshow.asp>>
- Ustava Republike Slovenije [Constitution of the Republic of Slovenia], <<http://www.dz-rs.si/?id=150&docid=28&showdoc=1>>
- Ustavni zakon RS, *Uradni list RS*, št. 69/2004, z dne 24.06.2004, <<http://www.uradni-list.si/1/objava.jsp?urlid=200469&stevilka=3090>>
- Zakon o enakih možnostih žensk in moških [Law on equal opportunities of women and men], *Uradni list RS*, 59/2002, <<http://www.uradni-list.si/1/objava.jsp?urlid=200259&stevilka=2837>>
- Zakon o lokalnih volitvah [Law on local elections], *Uradni list RS* 72/2005, <<http://www.uradni-list.si/1/objava.jsp?urlid=200572&stevilka=3215>>
- Zakon o volitvah v Državni zbor RS [Law on election to the National Assembly], *Uradni list RS* 109/2006, <<http://www.dz-rs.si/index.php?id=101&cl=V&mandate=-1&o=30&unid=SZ|C12563A400338836C12571A90028BAE8&showdoc=1>>

Case study

Spain: towards a more gender-equal state

Christina Alnevall

1. Historical background and context

Of all the Western democracies, Spain has witnessed one of the largest rises in female participation in Parliament since the 1970s (Caul Kittilson 2006: 139), gaining 30 percentage points from 6.0 per cent in the first democratic election in 1977 to 36.3 per cent in the last election in March 2008. However, Spain is a relatively young democracy, formed after the death of General Francisco Franco in November 1975, and women's political representation had no obvious position on the general political agenda initially but has slowly gained importance. Today it is a prominent issue with high priority, and was accentuated on 22 May 2007, when a gender quota law for public elections at all levels in Spain was approved. At the national level, Spain elects a legislature, the General Courts (Cortes Generales), which consists of two chambers, the Congress of Deputies (Congreso de los Diputados) and the Senate (Senado). The Congress and the Senate serve simultaneous terms which run for a maximum of four years. Different electoral systems are used for the two chambers, with proportional party closed lists being used for elections to the Congress of Deputies and the Senate being elected by partial Bloc Vote. However, both are elected on a provincial basis. Spain is divided into 17 autonomous communities (*comunidades autónomas*) and two autonomous cities, Ceuta and Melilla, all with different levels of autonomy (*autogobierno*). These in turn are divided into 50 provinces (*provincias*).

Historically, the Spanish women's movement has been weak and has not had much mass media coverage. During the transition to democracy the relationship between the feminist movement and mainstream politics was raised in most feminist meetings. Most feminist groups were close to the political left but there was a split between those who relied on the state as a collaborator and those who did not. Some feminists argued the importance of having more women in decision-making positions. Other feminists were much more suspicious about the state as the place to work for greater gender equality since it actively contributed to the maintenance of unequal gender relations. The section of the movement which believed in cooperation with the state and believed that state policy could improve the status of women gave high priority to women's political representation. Nevertheless, despite its relative weakness, the women's movement and feminist lobbies have been the main actors in the rise of women in party politics and quotas for women (Threlfall 2007: 1078).

2. The origins of quota provisions and debates

Until the creation of the Women's Institute (WI, Instituto de la Mujer) in 1983, the main central-state-level women's policy office in Spain, there was no possibility of a women's policy agency intervening in the debate, and the debates took place mostly within the political parties. The WI had five broad goals: to promote policy initiatives for women; to document and study all aspects of women's situation in Spain; to monitor the implementation of policy directed towards women; to administer women's complaints about discrimination; and to inform and increase women's knowledge about their rights (Valiente 2005: 181). However, women's political representation was one of the high priorities from the very beginning. The debate in the WI took place at the same time as a similar debate was being conducted within the Spanish Socialist Workers' Party (PSOE,

Partido Socialista Obrero Español) and in some cases the persons involved were the same, that is, members of the WI played a role as 'insiders' in the debate about quotas for women within the PSOE (Valiente 2005).

Since the 1980s the public debate in Spain on women's political representation has had four general characteristics (Valiente 2005). First, the debates have taken place mainly within the political parties, where the more left-oriented parties have been the main actors and the conservatives, the People's Party (PP, Partido Popular), have remained strongly against quotas for women. Second, women's political representation was not discussed jointly until the late 1990s since there was a general reluctance to raise constitutional issues. Third, the debates about political representation were mainly conducted at the central-state level. Fourth, references were made to experiences internationally, which included both successful cases, such as the Nordic countries, and failures, such as France in the early 1980s and Italy in 1993⁵⁶.

Left-wing political parties were more open to discussing the topic of women quotas and thus offered a favourable setting for feminist advocates of quotas for women from the very beginning, as they have since. Conservative politicians openly opposed quotas for women (Valiente 2005: 183). In the discussions of quotas for women of the 1990s, opponents of mandatory quotas said that they were unconstitutional. However, if these arguments are to be fully understood they have to be put in a national context. The new constitution (after the dictatorship) was agreed on in 1978, and after that most policy actors were unwilling to reform the constitution since it was the outcome of a process of negotiation and compromise by the central parties in the transition to democracy. As a result, constitutional issues could only reach the public political agenda with difficulty.

Three debates on political representation and electoral quotas for women

According to political scientist Celia Valiente (2005: 174–7), the WI and the PSOE women's secretariat were able to put forward the goal of the Spanish women's movement to raise the number of women in elected positions and to gender the frame of the debates on political representation. Three debates took place which originated from three discussions within the PSOE on women's representation, two of which resulted in a commitment to raise the number of women.

The first debate concerned the initiative and the endorsement of a 25 per cent quota for women in the PSOE. It started as early as the 1970s but accelerated during the 1980s as feminists within the party focused on the low presence of women in the party elite and in decision-making positions. In the general elections in 1977, 1979, 1982 and 1986, the percentage of female deputies was only 6 per cent and the presence of PSOE female politicians in those four years amounted to 9, 5, 9 and 7 per cent, respectively (Valiente 2005: 178). Feminists within the party pressed for an internal party debate, which resulted in a proposal for a 25 per cent quota for women for internal party positions and on the party's electoral lists being discussed at the PSOE federal congress in January 1988⁵⁷. This first debate mainly focused on questions regarding the low political representation of women. The debate was focused largely around questions regarding democracy and democratic deficit, but the more general debates about democracy in Spain involved a range of other issues since the democratisation process which took place took up much attention and energy. In this context, women's political representation had low priority on the public political agenda.

⁵⁶ In 1993 two quota regulations were introduced in Italy. The first stated that neither sex could account for more than 75 per cent of the names on a party list, and the second that male and female candidates shall alternate on the list for any election. However, in 1995 the Constitutional Court repealed the law and declared it unconstitutional on the basis that it violated the legislation on equal treatment. Yet Italy introduced a legal quota system for the European Parliament elections in 2004, Law no. 90 of 8 April 2004: 'neither of the two sexes may be represented by more than two-thirds of the candidates'. Party reimbursement will be reduced in case of no-compliance. This law is valid for ten years (<<http://www.quotaproject.org/displayCountry.cfm?CountryCode=IT>>). On France, see the case study in this report.

⁵⁷ Partido Socialista Obrero Español, Secretaría de Participación de la Mujer 1988: 1, quoted in Valiente 2005: 178.

Advocates for quotas for women lobbied inside the PSOE by using arguments such as that women were discriminated against, and that this was the main reason why they were not represented to a greater degree. Opponents claimed that the reason was a question of there not being sufficient and competent women for these positions, that is, there was a shortage of women with the qualifications and ambition needed to reach decision-making positions. The argument raised was that mandatory quotas for women would not solve the problem of the under-representation of women at this level (Threlfall 2001: 4). Even so, the PSOE feminists believed and were optimistic that the left-wing parties, because of their general commitment to equality, would therefore be more favourably disposed to quotas for women (Bustelo 1979: 14, quoted in Valiente 2005: 179). The debate was also influenced by the fact that the Socialist International recommended member parties to adopt measures to increase the number of women in political decision-making positions (Threlfall 2001: 5). At the PSOE federal congress in 1988 a 25 per cent quota for party positions and electoral lists was passed. During the years that followed, the proportion of female PSOE MPs increased gradually, from 7.1 per cent in 1986 to 17.1 per cent in 1989 (Verge 2006a).

The second debate concerned the approval of a 40 per cent quota for women in the PSOE and took place between 1992 and 1997. After the European Summit of Women in Power in Athens in 1992, the PSOE feminists took the concept of 'parity democracy' back home and started to use it in the national debate. As a result, they brought pressure to bear for the quota for women to be increased from 25 to 40 per cent. As a consequence, the PSOE federal congress in 1997 discussed and approved an increase of the internal and electoral party quota for women to 40 per cent (Partido Socialista Obrero Español 1997: 207). The percentage of female PSOE deputies increased from 17.6 per cent in 1993 to 27.7 per cent in the 1996 election, and then to 36.8 per cent in 2000. However, the percentage of female PSOE senators fell, from 23 per cent to 17 per cent, between 1996 and 2000, although it rose again to 27 per cent in 2004 (Instituto de la Mujer 1997a: 98–99; 2002; 2004).

In the spring of 1996, when the conservative People's Party came to power, the topic of political representation took on very low priority in the Women's Institute since the PP decided to replace the director with a civil servant who had no ties with the feminist movement and no experience of the policy area of women's rights (*Mujeres* 22/5 (1996)). Conservative politicians were openly opposed to quotas for women and presented arguments against quotas. However, they could never interfere in the debate within the PSOE, and consequently the strength of the counter-movement can be considered as moderate (Valiente 2005: 183).

However, in the 1990s a Spanish parity movement started and developed, and many well-known feminist groups and associations joined, such as the Federation of Progressive Women (Federación de Mujeres Progresistas) and the Dolores Ibárruri Foundation (Fundación Dolores Ibárruri), among others. The approval of an increase in the quota for women within the PSOE coincided with the goals of the branch within the feminist movement working with parity issues.

The third debate started in August 1998 when the PSOE announced that it would submit a bill to reform the 1985 General Electoral Act (Ley Orgánica 5/1985, de 19 de junio, del Régimen Electoral General), the modification consisting of a requirement on all political parties that they make up their electoral lists with no more than 60 per cent names of the same sex. The governing conservative party, the PP, opposed the proposal, but the left-wing United Left (Izquierda Unida, IU) supported the idea (*El País*, 31 August 1998, in Valiente 2005: 187).

The arguments for mandatory quotas focused on concepts such as democracy and justice: in an authentic democracy, women, who constitute half of the population, should be represented in fair proportions. Some advocates also argued that gender parity in legislative bodies would give different and more positive policy outcomes. The counter-arguments pointed out the need for a 'fair' and 'neutral' process in which the 'best' people could be elected, while others claimed that

there were unconstitutional aspects to mandatory quotas. The bill to reform the 1985 General Electoral Act was submitted in November 2001. In April 2003 it was debated and rejected, and the arguments still concerned questions regarding unconstitutional aspects⁵⁸.

3. The adoption of quota provisions

In the 2004 general election the PP lost to the PSOE, and its leader and appointed prime minister, José Luis Rodríguez Zapatero, nominated the first Spanish government ever to have the same number of female and male ministers. Gender equality was placed on the public political agenda in a new way and the debate which had been initiated in 1998 about changes in the General Electoral Law won renewed attention. On 22 March 2007, the General Act on Equality between Women and Men (*Ley Orgánica 3/2007 para la Igualdad Efectiva de Mujeres y Hombres*) was approved. It is an extensive and comprehensive law which covers many areas of Spanish society. Among other things, it modified the 1985 General Electoral Act with the goal of securing a 40 : 60 equilibrium of both sexes in political representative posts (Spanish Ministry of the Interior 2007: 3).

The change in the General Election Law, and thereby a change in favour of women's political representation, was not debated to any extent. One reason for this may be that the number of female politicians had already increased in accordance with the 40 per cent quota. The increase in the numbers of female deputies in the Spanish Congress followed the PSOE's adoption of quotas for women and had already reached 36 per cent. Table 31 also shows that the party quota adopted within the PSOE in 1988 and 1997 resulted in numerical jumps, which were followed by increases in the number of female deputies in the other two largest political parties, the People's Party and the United Left.

⁵⁸ For the complete debate, see <<http://www.congreso.es/portal/page/portal/Congreso/Congreso/Intervenciones/>>.

Table 31. The percentage and number of women deputies in Spain, 1977–2008, for the three largest political parties or coalitions

Numbers are within brackets.

	1977– 79	1979– 82	1982– 86	1986– 89	1989– 93	1993– 96	1996– 2000	2000– 04	2004– 08	2008– 12
PSOE	6.8% (8)	5.0% (6)	6.9% (14)	7.1% (13)	17.1% (30)	17.6% (28)	27.7% (39)	36.8% (46)	46.3% (75)	42.3% (71)
PP	6.3% (1)	11.1% (1)	0.9% (1)	5.9% (5)	10.4% (11)	14.9% (21)	14.3% (22)	25.1% (46)	28.4% (42)	30.7% (47)
IU	15.8% (3)	8.7% (2)	0.0% (0)	0.0% (0)	11.0% (2)	22.0% (4)	33.0% (7)	25.0% (2)	40.0% (2)	0% (0)
Total % of female deputies	6.0%	5.0%	5.9%	8.4%	13.9%	16.0%	24.0%	28.3%	36.0%	36.3%

Sources: Verge, Tania, ‘Mujer y partidos políticos en España: las estrategias de los partidos y su impacto institucional, 1978–2004’, *Revista Española de Investigaciones Sociológicas*, 115 (2006), pp. 165–96; Verge, Tania, ‘De la cuota a la democracia paritaria: Estrategias partidistas y representación política de las mujeres en España’, *Política. Revista de Ciencia Política*, 46 (2006), pp. 107–39; Instituto de la Mujer (2008); <<http://www.congreso.es/portal/page/portal/Congreso/Congreso/Diputados>>.

The PP was the only party that was negative to the modification of the 1985 General Electoral Act on 22 March 2007, even if it agreed on the need for more women in public politics. Its arguments were that quotas are unnecessary, since Spain was already high on the ranking list of women’s political representation worldwide, and the parties should be free to choose where to place women on the electoral lists⁵⁹.

Today’s United Left was created in 1986 by the association of the Communist Party and other parties to the left of the PSOE. An internal debate resulted in the 1989 commitment to a quota for women, of 30 per cent for internal party positions and on the party electoral lists. Later this debate resulted in a 35 per cent quota being adopted in 1990 and a 40 per cent quota being adopted in 1997 (Ramiro 2000: 225–6). This development can be noticed in the increasing numbers of female IU representatives in table 31). In addition, five regional parties in Spain have adopted a 40 per cent quota for either sex – the Socialist Party of Catalonia (Partit dels Socialistes de Catalunya) since 2000, the Initiative for Catalonia-Green (Iniciativa per Catalunya-Verds) since 2002, the Republican Left of Catalonia (Esquerra Republicana de Catalunya) since 2004, the Nationalist Galician Bloc (Bloque Nacionalista Galego) since 2002, and the Canarian Coalition (Coalición Canaria) since 2000.

Legislated quotas

The political representation of Spanish citizens at the central-state level is regulated in general terms by the constitution and detailed by the 1985 General Electoral Act. As mentioned above, the 2007 General Act on Equality Between Women and Men modified the 1985 General Electoral Act with the aim of securing a sufficiently significant number of both sexes in political representative posts (Spanish Ministry of the Interior 2007: 3). The law is so framed that no sex can be represented with more than 60 per cent, and, consequently, no less than 40 per cent, on the electoral lists. Quotas are applied not only to the whole party list but also to every five posts. If the number of eligible posts is less than five, the list must be as close as possible to the 40 : 60 equilibrium.

Article 44 *bis* of the General Act on Equality states that the ‘lists of candidates for Congressional, Municipal, Island Councils (*Consejos Insulares*) and Canary Island Councils (*Cabildos Insulares Canarios*) elections under the provision of this Act, as well as for the European Parliament and regional

⁵⁹ Camarero Benítez, MP for the PP, speech in the Chamber of Deputies on 22 March 2007.

legislative assembly elections, must have a balanced presence of women and men, with each of the sexes accounting for at least 40 per cent of the total number of candidates on the list'. Furthermore, the article states that the 'regional laws governing the electoral systems for regional legislative assembly elections may establish measures favouring a greater presence of women in the lists of candidates submitted for such elections'. When candidates for seats in the Senate 'are grouped in lists ... such lists must also maintain a balanced presence of women and men, so that the proportion of each is as close to numeric balance as possible'.

Moreover, every municipality or island which has more than 5,000 inhabitants, and, after 2011, all municipalities larger than 3,000 inhabitants, have to have at least 40 per cent of each sex in every set of five names on the electoral lists. A 'balanced composition on the electoral lists' is required for elections at all levels – to the Congress, local elections, to the legislative assemblies of the autonomous regions and the island councils, to the Canary Island councils and to the European Parliament. For candidatures for the Senate, which uses a four-member plurality system requiring voters to choose individual candidates, the lists 'should consist of an equal composition of women and men' (Spanish Ministry of the Interior 2007: 7). Party lists that do not comply with the quota system will not be approved by the EMB and parties are given a short period to revise their lists.

The Spanish government's arguments in favour of the changes to the General Election Law were to 'improve the quality of the political representation' and by that to improve 'our own democracy', but references are also made to the commitment with the EU which has declared equality to be a 'fundamental principle for all policy and actions of the Union and the Member States' (Spanish Ministry of the Interior 2007: 4).

4. The implementation of quota provisions

The changes in the General Election Law in March 2007 were first put into practice in the local elections in May 2007 and later in the national election in March 2008. However, the impact has not been significant since the number of women was already high (see tables 32 and 33). There has not yet been an election to the European Parliament since the election law was modified. From 2004, 17 of the Spanish MEPs, or 47.1 per cent, are women.

Table 32. The percentage of women elected in national elections in Spain, two most recent elections

	2004	2008
Chamber of Deputies	36.0	36.3
Senate	25.1	27.8

Source: Verge, Tania, 'Mujer y partidos políticos en España: las estrategias de los partidos y su impacto institucional, 1978–2004', *Revista Española de Investigaciones Sociológicas*, 115 (2006), pp. 165–96.

Table 33. Municipality elections in Spain: women's political representation at the two most recent elections

2003	Percentage of women	2007	Percentage of women
Teruel	43.1	La Rioja	44.8
Ciudad Real	40.2	Madrid	43.1
Cuenca	38.8	Albacete	42.5
Madrid	38.6	Salamanca	42.3
La Rioja	38.5	Huelva	42.1
Palecia	37.7	Guadalajara	41.8
Córdoba	37.0	Ciudad Real	41.6
Ceuta	36.0	Illes Balears	41.3
Melilla	36.0	Almería	41.3
Alicante	35.9	Valladolid	41.3
Pontevedra	24.3	Zaragoza	33.9
A Coruña	23.3	Soria	31.9
Lugo	22.6	Girona	31.8

Note: these are the top ten provinces and the bottom three.

Source: Spanish Ministry of the Interior, *Elecciones Locales 2007: Impacto de la Ley Orgánica 3/2007, de Marzo 22, para la Igualdad Efectiva de Mujeres y Hombres* (Madrid: Gobierno de España/Ministerio del Interior, 2007).

5. The outcome of quota implementation

The first election held after the new gender equality law, and its effect on the General Electoral Act, took place in May 2007 when municipality elections were held. It resulted in 39.4 per cent female members and 60.6 per cent male members of the regional parliaments (*concejalas*), which should be compared with the result of the 2003 election, when the shares of women and men were 32.3 per cent and 67.7 per cent, respectively. At the national level the quota system had no effects on women's political representation, which was 36.3 per cent female deputies (*diputadas*) in 2008 compared to 36.0 per cent in 2004 in the Congress of Deputies, and 27.8 per cent female senators (*senadoras*) in 2008 compared to 25.1 per cent in 2004.

The gender equality law has no legal effects concerning quotas for women or reserved seats in the private sector. However, the 'spirit' of the speech of Prime Minister Rodríguez Zapatero on 22 March 2007 was to remove the obstacles to the effective participation of women in all public and private arenas. He expressed a wish to see more women in decision-making positions not only in public politics but also in the private sector.

6. Conclusions

The debate on women's political representation developed principally, but not exclusively, on the left wing of the political spectrum (Threlfall 2007: 1077). The debates were greatly influenced by a feminist lobby and the work of party feminists inside the PSOE which led to electoral quotas being adopted by the party in 1988 and in 1997. On 22 March 2007, the General Act on Equality between Women and Men was approved, which in turn modified the 1985 General Electoral Act to guarantee at least 40 per cent women in elected positions at all levels in Spain. The Spanish women's movement, the PSOE women's secretariat and initially also the Women's Institute were the crucial actors in the process of getting quotas for women approved. However, the response of successive PSOE leaders, Felipe Gonzalez and José Luis Rodríguez Zapatero, was also important. Since there has only been one election since the General Election Law was modified, it is still too early to draw any comprehensive conclusions. The results of that first election since the adoption of legislated quotas show small changes in women's political representation. Nevertheless, the percentage of female political representatives in Spain is higher than that in many other European countries.

References

- Bustelo, Carlota, *La alternativa feminista* [The feminist alternative] (Madrid: Partido Socialista Obrero Español, 1979)
- Caul Kittilson, Miki, *Challenging Parties, Changing Parliaments: Women and Elected Office in Contemporary Western Europe* (Columbus: Ohio State University Press, 2006)
- Instituto de la Mujer, *Las mujeres en cifras* (Madrid: Instituto de la Mujer, 2008)
- Instituto de la Mujer, *Las mujeres en cifras* (Madrid: Instituto de la Mujer, 2004)
- Instituto de la Mujer, *Las mujeres en cifras* (Madrid: Instituto de la Mujer, 2002)
- Instituto de la Mujer, *Las mujeres en cifras 1997* (Madrid: Instituto de la Mujer, 1997)
- Partido Socialista Obrero Español, *Resoluciones aprobadas por el 34 Congreso Federal* (Madrid: PSOE, 1997)
- Partido Socialista Obrero Español, Secretaría de Participación de la Mujer, *Mujer-Hombre: 125 medidas para la igualdad* (Madrid: PSOE, 1988)
- Ramiro, Luis, 'Incentivos electorales y límites organizativos: Cambios y elección de estrategias en el PCE e IU, 1986–1999', PhD dissertation, Department of Political Science, European University Institute, Florence, 2000
- Spanish Ministry of the Interior, *Elecciones Locales 2007: Impacto de la Ley Orgánica 3/2007, de Marzo 22, para la Igualdad Efectiva de Mujeres y Hombres* (Madrid: Gobierno de España/Ministerio del Interior, 2007)
- Threlfall, Monica, 'Women and Political Participation in Spain', in Lesley K. Twomey (ed.), *Women in Contemporary Culture: Roles and Identities in France and Spain* (Bristol: Intellect Books, 2001)
- Threlfall, Monica, 'Towards Parity Representation in Party Politics', in Monica Threlfall, Christine Cousins and Celia Valiente (eds), *Gendering Spanish Democracy* (New York: Routledge, 2005)
- Threlfall, Monica, 'Explaining Gender Parity Representation in Spain: The Internal Dynamics of Parties', *West European Politics*, 30/5 (2007), pp. 1068–95
- Valiente, Celia, 'The Women's Movement, Gender Equality Agencies and Central-state Debates on Political Representation in Spain', in Joni Lovenduski (ed.), *State Feminism and Political Representation* (Cambridge: Cambridge University Press, 2005)
- Verge, Tania, 'Mujer y partidos políticos en España: las estrategias de los partidos y su impacto institucional, 1978–2004', *Revista Española de Investigaciones Sociológicas*, 115 (2006), pp. 165–96 (2006a)
- Verge, Tania, 'De la cuota a la democracia paritaria: Estrategias partidistas y representación política de las mujeres en España', *Política: Revista de Ciencia Política*, 46 (2006), pp. 107–39 (2006b)

Case study

Sweden: small steps, big consequences

Lenita Freidenvall

1. Historical background and context

In worldwide comparisons of women in national parliaments, Sweden and the other Nordic countries are regularly ranked at the top of the lists. Today, in 2008, Sweden is ranked number two, after Rwanda, on the world ranking list, with women currently making up 47 per cent of the membership of the national Parliament (see <<http://www.ipu.org>>).

At the same time as Sweden is recognised for its high representation of women in politics, it should be noted that the process leading to this recognition began 40 years ago. Since universal and equal suffrage was introduced in 1921, the proportion of women parliamentarians has gradually increased to the current level of 47 per cent (2006), with a take-off phase in the 1970s when the 20 per cent threshold was passed for the first time. And since the 1970s the proportion of female Cabinet ministers has increased from 10 per cent to more than 40 per cent in 2006.

Contrary to common belief, no constitutional clause or electoral law requires any specific level of representation for women in elected bodies. Rather, the increase can be attributed to sustained pressure by political parties and women's groups within parties and in society. Also, some political parties, although not all, have introduced voluntary party quotas. However, these measures were introduced from the late 1980s when the proportion of women parliamentarians already exceeded 30 per cent. The take-off in the increase in women's representation occurred in the 1970s, before any voluntary party quotas were adopted. It was not until 1993 that the Social Democratic Party adopted the 'zipper' system, by which women and men alternate on the electoral lists.

2. The origins of quota provisions and debates

Even if voluntary party quotas for women were introduced fairly late in Sweden – in the late 1980s and early 1990s – debates on quotas have been going on for a long time. As early as 1928, the National Federation of Social Democratic Women proposed to the Social Democratic Party congress the adoption of gender quotas so that women would be placed in winnable positions on the electoral lists (Karlsson 1996). The proposal was rejected on the basis of the idea that all positions in the party and all positions on the electoral lists should be based on equal opportunity and subject to open competition. Over the next 50 years, party women and women organised in the women's sections of the political parties continued to mobilise, recruit and nominate women. Even if calls for quotas were heard within some women's federations, most women and men were against their introduction. Quotas were seen as a special measure in conflict with the fundamental principles of equal opportunity for all and of merit as the legitimate differentiating criterion in selection processes. They were thus seen as a form of reverse discrimination against men; and they were also seen as an unjustified limitation of party members' right to select their own representatives and an illegitimate constraint on the sovereignty of local party organisations in the composition of electoral lists (Freidenvall 2006).

Gradually, the view of quotas changed, especially within the women's federations, which were dissatisfied with the pace at which the number of women elected was increasing (Freidenvall 2006). In 1970, almost 50 years after women's enfranchisement, women's representation in the Swedish

Parliament had just passed 10 per cent. Although there were still internal disagreements over the issue of gender quotas, quotas were identified as a reasonable solution, but one that should be used as a last resort. If geography, occupation and age were important selection criteria, why not gender? the women's federations argued. The under-representation of women in elected bodies and all male assemblies was – to a much greater extent than before – seen as an effect of deficiencies in the functioning of democracy (Dahlerup 1998).

The adoption of party quotas was begun at the local level, in particular by some local branches of the Social Democratic Party. In Stockholm, for instance, the local Social Democratic Party introduced a principle according to which a woman was placed in every third position on the electoral list for the municipal elections of 1968 and 1970. Another example is Järfälla, a municipality on the outskirts of Stockholm, where the local Social Democratic Party selected women for all new positions. For the local election in 1970 in this municipality, the party's list alternated women and men from the 11th seat onwards; for the local election in 1973, the list alternated from the fifth seat onwards; and for the local election in 1976, the entire list alternated.

3. The adoption of quota provisions

In the 1970s, pressure to increase women's political representation was being applied to all political parties. The turning point came in 1972, when the leaders of the Social Democratic Party and the Liberal Party challenged each other in order to win women's votes. While Social Democratic Party leader and Prime Minister Olof Palme promised to establish a Gender Equality Unit within the Cabinet to deal better with gender equality issues, Liberal Party Leader Gunnar Helén introduced a formal recommendation within the party that internal party boards and committees be made up of a minimum of 40 per cent of either sex. This competition between the Social Democratic Party and the Liberal Party set the snowball in motion.

In the course of the 1970s, all the political parties tried to outbid each other and introduced special measures – such as targets and recommendations – to ensure increased representation of women in elected bodies at all levels, national, regional and local (Wängnerud 2001). However, it was not until the number of women elected to Parliament had passed the 30 per cent threshold that some parties responded by introducing voluntary party quotas – first the Green Party and the Left Party in 1987, and then the Social Democratic Party in 1993 (Freidenvall 2006).

The introduction of voluntary party quotas should also be understood as a response to debates on legislated quotas in the public service in the 1980s. In 1987, a commission of inquiry appointed by Anita Gradin, the minister for gender equality, suggested that the government adopt targets to improve the proportion of women on state boards and committees (Bergqvist 1994). Several arguments for and against quotas were outlined, and it was concluded that quotas represented the only way to overcome inequality. Only through legislation could a balance between women and men in public bodies be ensured. As a concession to political parties and trade unions that opposed the adoption of legislated quotas, the commission's final report suggested that women's representation on state boards and committees should reach 30 per cent by 1992, 40 per cent by 1995 and 50 per cent by 1998. If these goals were not achieved, the question of quotas should be followed up. The proposal for a law on quotas was consequently replaced by the threat of a law on quotas.

3.1. Voluntary party quotas

In 1981, when it was established, the Green Party adopted internal gender quotas, stipulating a minimum of 40 per cent of either sex on internal boards and committees as well as a joint male/female chair of the party. This provision was extended in 1987 to include a minimum of

40 per cent of either sex on the party's electoral lists as well. In 1997, the quota provision was extended to 50 per cent of either sex on electoral lists, plus or minus one person.

In 1987 the Left Party adopted a quota policy of at least the same proportion of women on electoral lists as women party members in the electoral district. This policy was extended in 1990 to a minimum of 40 per cent of either sex on the electoral lists and in 1993 to a minimum of 50 per cent women on the electoral lists.

In 1993, the Social Democratic Party – by far the largest party – adopted gender quotas in the form of the zipper system, by which women and men alternate on the electoral lists – the so-called 'Every other for the ladies'. Previously, the party had introduced party targets, such as the recommendation from 1987 for a minimum representation of 40 per cent of either sex at all levels within the party. In 1990, this policy was extended to 'an equal representation of the sexes'.

In these three political parties, no sanctions were provided for in case of non-compliance.

An unanticipated decrease from 38 to 34 per cent female parliamentarians in the 1991 general election contributed to a renewed and revitalised discussion of women's political representation. This decrease, together with the threat posed by the feminist network the Support Stockings, which threatened to form a women-only party if the established parties did not present more women candidates on their electoral lists, challenged the political parties. In particular, however, it offered women – in particular women from the Social Democratic Party – a new window of opportunity finally to get their demands for quotas implemented.

3.2. Soft quotas

The political parties to the right and in the centre did not introduce voluntary party quotas. Rather, they preferred non-mandatory targets or minimum recommendations, so-called soft quotas. In 1972, the Liberal Party adopted a recommendation that all party boards and committees be composed of at least 40 per cent of members of each sex. In 1974, this recommendation was extended to cover its electoral lists as well. In 1984, this recommendation was extended to include alternated lists at general elections. The Christian Democratic Party followed a similar path, introducing a recommendation for a minimum of 40 per cent of members of each sex on its electoral lists in 1987.

In 1996 the Centre Party decided on a goal of equal representation of women and men on its electoral lists, while leaving the final decision on the composition of lists to the nomination committees. The same was the case for the Conservative Party, which in 1993 decided on a goal of equal representation. To these parties, equal representation of women and men is often defined as a minimum of 40 per cent of either sex. In 2007, the Conservative Party introduced a recommendation stipulating that the top four positions on the electoral list for the European Parliament election in 2009 must comprise an equal number of women and men.

Thus, in Sweden all the political parties have adopted special measures to increase the number of women in elected bodies at all levels of government, ranging from non-mandatory general goals and recommendations to voluntary party quotas. All these measures were introduced step-wise, usually first targeting the internal party boards and committees and then the electoral lists, and were gradually strengthened. Voluntary party quotas were introduced when the share of women parliamentarians already exceeded 30 per cent. Thus, the introduction of voluntary party quotas does not explain the high number of women in Swedish politics. Rather, these so-called 'high echelon quotas' function to protect the already high level of representation against any backlash (Freidenvall et al. 2006: 56).

4. The implementation of quota provisions

To what extent have voluntary party quotas been implemented by the political parties in Sweden? This section will analyse the implementation of voluntary party quotas in relation to the candidate selection process as well as to the proportion of women on the electoral lists at the national, regional, local and European Parliament levels. The number of women on the party executive boards as well as in high official government positions will also be presented.

4.1. Candidate selection and nomination processes, 1998–2006

In Sweden, candidate selection and the composition of the electoral list are the prerogative of the local party organisations. One of the key concerns of the local party organisations, and particularly their nomination committees, is to ensure that groups and interests that the party perceives itself as representing are represented on the party lists. Parties are conscious of trying to balance their party tickets, ensuring that the list is composed of a certain number of women, union representatives, young candidates, candidates from different parts of the electoral district, and so on. A diverse slate is usually perceived as imperative in appealing to as many voters and different groups of voters as possible, and to guaranteeing party peace among the different fractions within the party. In ticket balancing, thus, the party organisations pay attention to both external and internal pressures.

Table 34 shows the extent to which women have been nominated by the political parties and elected to the Swedish Parliament in the last three elections to the national Parliament. A distinction is made between parties with recommendations (soft quotas) and parties with party quotas.

Table 34. The proportions of women nominated and elected to the Swedish Parliament 1998, 2002 and 2006

Political party	1998		2002		2006	
	Women nominated (%)	Women elected (%)	Women nominated (%)	Women elected (%)	Women nominated (%)	Women elected (%)
<i>Parties with recommendations (soft quotas)</i>						
Conservative Party	37	30	34	40	37	43
Centre Party	42	56	42	50	44	38
Christian Democratic Party	39	40	41	30	45	38
Liberal Party	43	35	41	48	43	50
<i>Parties with party quotas</i>						
Green Party	47	50	44	59	46	53
Social Democratic Party	49	50	49	47	50	50
Left Party	50	42	50	47	50	64
Total	42	43	41	45	45	47

Sources: Freidenvall, Lenita, *Vägen till Varannan Damernas: om kvinnorepresentation, kvotering och kandidaturval i svensk politik 1970–2002* [Every other one for the ladies: on women's political representation, gender quotas and candidate selection in Swedish politics 1970–2002], PhD dissertation, Stockholm University, 2006); official electoral statistics.

As table 34 illustrates, the proportion of women and men in the Swedish Parliament is close to a 50 : 50 gender balance, with 47 per cent female parliamentarians as of 2006. While the proportion of female parliamentarians is comparatively high in all the political parties, it is higher in parties with

voluntary party quotas than in parties that do not have party quotas. The rejection of quotas in the right and centre parties has been followed by various measures to improve women's representation – and thereby to prove that quotas are unnecessary. An analysis of the 2002 nomination process shows that the issue of gender balance in list composition is taken for granted within quota parties (Freidenvall 2006). In non-quota parties, however, gender balance is indeed identified as an important value, but not necessarily more important than other values, such as the right of local party organisations to decide their own lists. This indicates that the promotion of gender balance needs to be negotiated within non-quota parties.

Table 34 also shows that the proportion of women in parties with quotas has remained relatively stable, while it has fluctuated to a greater extent in those parties that do not have quotas. For instance, the share of women in the Centre Party parliamentary fraction fell by 18 percentage points between 2002 and 2006. A similar pattern can be found in the Christian Democratic Party, with a decrease of 10 percentage points between 1998 and 2002. It should, however, be noted that these two parties are small, and any numerical change in the gender composition of their parliamentary party fractions has great effects in percentage terms.

4.2. Implementation of quota rules and 'soft quotas' on electoral lists

To what extent do the political parties implement their quota rules? Sweden is divided into 29 electoral districts for national elections, and each party presents a party list in each district. Table 35 illustrates the number of party districts that applied the quota rules or the 'soft quotas rules' (recommendations) on their respective party lists.

Table 35. The implementation of quota rules and 'soft quotas' on party lists in Sweden, 2002 and 2006

Political party	No. and % of party districts that applied the quota rule in 2002	No. and % of party districts that applied the quota rule in 2006
<i>Parties with party quotas</i>		
Green Party	22/29 (76%)	22/29 (76%)
Social Democratic Party	23/29 (79%)	22/29 (76%)
Left Party	19/29 (66%)	20/29 (69%)
<i>Parties with recommendations (soft quotas)</i>		
Conservative Party	10/31 (32%)	10/20 (50%)
Centre Party	19/29 (66%)	24/29 (83%)
Christian Democratic Party	16/29 (55%)	23/29 (79%)
Liberal Party	4/33 (12%)	0/29 (0%)

Source: Freidenvall, Lenita, *Vägen till Varannan Damernas: om kvinnorepresentation, kvotering och kandidaturval i svensk politik 1970–2002* [Every other one for the ladies: on women's political representation, gender quotas and candidate selection in Swedish politics 1970–2002], PhD dissertation, Stockholm University, 2006; official electoral statistics.

As table 35 illustrates, most parties that have voluntary party quotas abide by their quota rules. The quota rules were implemented in the majority of all party lists for the national elections in 2002 and 2006. For instance, the zipper system was implemented on 23 and 22 (respectively) of the 29 Social Democratic Party district lists. In the six and seven remaining lists, the zipper system was implemented at the top of the lists, that is, including all safe seats. In some of these cases the zipper system was set aside to the advantage of women by placing two women in a row. Moreover, although a third of the lists of the Left Party did not comply with the quota rule of having more than 50 per cent women on the party list in the 2002 and 2006 elections, only two of its lists included less than 40 per cent women. Similar patterns could be found within the Green Party.

Table 35 also shows the extent to which soft quota rules were implemented by the parties. While a majority of the Centre Party districts (83 per cent) and the Christian Democratic Party districts (79 per cent) implemented their rules in 2006, half of the Conservative Party districts did so. The Liberal Party implemented its recommendation on the zipper system in few of its districts in 2002 and in none of the districts in 2006. However, it is important to note that in a majority of the lists of the Liberal Party the zipper system was applied at the top of the list where the so-called safe candidates are placed. It is also important to note that 69 per cent of the Liberal lists comprised more than 40 per cent women candidates.

4.3. Women in elected bodies: national, regional, local and European Parliament levels

To what extent has the implementation of the quota rules increased the number of elected female politicians at the various electoral levels? Only parties with written quota rules are included in the following discussion.

Table 36. Women in elected bodies in Sweden: national, regional and local levels and the European Parliament

Political party	Quota	Year of introduction	Women elected (%), national Parliament	Women elected (%), county councils	Women elected (%), municipal councils	Women elected (%), European Parliament
Green Party	50%	1987	1985: NA	1985: NA	1985: 43%	1995: 50%
			1988: 45%	1988: 46%	1988: 46%	1998: 50%
			1991: NA	1991: 50%	1991: 41%	2004: 0%
			1994: 56%	1994: 54%	1994: 46%	
			1998: 50%	1998: 51%	1998: 49%	
			2002: 59%	2002: 53%	2002: 45%	
			2006: 53%	2006: 50%	2006: 47%	
Social Democratic Party	50%	1993	1991: 41%	1991: 43%	1991: 37%	1995: 57%
			1994: 48%	1994: 49%	1994: 47%	1998: 50%
			1998: 50%	1998: 49%	1998: 47%	2004: 80%
			2002: 47%	2002: 49%	2002: 47%	
			2006: 50%	2006: 51%	2006: 48%	
Left Party	50%	1987	1985: 16%	1985: 43%	1985: 34%	1995: 33%
			1988: 38%	1988: 43%	1988: 35%	1998: 33%
			1991: 31%	1991: 38%	1991: 38%	2004: 50%
			1994: 46%	1994: 42%	1994: 44%	
			1998: 42%	1998: 57%	1998: 45%	
			2002: 47%	2002: 57%	2002: 47%	
			2006: 64%	2006: 50%	2006: 49%	

Sources: Freidenvall, Lenita, *Vägen till Varannan Damernas: om kvinnorepresentation, kvotering och kandidaturval i svensk politik 1970–2002* [Every other one for the ladies: on women's political representation, gender quotas and candidate selection in Swedish politics 1970–2002], PhD dissertation, Stockholm University, 2006; official electoral statistics.

As table 36 shows, the implementation of voluntary party quotas has been quite successful in all political parties and at all electoral levels. The 40 per cent rule introduced in the Green Party in 1987 resulted in more than 40 per cent women being elected in all elections at all levels over the period 1988–1994 (ranging from 41 to 56 per cent). With the exception of the 2004 election to the European Parliament, when the Green Party received only one seat, the subsequent 50 per cent (plus or minus one person) rule adopted by the Green Party in 1997 resulted in proportions ranging from 45 to 59 per cent in all elections at all levels over the period 1998–2006.

The zipper system (50 per cent) introduced by the Social Democratic Party in 1993 resulted in proportions of elected women ranging from 47 to 51 per cent at all levels and in all elections between 1994 and 2006.

The proportion of women elected within the Left Party fluctuates to a greater extent than it does within the other parties. The 40 per cent rule introduced by the Left Party in 1990 resulted in proportions of women elected ranging from 31 to 38 per cent in the three elections of 1991. The subsequent 50 per cent (women) rule adopted in 1993 resulted in variations between 42 and 64 per cent in the elections between 1994 and 2006. These fluctuations can be explained mainly by the facts that the party is small, with only one safe seat in most electoral districts, and that men topped most of the party lists in these electoral districts. This result highlights the significance not only of the mean district magnitude but also of the number of safe seats for individual parties (Matland 2006; Dahlerup and Freidenvall 2008a).

4.4. Representation of women on party executive boards and within government offices

To what extent are women represented on the political parties' executive boards and in government offices? Table 37 illustrates the proportion of women in party executive boards in 2008.

Table 37. Women on party executive boards in Sweden, 2008

Political party	Women on party executive boards (%), ordinary seats	Gender of party leader
<i>Parties with recommendations</i>		
Conservative Party	53	Male
Christian Democratic Party	41	Male
Centre Party	53	Female
Liberal Party	48	Male
<i>Parties with party quotas</i>		
Green Party	56	Female and male spokespersons
Social Democratic Party	54	Female
Left Party	46	Male
Total	50	

Source: party statistics, 2008.

As table 37 indicates, party executive boards are gender-balanced. In general, there are no dramatic differences in the gender composition of party executives in terms of differences between parties with quotas (average 50 per cent) and parties without quotas (49 per cent). As the table also shows, gender quota rules can also be applied to positions of party leadership: the Green Party has two party leaders, a man and a woman.

Table 38 illustrates the sex distribution among top officials in government offices in 1973, 1985, 1998 and 2006. State secretaries are politically recruited and are the most important associates of the ministers. Top administrators refer to additional senior officials in a ministry, such as the permanent under-secretary and under-secretary for legal affairs.

Table 38. Women as top officials in government offices in Sweden in 1973, 1985, 1998 and 2006

Position	1973 Women (%)	1985 Women (%)	1998 Women (%)	2006 Women (%)
Cabinet ministers	11	25	50	45
State secretaries	–	12	35	36
Top administrators	2	11	17	36

Source: Statistiska Centralbyrån (Statistics Sweden), *Gender Equality Statistics in Sweden* (Stockholm: Statistiska Centralbyrån, 2006).

As table 38 shows, the proportion of female Cabinet ministers has increased. In 30 years there has been a four-fold increase, from 11 to 45 per cent. In 1994, when the zipper system was introduced by the Social Democratic Party for the first time in a national election and applied by most other parties – either as a party quota rule or as a recommended policy – Ingvar Carlsson, the leader of the winning Social Democratic party, formed the first Cabinet ever in which women and men were equally represented. In 2008, the Cabinet, being a coalition of the four right and centre parties, consists of 10 women and 12 men.

5. Quotas for minority groups and quotas in other arenas

At the same time as Sweden has been recognised for its high representation of women in politics, there are limits to women's political representation in terms of majority as opposed to minority ethnic groups. In the parliamentary election of 2002, 11 of 158 elected female parliamentarians were foreign-born (7 per cent), with corresponding figures being eight out of 191 for men (4 per cent). At the municipal level and the county council level, 7 per cent of the elected women and 6 per cent of the elected men were foreign-born (Statistiska Centralbyrån 2006).

While quotas for minority groups have been rejected, most political parties have started actively recruiting minority groups, and some of them have adopted special measures to increase the number of persons born in non-Nordic countries (Freidenvall 2006). For instance, the Social Democratic Party recommends that each of its party lists should comprise the same proportion of candidates with a minority background as the proportion of minorities in the population of the electoral district. Similar rules can be found in the Left Party and the Green Party. Moreover, candidates with a minority background have been relatively successful in gaining powerful political positions. For example, since 2004, Anna Ibrisagic, born in Bosnia and Herzegovina, has represented the Conservative Party in the European Parliament. In 2004–6, the Social Democrat Ibrahim Baylan, born in Turkey, was the minister for education, and since 2006 the Liberal Nyamko Sabuni, born in Burundi, has been the minister for integration and gender equality. Further systematic studies on the adoption of special measures to redress the question of the under-representation of ethnic minorities are needed.

Quotas on corporate boards have also been debated. In 2002, the minister for gender equality, Social Democrat Margareta Winberg, made a statement on the male dominance on the boards of directors of Swedish companies and stated that by the end of 2004 Swedish companies must have a minimum of 25 per cent women on their boards; otherwise a law on quotas would be introduced. In 2006, a government commission of inquiry proposed the introduction of a quota law similar to the one introduced in Norway in 2006, which prescribes a fixed allocation of board members according to sex, generally defined as 40 per cent of each sex, depending on the number of board members (Dahlerup and Freidenvall 2008b). With the change of government in Sweden in 2006, the issue of quotas on corporate boards has not been prioritised, even if a debate is currently going on in the media on the potential benefits and drawbacks of a law on quotas.

6. Conclusion

As this case study has shown, no constitutional clause or electoral law in Sweden requires any specific level of representation of women in elected bodies. Rather, the almost gender-balanced decision-making bodies can be explained by the sustained pressure by political parties and women's groups within parties as well as the autonomous women's movement. Also, while all the political parties have introduced special measures to increase the proportion of women elected, leading to an almost 50 : 50 gender balance in all political parties, they vary in the extent to which they regard these measures as a recommendation or as a binding rule.

The case study also has shown that the adoption of voluntary quotas tends to result in somewhat higher proportions of women in elected bodies. Moreover, while the number of women elected is fairly stable in the parties with quotas, the issue of women's political representation needs to be negotiated again and again once it is time for candidate selection and list composition in parties that do not have quotas. However, due to both external and internal pressures, all the parties have to show that they can live up to the demands for fair gender representation, with or without formal quotas!

References

- Bergqvist, Christina, *Mäns makt och kvinnors intresse* [Men's power and women's interests] (Uppsala: Uppsala University, 1994)
- Dahlerup, Drude, *Rödströmperne: Den danske Rödströmpebevægelses udvikling, nytænkning og gennemslag*. Vols I–II [The redstockings: the development, new thinking and impact of the Danish Redstocking movement 1970–1985, 2 vols] (Copenhagen: Gyldendal, 1998)
- Dahlerup, Drude (ed.), *Women, Quotas and Politics* (New York and London: Routledge, 2006)

- Dahlerup, Drude and Freidenvall, Lenita, 'Quotas as a "Fast Track" to Equal Political Representation for Women: Why Scandinavia is No Longer the Model', *International Feminist Journal of Politics*, 7/1 (March 2005), pp. 26–48
- Dahlerup, Drude and Freidenvall, Lenita, 'Quotas in Politics: A Constitutional Challenge', in Susan H. Williams (ed.), *Constituting Equality: Gender Equality and Comparative Constitutional Rights* (Cambridge: Cambridge University Press, 2008) (2008a)
- Dahlerup, Drude and Freidenvall, Lenita, *Kvotering* [Quotas] (Stockholm: SNS, 2008) (2008b)
- Freidenvall, Lenita, *Vägen till Varannan Damernas: om kvinnorepresentation, kvotering och kandidaturval i svensk politik 1970–2002* [Every other one for the ladies: on women's political representation, gender quotas and candidate selection in Swedish politics 1970–2002], PhD dissertation, Stockholm University, 2006
- Freidenvall, Lenita, Dahlerup, Drude and Skjeie, Hege, 'The Nordic Countries: An Incremental Model', in Drude Dahlerup (ed.), *Women, Quotas and Politics* (New York and London: Routledge, 2006), pp. 55–82
- Karlsson, Gunnel, *Från broderskap till systerskap* [From brotherhood to sisterhood] (Gothenburg: Göteborgs universitet, 1996)
- Sainsbury, Diane, 'Party Feminism, State Feminism and Women's Representation in Sweden', in Joni Lovenduski (ed.), *State Feminism and Political Representation* (Cambridge: Cambridge University Press, 2005), pp. 195–215
- Statistiska Centralbyrån (Statistics Sweden), *Gender Equality Statistics in Sweden* (Stockholm: Statistiska Centralbyrån, 2006)
- Wängnerud, Lena, 'Kvinnors röst: En kamp mellan partier' [Votes for women: a fight between the parties], in Christer Jönsson (ed.), in *Rösträtten 80 år* [The suffrage: eighty years] (Stockholm: Justitiedepartementet, 2001), pp. 129–46

Inter-Parliamentary Union, <<http://www.ipu.org>>

Case study

The United Kingdom: political parties and quota reform

Mona Lena Krook

1. Overview and summary

Campaigns for gender quotas in the United Kingdom go back more than 20 years. In the light of the FPTP electoral system, quota strategies have focused on the composition of candidate shortlists, the final lists of candidates being considered in each single-member electoral district. In 1993, the Labour Party adopted the most controversial of these policies in the form of all-women shortlists (AWS), which required certain districts to consider shortlists consisting entirely of women. When an industrial tribunal declared this policy illegal in 1996, activists devised other quota strategies, known as ‘twinning’ and ‘zipping’, in the run-up to elections for the new devolved assemblies in Scotland and Wales in the late 1990s. In 2002, the Sex Discrimination Act was amended and AWS were reintroduced.

2. Historical background and gender quota debates

The policies of all-women shortlists, twinning and zipping grew out of earlier efforts to get parties to select more female candidates. The first party to pass a measure was the Social Democratic Party. In 1981, its party congress approved a resolution that at least one woman be included on every candidate shortlist. This was then increased to at least two women per shortlist in the run-up to elections in 1983. Two years later, the Liberal Party passed a similar resolution that at least one woman be included on every candidate shortlist. When the two parties merged to form the Liberal Democrats in 1988, they agreed to retain the policy of at least one woman per shortlist.

The Labour Party first established a goal to nominate more female candidates in 1987, when it decided that in electoral districts where women’s names had been suggested, at least one woman had to be included on the shortlist. In 1989, the party conference approved Composite 54, accepting that quotas were the only way to ensure equal representation at all levels of the party. Yet, despite support for quotas for internal party positions, delegates strongly opposed the use of quotas for the selection of candidates to Parliament (Russell 2003). In contrast, the Conservative Party did not consider any proposals to nominate more female candidates during this period. At a more informal level, the party nonetheless sought to include at least 10 per cent women on its approved list of candidates.

Around this time, Labour women learned about gender quotas in other socialist and social democratic parties across Europe (Short 1996). They distributed a pamphlet at the party conference in 1990, stressing the need for AWS for the selection of candidates to Parliament. In response, the conference agreed to a 40 per cent quota for women in positions inside the party and a target of 50 per cent women among the party’s MPs within ten years or three general elections. Although the party leadership urged local parties to adopt AWS, most parties had already selected their candidates, and thus only one AWS was considered before the 1992 elections (Eagle and Lovenduski 1998). While the party did nominate more women, most of them were placed in unwinnable seats (Russell 2003: 69).

After the party’s loss to the Conservatives, research suggested that a means of expanding support among female voters was to nominate more female candidates. Women inside the party stressed

that any new policy had to target the seats that Labour was likely to win. They concluded that the best policy was to group constituencies regionally and to require that, within each group, AWS be used to select candidates in half of all vacant seats that the party was likely to win, including seats where a Labour MP was retiring. This policy was viewed as a compromise solution that would increase the number of women in safe seats at the same time as preserving some discretion for the local parties, as well as opportunities for men to contest these seats. The proposal was presented to the 1993 party conference as part of a package of proposed changes to the party constitution. The main subject of debate, however, revolved around whether or not to do away with collective voting at party conferences that would transform relations between the trade unions and the party at large, and the proposal to adopt AWS thus did not receive very much public attention, although both reforms were instituted when the package passed.

Once approved, AWS attracted strong criticism within the party (Lovenduski 1997). Noting these objections, party leaders asked constituencies to organise consensus meetings to decide which seats would be subject to AWS. Most managed to comply, although the central leadership did force one constituency to adopt an AWS when the regional meeting failed to agree (Russell 2003). In early 1996, however, the party was forced to abandon the policy following a successful court challenge by Peter Jepson and Roger Dyas-Elliott, two male party members who had sought nomination in districts designated for AWS. Although earlier complaints had been dismissed by the Equal Opportunities Commission, Jepson and Dyas-Elliott brought their case to the Industrial Tribunal in Leeds and argued that their exclusion from candidate selection violated the Sex Discrimination Act (SDA). The Tribunal ruled that the policy of AWS did violate the employment provisions of the SDA because it did not allow men to be considered as candidates in districts designated for AWS. The party leadership decided not to appeal to a higher court (Russell 2000).

3. The adoption and forms of gender quotas

Although AWS were declared illegal in 1996, these controversies had an important effect on the debates and proposals for gender quotas that took place in the late 1990s and early 2000s. When the Labour Party came to power in May 1997, one of the first items on its agenda was the establishment of a Scottish Parliament and a National Assembly for Wales. In the light of the ruling on AWS, which no longer allowed parties to apply positive action in candidate selection, female Labour MPs voiced concerns that women might be excluded unless guarantees for women's representation were explicitly incorporated into the bills on the devolved assemblies. Proposals to this effect were strongly opposed by the government, which pointed to the European Court of Justice and the EU Equal Treatment Directive to argue that it could not guarantee that parties would be free from legal challenge. Like the SDA, the Equal Treatment Directive mandated equal treatment in access to employment and promotion (Russell 2003). Despite these setbacks, women persevered with their demands for representation, leading several parties to consider quotas in candidate selection.

In Scotland, an additional-member electoral system was introduced, with 73 members elected from single-member constituencies and 56 members elected from party lists. All parties but the Conservatives considered positive action, but the only one to adopt a policy was Scottish Labour. Realising that it would win most of its seats in constituency elections, members focused on devising a mechanism to promote the election of women in single-member seats. They proposed 'twinning' districts according to geography and 'winnability' and then selecting a woman as the candidate for one of the constituencies and a man as the candidate for the other. Advocates argued that this system would produce the same results as AWS, but would be more difficult to challenge on the basis of the SDA, as men would not be excluded (Brown et al. 2002; Russell, Mackay and McAllister 2002). The party agreed to adopt this policy on a one-time basis, recognising that incumbency in subsequent elections would make twinning virtually impossible to apply.

In contrast to Labour, the Scottish National Party (SNP) expected to win most of its seats through the regional lists. For this reason, the party's women's organisation suggested 'zipping' the party lists so that they alternated between women and men. This proposal was rejected by a narrow margin by the party conference in 1998 (Bradbury et al. 2000).

In Wales, an additional-member electoral system was also approved, with 40 members elected from single-member constituencies and 20 members elected from regional lists. As in Scotland, all parties except the Conservatives debated positive action. Only Labour and Plaid Cymru decided to adopt formal policies, however. The leaders of Welsh Labour initially expressed strong hostility towards any form of positive action. When the new electoral system was introduced, some suggested using regional lists to compensate for under-representation of women in constituency seats. However, this proposal was quickly dismissed, given that the party expected to win few of the list-based seats. After the British Labour Party conference endorsed 'twinning' as the only feasible option in Wales, delegates to the Welsh party conference approved the measure by a narrow margin (Russell, Mackay and McAllister 2002). Plaid Cymru had never elected a single female MP to Westminster (Russell 2000: 11), but pressure from the women's section led to recommendations that the party adopt the goal of 50 per cent female candidates. It rejected twinning but accepted the need to use the regional lists to compensate for shortcomings in electing women to constituency seats. Party leaders decided that women would occupy the first and third places on the five regional lists so that at least five women would be elected to balance out the four men (Bradbury et al. 2000).

Meanwhile, few parties were able to agree on any form of positive action for women in the run-up to the general elections in 2001. Without AWS, Labour activists worried that local parties would select only men in the seats where sitting Labour MPs were retiring. By early 2000, several female MPs began to call for reform of the SDA to allow parties to pursue positive action. Later that year, the party conference endorsed a plan to allow parties to introduce measures to guarantee the selection of women and people from ethnic minorities in winnable seats. While included in the party manifesto, for the present elections the party simply required gender-balanced shortlists for all vacant seats. The only other party to consider positive action was the Liberal Democrats, who decided to require at least one woman on each shortlist, without any restrictions on actual candidate selection (Russell 2000).

After the elections, the new Labour government submitted the Sex Discrimination (Election Candidates) Bill for debate. The bill did not seek to compel parties to adopt positive action but did aim to exclude from the SDA any act by a political party to reduce inequality in the numbers of women and men elected at any level of political office. Both the Conservatives and the Liberal Democrats decided not to object to the reform, given the permissive rather than prescriptive nature of the bill. It thus passed all stages in both houses of Parliament without a vote – a type of expedited passage normally reserved for entirely non-controversial bills on topics of low public salience (Childs 2002). With little media attention, the bill passed virtually unnoticed into law in February 2002, allowing political parties to employ positive action without any risk of legal challenge when selecting candidates for the House of Commons, the European Parliament, the Scottish Parliament, the National Assembly for Wales, and local government. Unusually, however, the bill contained a 'sunset clause' stating that the act would expire at the end of 2015 – in time for at least three general elections to have taken place – unless a specific order was made to the contrary⁶⁰.

These reforms occurred in time for the second elections to the Scottish Parliament and the National Assembly for Wales. Scottish Labour did not repeat its twinning strategy, but introduced a limited amount of positive action in its list selections by picking women to head its lists in the two areas where it stood the best chance of gaining new seats. The SNP, the Scottish Liberal Democrats

⁶⁰ It is not known exactly why this 'sunset clause' was included. One can speculate, however, that it might have been intended to garner further support for the bill by calling attention to the temporary nature of the reform.

and the Scottish Conservatives, in contrast, all rejected positive action (Russell, Mackay and McAllister 2002). In Wales also, Labour did not repeat its twinning policy, but did decide to apply AWS in half of its vacant constituency seats. Plaid Cymru strengthened its requirements for list elections by reserving the top two seats on all regional lists for women (Russell, Mackay and McAllister 2002). New quota policies were also introduced for local and European Parliament elections. In 2004, the British Labour Party instituted AWS for local elections. Later that year, the Liberal Democrats mandated that at least one of the top three candidates in each regional list, and a third of candidates overall, had to be of each sex, building on the zipping policy that had been adopted for European Parliament elections by the English branch of the party in 1999.

Leading up to the general elections in 2005, all three major parties considered whether to adopt measures to recruit more female candidates. Labour agreed to apply AWS in at least half of all seats where incumbent Labour MPs were retiring, with the goal of electing at least 35 per cent women. The Liberal Democrats considered AWS at their party conference in 2001, but rejected this measure in favour of a target of 40 per cent female candidates in districts where sitting MPs were standing down and seats requiring a swing of less than 7.5 per cent to win. The Conservatives remained much more divided. Some members called on the party to adopt quotas, but even the mild efforts of the party chairman to persuade local parties to select women met with little or no response (Childs 2004; Russell 2003). Six months after the elections, however, the party chose a new leader, David Cameron, who noted, only minutes into his acceptance speech, that it was crucial to change patterns of representation in the party. One week later, he proposed a plan that would involve a ‘priority list’ of aspirant candidates – consisting of at least 50 per cent women and a ‘significant’ proportion of black, minority ethnic and disabled candidates – from which Conservative-held and target constituencies would be required to select their candidates (Campbell, Childs and Lovenduski 2006). By August 2006, the central party executive had drawn up an ‘A list’ of 150 candidates, including nearly 60 per cent women. Due to lack of response, six months later Cameron officially dropped the A-list policy but required local parties to consider gender-balanced shortlists at every stage (*The Times* 24 January 2007).

4. The implementation and effectiveness of gender quotas

All-women shortlists, twinning and zipping have been successful to varying degrees across levels of government in the UK. Although the *Jepson* decision declared AWS to be illegal, the Labour Party was not required to alter any of the selections that took place before January 1996. Women thus made up 25 per cent of all Labour candidates and, following the party’s landslide victory in 1997, made up 24 per cent of all elected Labour MPs (Eagle and Lovenduski 1998: 7). As a result, the proportion of women in the House of Commons increased from 9 per cent in 1992 to 18 per cent in 1997, although the Conservatives and the Liberal Democrats both registered decreases in the number of women elected. This change sprang partly from the use of AWS, as all 35 women selected in this way won their seats. Five other women had been selected to replace sitting Labour MPs after the intervention of the national party, while 11 women won unexpectedly in marginal seats (Russell 2003: 72).

Table 39. Women in parliamentary party delegations in the United Kingdom, 1983–2005

Year	Total	Labour	Conservative	Lib. Dem.	Others
1983	3.5%	4.8%	3.3%	0.0%*	0.0%
1987	6.3%	9.2%	4.5%	4.5%	8.7%
1992	9.2%	13.7%	6.0%	10.0%	12.5%
1997	18.2%	24.2%	7.9%	6.5%	10.0%
2002	17.9%	23.1%	8.4%	11.3%	16.0%
2005	19.8%	27.7%	8.6%	16.1%	9.7%

* Liberal Party and Social Democratic Party combined.

Source: Childs, Sarah, Lovenduski, Joni and Campbell, Rosie, *Women at the Top: Changing Numbers, Changing Politics?* (London: Hansard Society, 2005), p. 19.

The twinning and zipping policies adopted for Scottish and Welsh elections produced even more striking results. Women won more than 37 per cent of the seats in the first Scottish Parliament in 1999 – 41 per cent of all constituency seats and 32 per cent of all regional list seats (Squires 2004: 10). Due to the twinning policy, Scottish Labour elected 50 per cent women. Although the SNP did not adopt any formal measures, women formed nearly one-third of all constituency candidates and were placed at the upper end of all regional lists (Brown et al. 2002), electing 43 per cent women. Similar patterns emerged in Wales. Women won 40 per cent of the seats in the first National Assembly for Wales in 1999 – 48 per cent of all constituency seats and 25 per cent of all regional list seats (Russell 2003: 73; Squires 2004: 11). The twinning strategy used by Welsh Labour led to the election of women to more than 57 per cent of the seats won by Labour in the new Welsh Assembly. Plaid Cymru applied a zipping policy for the first three positions on the regional lists, starting with a woman (Bradbury et al. 2000). However, the party did better than anticipated in the constituency-based elections, resulting in the election of only 35 per cent women overall.

Table 40. Women's representation in the Scottish Parliament, 1999–2007

Year	Total	Labour	Conservative	Lib. Dem.	SNP
1999	37.0%	50.0%	17.0%	12.0%	43.0%
2003	39.0%	50.0%	22.2%	11.8%	25.7%
2007	34.1%	50.0%	29.4%	12.5%	27.7%

Sources: Russell, Meg, 'Women in Elected Office in the UK, 1992–2002: Struggles, Achievements and Possible Sea Change', in Alexandra Dobrowolsky and Vivien Hart (eds), *Women Making Constitutions: New Politics and Comparative Perspectives* (New York: Palgrave, 2003), p. 76; Scottish Parliament, 'Female MSPs: Session 3', Scottish Parliament Fact Sheet, 31 August 2007; Scottish Parliament, 'List of Male MSPs: Session 3', Scottish Parliament Fact Sheet, 31 August 2007; Squires, Judith, 'Gender Quotas in Britain: A Fast Track to Equality?', Stockholm University Working Paper 2004:1 (2004), p. 11.

Table 41. Women's representation in the National Assembly for Wales, 1999–2007

Year	Total	Labour	Conservative	Lib. Dem.	Plaid Cymru
1999	40.0%	57.1%	0.0%	50.0%	35.3%
2003	50.0%	63.3%	18.2%	50.0%	50.0%
2007	46.7%	61.5%	8.3%	50.0%	46.7%

Sources: National Assembly for Wales, 'Assembly Member Profiles', 2007, <<http://www.assemblywales.org/memhome/mem-profile.htm>>; Squires, Judith, 'Gender Quotas in Britain: A Fast Track to Equality?', Stockholm University Working Paper 2004:1 (2004), pp. 11, 12.

In the run-up to general elections in 2001, the British Labour Party required gender-balanced shortlists for all vacant seats, which led to only four women being selected out of the 39 candidates chosen to replace sitting Labour MPs (Russell 2003: 77). This meant that the proportion of new candidates who were women was lower in 2001 than in 1992 and 1997, leading some to conclude that balanced shortlists might in fact have been counterproductive, as they enabled constituency parties to comply fully with the quota while still selecting men (Squires 2004). Although very few seats changed between parties, the proportion of women dropped from slightly more than 18 per cent in 1997 to slightly less than 18 per cent in 2001 (Russell 2003: 77).

The second elections to the Scottish Parliament and the National Assembly for Wales took place in 2003. Although Labour employed only a limited amount of positive action, and other parties rejected quotas, the percentage of women elected to the Scottish Parliament increased slightly, from 37 per cent to 39 per cent. The number of women elected to single-member constituencies remained stable, while the number of women elected to list seats increased by three (Squires 2004: 11). In Wales, Labour did not repeat its twinning policy, but the party did apply AWS in half of its vacant constituency seats. Plaid Cymru strengthened its requirements for list elections by reserving the top two seats on all regional lists for women (Russell, Mackay and McAllister 2002). Although no other parties changed their candidate selection policies, these shifts contributed to an increase in the proportion of women elected to the National Assembly for Wales, from 40 per cent to 50 per cent (Squires 2004: 12).

In 2004, the British Labour Party introduced AWS for local elections. In general, the proportion of women elected to local councils is higher than the proportion elected to the House of Commons, at approximately 27 per cent. The percentage of women varies significantly across councils, however: while some district and county councils have as few as 15 per cent women, others have as many women as men or more (<<http://www.fawcettsociety.org.uk/index.asp?PageID=61>>). Perhaps surprisingly, there are only small differences across the parties: 27 per cent of Labour councillors are women, compared to 31 per cent of Liberal Democrats and 25 per cent among Conservatives (Bochel and Bochel 2008: 5).

In the British delegation to the European Parliament, the percentage of women is also higher than it is at Westminster. Since 1979, when direct elections to the European Parliament were first held, there has been a disparity in these proportions: between 1979 and 1994, women formed between 13 per cent and 17 per cent of the British delegation, compared to 3–9 per cent in the House of Commons. In 1999, the electoral system was changed to PR and the percentage of women increased to 24 per cent, where it has remained since 2004. Due to their zipping policy, the Liberal Democrats elected 50 per cent women. In contrast, Labour elected 37 per cent women and the Conservatives only 4 per cent (<<http://www.fawcettsociety.org.uk/index.asp?PageID=61>>).

Leading up the general elections in 2005, all three parties initiated discussions regarding positive action. However, Labour was the only one to adopt a quota, namely AWS in at least half of all seats where incumbent Labour MPs were retiring, with the goal of electing at least 35 per cent women. The result was that 20 per cent women were elected to the House of Commons, with marked

differences across the political parties: Labour elected 28 per cent women, the Liberal Democrats 16 per cent and the Conservatives 9 per cent (Childs, Lovenduski and Campbell 2005: 19).

In the 2007 elections to the Scottish Parliament and National Assembly for Wales, women's representation declined slightly. In Scotland, the proportion of women fell from 39 per cent to 34 per cent. Interestingly, all parties elected a higher percentage of women than they had in 2003 (Scottish Parliament 2007a; Scottish Parliament 2007b). However, the distribution of these seats shifted in significant ways, with the SNP – a party that elected only 28 per cent women – gaining 20 seats, while Labour – which had the highest proportion of women elected, 50 per cent – lost four. Similar patterns prevailed in Wales, as women's representation dropped from 50 per cent to 47 per cent, at the same time as Labour lost three seats and Plaid Cymru and the Conservatives gained three seats and one seat, respectively. While both Labour and Plaid Cymru elected fewer women than before, moving from 63 per cent to 62 per cent and 50 per cent to 47 per cent, the most significant drop was among Conservatives, from 18 per cent to 8 per cent (National Assembly for Wales 2007).

5. Conclusions

Debates over gender quotas thus have a complicated history in the UK, stemming in part from the structure of its electoral system organised around single-member districts. Recent developments indicate ongoing efforts to promote women's representation, even in parties that have been resistant to positive action strategies. However, they also suggest that the numbers of women elected to various political bodies are subject to changing electoral fortunes, as parties on opposite sides of quota debates win or lose in relation to their opponents. The main difficulty seems to be the permissive nature of the reforms made to the SDA, which enable parties to decide to apply or not apply quotas, leading to mixed results across the parties in terms of the increased election of women.

References

- Bochel, Catherine and Bochel, Hugh, 'Women "Leaders" in Local Government in the UK', 2008, *Parliamentary Affairs* online early access, doi:10.1093/pa/gsn010
- Bradbury, Jonathan, Denver, David, Mitchell, James and Bennie, Lynn, 'Devolution and Party Change: Candidate Selection for the 1999 Scottish Parliament and Welsh Assembly Elections', *Journal of Legislative Studies*, 6/3 (2000), pp. 51–72
- Brown, Alice et al., 'Women and Constitutional Change in Scotland and Northern Ireland', in Karen Ross (ed.), *Women, Politics, and Change* (New York: Oxford University Press, 2002), pp. 71–84
- Campbell, Rosie, Childs, Sarah and Lovenduski, Joni, 'Women's Equality Guarantees and the Conservative Party', *Political Quarterly*, 77/1 (2006), pp. 18–27
- Childs, Sarah, 'Concepts of Representation and the Passage of the Sex Discrimination (Election Candidates) Bill', *Journal of Legislative Studies*, 8/3 (2002), pp. 90–108
- Childs, Sarah, *New Labour Women MPs: Women Representing Women* (London: Routledge, 2004)
- Childs, Sarah, Lovenduski, Joni and Campbell, Rosie, *Women at the Top: Changing Numbers, Changing Politics?* (London: Hansard Society, 2005)
- Eagle, Maria and Lovenduski, Joni, *High Time or High Tide for Labour Women?* (London: Fabian Society, 1998)
- Lovenduski, Joni, 'Gender Politics: A Breakthrough for Women?', *Parliamentary Affairs*, 50/4 (1997), pp. 708–19
- National Assembly for Wales, 'Assembly Member Profiles', 2007, <<http://www.assemblywales.org/memhome/mem-profile.htm>>

- Russell, Meg, *Women's Representation in UK Politics: What Can Be Done with the Law?* (London: Constitution Unit, 2000)
- Russell, Meg, 'Women in Elected Office in the UK, 1992–2002: Struggles, Achievements and Possible Sea Change', in Alexandra Dobrowolsky and Vivien Hart (eds), *Women Making Constitutions: New Politics and Comparative Perspectives* (New York: Palgrave, 2003), pp. 68–83
- Russell, Meg, Mackay, Fiona and McAllister, Laura, 'Women's Representation in the Scottish Parliament and National Assembly for Wales: Party Dynamics for Achieving Critical Mass', *Journal of Legislative Studies*, 8/2 (2002), pp. 49–76
- Scottish Parliament, 'Female MSPs: Session 3', Scottish Parliament Fact Sheet, 31 August 2007 (2007a)
- Scottish Parliament, 'List of Male MSPs: Session 3', Scottish Parliament Fact Sheet, 31 August 2007 (2007b)
- Short, Clare, 'Women and the Labour Party', in Joni Lovenduski and Pippa Norris (eds), *Women in Politics* (New York: Oxford University Press, 1996), pp. 19–27
- Squires, Judith, 'Gender Quotas in Britain: A Fast Track to Equality?', Stockholm University Working Paper 2004:1 (2004)

Appendix I

The methodology of the quota study

Selection of countries

The 27 EU member states and the three EEA countries (Iceland, Liechtenstein and Norway) were selected for this study. The selection thus corresponds – with two exceptions (Croatia and Turkey) – to the countries included in the report ‘Women and Men in Decision-making 2007’, published by the European Commission in January 2008.

Eight countries were selected for special scrutiny – Belgium, France and Germany (pre-selected by the European Parliament), Poland, Slovenia, Spain, Sweden and the United Kingdom. They were selected because they represent countries with legislated quotas as well as countries with voluntary party quotas, countries with a high (over 30 per cent) and with a low (under 20 per cent) representation of women in their national parliaments, countries with different electoral systems, and countries in different parts of Europe.

Sources

Eight experts were selected to write in-depth studies from the eight countries selected.

Statistics from various sources, primarily official statistics, in relation to all 30 countries were collected.

A questionnaire – the PARQUOTA Survey – was sent to all political parties represented in the national parliaments in the 30 countries of study during the spring of 2008. It was sent to 220 parties, and 80 questionnaires were completed and returned. Thus the response rate is 36.4 per cent. The low response rate, which unfortunately is common in this kind of research, limits the applicability of the survey, since the respondents are not representative of all parties. Left wing parties are over-represented, and the response-rate was by far the highest in the Nordic countries. Consequently, the survey is not used for mapping, but only to show correlation, for instance between party group and attitude on gender quotas. All the correlations from the PARQUOTA Survey presented in this report are significant at the 5 per cent level.

The extensive knowledge of the research team from previous studies of gender quotas globally (see the list of references) as well as <<http://www.quotaproject.org>>, a global website on gender quotas in politics run by the research team at Stockholm University in cooperation with International IDEA, were also utilized in this study.

Appendix II

About the authors

Christina Alnevall is a PhD candidate in political science at Stockholm University, Sweden, and is currently completing her dissertation on gendered citizenship in Mexico. She has previously published works on political representation, citizenship theory and feminist political theory. Her latest publication is 'Gendered Discourses and Resistance in Mexico' in *Globalization, Imperialism and Resistance* (2007). Her research interests also include development studies, global governance and comparative politics.

Drude Dahlerup graduated from Aarhus University, Denmark. Since 1998 she has been professor of political science at Stockholm University, Sweden. She was a visiting scholar at Radcliffe College, Harvard University, USA, in 1981–2 and a visiting professor at Birkbeck College, University of London, UK, 2003–4. She has published extensively on women in politics, social movements and feminist theory, including *Rödströmperne: Den danske Rödströmpebevaegelses udvikling, nytænkning og gennemslag* [The redstockings: the development, new thinking and impact of the Danish Redstocking movement 1970–1985, 2 vols] (in Danish, 1998). She is editor of *The New Women's Movement: Feminism and Political Power in Europe and the USA*. Her latest edited collection, *Women, Quotas and Politics*, is the first global study of the use of electoral gender quotas. See the websites <<http://www.quotaproject.org>> (with International IDEA) and <<http://www.statsvet.su.se/quotas>>.

Milica Antić Gaber is associate professor of sociology and sociology of gender at the University of Ljubljana (Faculty of Arts, Sociology Department), Slovenia. She was a co-founder of the postgraduate interdisciplinary gender programme and feminist journal *Delta*, a member of the editorial board of the journal *Družboslovne razprave* and an editor of the journal *Ars et Humanitas*. She has contributed to journals in Slovenia and elsewhere, among others *Delta*, *Družboslovne razprave*, the *Feminist Review*, *Electoral Studies*, *European Political Science*, and the *Journal of Communist Studies and Transitional Politics*, and contributed chapters in international edited volumes dealing with the issues of women in politics, the political representation of women and gender quotas. She is author or co-author, among others, of three books – *Women in Parliament*, *Women – Politics – Equal Opportunities*, *Prospects for Gender Equality Politics in Central and Eastern Europe*, and *Women in Parliamentary Politics: Hungarian and Slovene Cases Compared*.

Lenita Freidenvall is a senior lecturer and researcher at the Department of Political Science at Stockholm University, Sweden. She received her PhD in political science in 2006 on the topic 'Every Other One For the Ladies: On Women's Political Representation, Gender Quotas and Candidate Selection in Swedish Politics 1970–2002'. She has published widely on women and politics, gender quotas and candidate selection in, for example, the *International Feminist Journal of Politics* and the *Nordic Journal of Gender Studies*, and has written reports on constitutional reform and gender on behalf of the Swedish National Working Commission on Constitutional Reform.

Malgorzata Fuszara is professor and head of the Centre for Socio-Legal Studies on Situation of Women and director of the Gender Studies Program at Warsaw University, Poland. She teaches sociology of law, sociology of culture, gender discrimination and women's rights. She has taught on women's rights at the University of Michigan, Ann Arbor, USA and at the Institute of Sociology of Law, Oniati, Spain. She is a member of the advisory board of *Signs, Journal of Women in Culture and Society* and the *European Journal of Women's Studies*, and is the author of over 60 articles in Polish, English, German, Slovak and Romanian. She edited *Women in Poland in Turn of the Century: New Gender Contract?* (2002), co-authored *Civil Society in Poland* (2003), and co-edited (with J. Kurczewski) *Polish Disputes and Courts* (2004). She is the author of three books: *Everyday Conflicts and Ceremonial Justice* (1988), *Family in Court* (1995) and *Women in Politics* (2006).

Brigitte Geissel is a political scientist, guest professor at Åbo Akademi, Finland, and research fellow at the Social Science Research Center Berlin (WZB), Germany. She has published widely on German and comparative politics, women and politics, new forms of governance, democratic innovations and political sociology, especially political actors (new social movements, associations, civil society, parties, political elites, citizens), including in *Comparative Sociology*, the *European Journal of Political Research* and the *Journal of Commonwealth & Comparative Politics*. She will be taking up a new position as professor of political science at the Technische Universität, Darmstadt, Germany, in October 2008.

Mona Lena Krook is assistant professor of political science and women and gender studies at Washington University in St Louis, USA. She received her PhD from Columbia University, USA, in 2005. In 2004–5, she was an Economic and Social Research Council postdoctoral fellow at the University of Bristol, UK, and she will be a fellow at the Radcliffe Institute for Advanced Study at Harvard University, USA, during 2008–9. Her research on the diffusion and effects of gender quotas has been published or is forthcoming in the *European Journal of Political Research*, *Politics & Gender*, *British Politics*, *French Politics*, and the *British Journal of Political Science*. Her book *Quotas for Women in Politics: Gender and Candidate Selection Reform Worldwide* will be published by Oxford University Press in 2009.

Petra Meier is assistant professor at the Politics Department of the University of Antwerp, Belgium. Her background and training cover the fields of political science, gender studies and social geography. She holds a PhD in political science from the Free University of Brussels, Belgium, on the topic ‘Guaranteeing Representation: Democratic Logic or Deficit? A Qualitative Comparative Analysis of Techniques Enhancing Representativeness and the Argumentation on their Behalf in a Plural Society’ (2002). Her major areas of research and teaching are theories of democracy and representation, the normative foundations of electoral systems and electoral system design for influencing the presence of women and of other social groups in political decision making, feminist approaches to public policies, and Belgian state feminism. Together with Emanuela Lombardo and Mieke Verloo, she recently edited a volume on *The Discursive Politics of Gender Equality: Stretching, Bending and Policy-Making* (2008).

Mariette Sineau holds a PhD in political science and is the Director of Research at the Centre National de la Recherche Scientifique (CNRS) at the Centre National de la Recherche Politiques de Sciences Po (CEVIPOF), where she teaches. She is a consultant from time to time for the Council of Europe and a member of the Observatoire de la Parité entre les Femmes et les Hommes. She has worked on gender and politics, political elites, and parity in politics. Her publications include *Profession: femme politique. Sexe et pouvoir sous la Cinquième République* (2001); *Genderware: The Council of Europe and the Participation of Women in Political Life* (2003); ‘Institutionalizing Parity: The French Experience’, in International IDEA, *Women in Parliament. Beyond Numbers. A Revised Edition* (2005), pp. 122–31; ‘Effets de genre, effets de génération? Le vote hommes/femmes à l’élection présidentielle 2007’, *Revue française de science politique*, 57/3 (June 2007), pp. 351–67; and ‘The Single Member District System in France: the Hidden Bonus for Notables’, in Manon Tremblay (ed.), *Women and Legislative Representation: Electoral Systems, Political Parties and Sex Quotas* (2008), pp. 83–94.

Appendix III

Acronyms and abbreviations

AWS	all-women shortlist
CDU	Christian Democratic Union (Germany)
CSU	Christian Social Union (Germany)
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
DeSUS	Democratic Party of Retired Persons of Slovenia (Demokratska stranka upokojencev Slovenije)
DS	Democratic Party of Slovenia (Demokratska Stranka Slovenije/Demokrati Slovenije)
DSS	Workers' Party of Slovenia
EEA	European Economic Area
EMB	electoral management body
EU	European Union
FDP	Free Democratic Party (Germany)
FRG	Federal Republic of Germany
FPTP	First Past The Post (electoral system)
GŽ	Women's Voice (Glas Žensk) (Slovenia)
IU	United Left (Izquierda Unida) (Spain)
LDS	Liberal Democracy of Slovenia (Liberalna demokracija Slovenije)
MEP	member of the European Parliament
MP	member of parliament
NGO	non-governmental organisation
NPS	Forward Slovenia (Naprej Slovenije)
NSi	New Slovenia (Nova Slovenija)
PDS	Party of Democratic Socialism (Germany)
PiS	Law and Justice (Prawo i Sprawiedliwość) (Poland)
PO	Civic Platform (Platforma Obywatelska) (Poland)
PP	People's Party (Partido Popular) (Spain)
PR	proportional representation
PSL	Polish Peasants' Party (Polskie Stronnictwo Ludowe)
PSOE	Socialist Workers' Party (Partido Socialista Obrero Español) (Spain)
SD	Social Democrats (Socialni demokrati) (Slovenia)
SDA	Sexual Discrimination Act (UK)
SDS/SDSS	Slovenian Democratic Party (Slovenska demokratska stranka)/Social Democratic Party of Slovenia (Socialdemokratska stranka Slovenije)
SEG	Party of Ecological Movements (Stranka Ekoloških Gibanj Slovenije)
SKD	Christian Democrats of Slovenia (Slovenski Krščanski Demokrati)
SLD	Alliance of the Democratic Left (Sojuz Lewicy Demokratycznej) (Poland)
SLS	Slovenian People's Party (Slovenska ljudska stranka)
SMS	Youth Party of Slovenia (Stranka mladih Slovenije)
SNP	Scottish National Party
SNS	Slovenian National Party (Slovenska nacionalna stranka)
SPD	Social Democratic Party (Germany)
SSN	Slovenian Nation's Party (Stranka Slovenskega Naroda)
UFD	Union for French Democracy (Union pour la Démocratie Française) (France)
UK	United Kingdom
UN	United Nations
UP	Union of Labour (Unia Pracy) (Poland)
UPM	Union for a Popular Movement (l'Union pour une Majorité Populaire) (France)
UW	Freedom Union (Unia Wolności) (Poland)
WI	Women's Institute (Instituto de la Mujer) (Spain)

ZLSD United List of Social Democrats (*Združeni Lista Socialnih Demokratov*) (Slovenia)
ZZP Association for the Primorska Region (*Zveza za Primorsko*) (Slovenia)