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The Implementation of Quotas:  
European Experiences  
*Quota Report Series*

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Edited by Julie Ballington  
and Francesca Binda

In Collaboration with



**CEE Network for Gender Issues**

Budapest, Ljubljana, Tallinn

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## Preface

The International Institute for Democracy and Electoral Assistance (IDEA), an intergovernmental organization with member states across all continents, seeks to support sustainable democracy in both new and long-established democracies. Drawing on comparative analysis and experience, IDEA works to bolster electoral processes, enhance political equality and participation and develop democratic institutions and practices. The inclusive and responsive nature of these institutions is considered to be of particular importance if there is to be effective governance, benefiting a wide spectrum of groups in society. In this context, IDEA is committed to promoting the participation and representation of women in political life.

The picture of Europe is very different today than it was 15 years ago. One-party authoritarian rule has given way to multi-party democracy in much of Central and Eastern Europe. The European Union (EU) has recently gone through the greatest enlargement in its history. Almost all non-EU states within Europe participate, in some manner, in the region's clubs including the Council of Europe, the Organisation for Security and Co-operation in Europe and institutions of the North Atlantic Treaty Organisation (NATO). But did the wave of democratic reforms, which swept Europe in the 1990's, result in an increased participation of women in European politics?

Although women's representation in older democracies in Europe has slowly been on the increase and the percentage of women Members of the European Parliament has increased from 19 percent in 1994 to 30 percent in 2004, the advent of multi-party democracy in post-communist Europe did not immediately put women in decision-making positions. In fact in many countries, the first multi-party elections brought a decline in women's representation in national parliaments. Although gender quotas are now increasingly viewed as an important policy measure for boosting women's access to decision-making bodies throughout the world, the legacy of communist-era quotas and token representation created a backlash in Central and Eastern Europe.

Even if the decline in women's participation has

recently reversed and women's political participation in most European parliaments is increasing, the quota debate remains heated and is by no means settled in many countries. The debate is kept alive by the many dedicated national women's groups and regional networks, many of whom contributed to this report, which work to mobilise political actors and push for positive measures so that more women can participate in, and contribute to, the political reforms which are fundamentally changing the face of Europe. During a workshop on Quotas in Europe participants revealed how international instruments, such as the 1995 Beijing Platform for Action, and support from the International Community, have assisted their efforts to keep the debate relevant.

Since 2003, IDEA has been engaged in a global research project on the implementation and use of quotas worldwide in cooperation with the Department of Political Science at Stockholm University. Through the development of the Global Database on Electoral Quotas for Women ([www.quotaproject.org](http://www.quotaproject.org)), we have been able to compare the use of different types of gender quotas in different political contexts. These data have been supplemented by generating comparative information on quotas, collected through a series of regional workshops. The first three workshops were held in Asia, Latin America and Africa in 2002-2003. This regional report documents the findings of the fourth in the series, *The Implementation of Quotas: European Experiences*, in October 2004. It is followed by a final workshop in the Arab World.

Many individuals and organizations supported IDEA's work on quotas in Europe, and we are grateful for their enthusiasm and expertise. We thank our partner, the Central and Eastern European Network for Gender Issues, particularly Daša Silović and Márta Szigeti Bonifert, Erzsébet Kovárik, President of the Hungarian Office for Equal Opportunities, MEP Zita Gurmai and Sonja Lokar the Chair of the Gender Task Force of the Stability Pact. We also thank the speakers and authors of the case studies in this report, and particularly Denitza Bojinova, the rapporteur, and Richard Jones, the copy editor, who made this report possible.

From IDEA we are especially grateful for the expertise and untiring efforts of Julie Ballington, Manager of the Women in Politics Project, Francesca Binda, Senior Advisor for Political Parties, and Yee Yin Yap, Programme Assistant, who pulled the event and the report together. We also thank Nadia Handal Zander, IDEA's Publications Manager. Lastly, we would like to acknowledge and thank IDEA's member states, for the support that they offered that made this event possible.



LENA HJELM-WALLÉN  
CHAIRPERSON OF THE BOARD  
INTERNATIONAL IDEA

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## Terms and Abbreviations

BiH	Bosnia and Herzegovina
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CEE	Central and Eastern Europe
CEE Network	Central and East European Network for Gender Issues
HDZ	Croatian Democratic Union
SDP	Social-Democratic Party
EU	European Union
EWL	European Women's Lobby
FPTP	First-past-the-post electoral system, used in constituency elections
GTF	Gender Task Force of the Stability Pact of South Eastern Europe
IPU	Inter-Parliamentary Union
IDEA	International Institute for Democracy and Electoral Assistance
MEP	Member of the European Parliament
MMD	Multi-Member Districts
MMP	Mixed Member Proportional representation electoral system
MP	Member of Parliament
NDI	National Democratic Institute
NGO	Non-governmental organization
OSCE	Organisation for Security and Co-operation in Europe
PES	Party of European Socialists
PR	Proportional representation electoral system, under which political parties submit lists of candidates to contest elections
SDWF	Social Democratic Women's Forum of Croatia
SIW	Socialist International Women
SMD	Single-Member Districts
UAE	United Arab Emirates
USAID	United States Agency for International Development

## About IDEA's Project and this Report

Ten years after the world's governments gathered in Beijing and announced, "the popular participation of women in key decision making as full and equal partners with men, particularly in politics, has not yet been achieved" (United Nations 1995), the average representation of women in the world's legislatures stands at 16 percent—far below the 30 percent target established by that UN Fourth World Conference on Women held in China. Signatories to the Beijing Platform for Action committed to take measures including, if appropriate, changes to electoral systems to enhance the participation of women in political life. Governments and political parties have variously employed different strategies, many experimenting with different types of quotas, with mixed results. Electoral quotas may be constitutionally or legislatively mandated or they may come in the form of political party quotas. They usually set a target or minimum threshold for women, and may apply to the number of women candidates proposed by a party for election, or they may take the form of reserved seats in the legislature.

Increasing women's representation and participation in decision-making bodies requires well-developed strategies and information on which measures have worked successfully in different countries with different political contexts. Since 2003 IDEA has participated in a global research project—in collaboration with the Department of Political Science, Stockholm University—that has led to the generation of comparative practical knowledge on electoral quotas for women.

The 'Global Database of Quotas for Women' website has been created, providing an overview of the use of electoral quotas for women worldwide ([www.quotaproject.org](http://www.quotaproject.org)). It provides information on the various types of quotas in existence today, detailing percentages and targets in countries where they are applicable. Data are presented for over 90 nations, including 74 where quotas are specified in the constitution, regulations and laws or where political parties have implemented their own internal quotas.

The website, however, does not draw conclusions about the connection between types of quota provisions and the representation of women globally. Hence, IDEA has convened a series of regional workshops to gather qualitative data. Researchers

and practitioners were brought together to allow country- and region-specific information on quota implementation and enforcement to be collated, and a network of researchers and experts working in this field has developed. The first workshop in this series examined Asian experiences of quotas, and was held in Jakarta, Indonesia, in September 2002. The second workshop, on Latin American experiences of quotas, was held in Lima, Peru, in February 2003. The meeting on quotas in Africa, held in November 2003, was the third in the series, followed by the workshop, detailed in this report, on European experiences of quotas, which was held in Budapest, Hungary in October 2004. The final workshop was held in Cairo, Egypt in December 2004 and reviewed the experiences of quotas in the Arab World.

IDEA works in partnership with international, regional and local organizations. This workshop was organized in partnership with the Central and Eastern European Network for Gender Issues (CEE Network). The CEE Network began as a working group under the auspices of the European Forum for Democracy and Solidarity in 1994. In 1998, the working group was transformed into a formal, international network with its first office in Budapest, Hungary.

The Network endeavours to assist social democratic, socialist, labour and other parties, their women's organizations and progressive women's non-governmental organizations in:

- Formulating policies and election platforms on the most acute political, economic and social problems that women are facing in the processes of transition.
- Supporting their capacity and organization building.
- Promoting nation-wide gender awareness campaigns.
- Helping to mainstream issues of gender equality, equity and human rights into all walks of life.
- Assisting to harmonise national legislation on gender issues with those of the European Union and to elaborate gender sensitive policy guidelines for the integration of Central and Eastern European countries into the European Union

- Assisting the establishment of an active network, including an electronic network, of women's organizations and the co-ordination of their activities.

The experiences of the CEE Network were invaluable to the discussions on quotas in Europe—a region which has witnessed remarkable political upheavals, unimaginable twenty years ago.

Although the overall representation of women in European parliaments (including the Commonwealth of Independent States' (CIS) nations) stands at approximately 18 percent, the differences among the many countries is staggering; from a low of three percent in Kyrgyzstan to a high of 45 percent in Sweden. In all of Europe and the CIS, only eight countries have legislated quotas at the national or sub-national level (Armenia, Belgium, Bosnia and Herzegovina, France, Greece, The Republic of Macedonia, Serbia and Montenegro, and Slovenia). In twenty-seven countries in the region, one or more political parties have voluntarily adopted some form of quotas for the election of candidates to public office. As the numbers demonstrate and, as the participants at the workshop articulated, political parties have a vital role and responsibility in promoting and safeguarding quotas and other measures to enhance the participation of women in politics.

The changes in Europe in the past 15 years provide us with a wealth of comparative information on the dynamic processes of political transition. Inclusive participation in political institutions is not guaranteed simply by the introduction of a democratic system. Participants at the workshop discussed the opportunities gained and lost as nascent democracies struggled to invent themselves. The proponents of quotas in many European countries face an unusual dilemma compared to other regions—rejection and scepticism based on previous experiences with quotas. In many communist states of the 20th Century, quotas were employed as a way of paying lip-service to equality declarations made by state-sponsored socialism. Thus, in several modern European democracies of the 21st Century, quotas are not regarded as positive measures but rather negative reminders of non-democratic practices. Participants at the work-

shop discussed, in depth, this particular impediment and compared strategies and ways of overcoming the stereotypes.

This report is structured around the themes that were addressed in the European context, beginning with an overview of the presentations and a look at the discussions that emerged. The full papers submitted by the experts can be found at the end of each section. The themes include comparative experiences of quotas, how to lobby for and implement quotas, the challenges to implementation and enforcement, and political party quotas. Conclusions and areas for further research are also documented. In this way, it is hoped that the report will serve not just as a record of activity, but also as a reference and information source for ongoing discussions and planning regarding the political participation of women in Europe.

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## Welcome and Introductory Overview

### **Welcome and Introductory Remarks by Ms. Karen Fogg**

*Secretary-General of the International Institute for Democracy and Electoral Assistance (IDEA)*

Ms. Karen Fogg opened the workshop by welcoming all participants who had come together to share their experiences of working on issues related to women and quotas in Europe. Women's participation and representation were singled out as important elements of IDEA's programme of work. Fogg emphasized IDEA's ten-year-long commitment as an inter-governmental organization to supporting sustainable democratic processes and addressing the challenges faced by new and long-established democracies in different parts of the world. Looking beyond formal political institutions, IDEA has actively served as a specialist agency and a resource centre dedicated to 'making democracy work for the people' and promoting a vision of democratic quality, inclusiveness and effectiveness.

Fogg introduced the three broad areas of IDEA's work: electoral processes; political party development; and democracy-building. She drew attention to successful cooperation between IDEA and the Association of Central and Eastern European Electoral Officials on fact-finding and research projects on electoral issues in the region. In the area of political party development, Fogg highlighted IDEA's new programme (building on earlier work on political party finance and party registration procedures), which is exploring both party law or external regulation of parties and internal management and regulation, including party democracy, how parties manage themselves, elect their leaders, nominate their candidates and relate to different groups, including women. Fogg explained that IDEA's work on women's political participation is being integrated in its activities regarding the crucial role of political parties. In its third area of work, IDEA concentrates on promoting reconciliation and democracy-building in post-conflict political contexts. It has worked with international actors to facilitate constitution-building and dialogue practices in conflict zones around the world.

Fogg concluded by thanking the workshop participants, IDEA's regional partners and its staff members. She underlined the significance of the workshop for IDEA's long-term commitment to issues concerning women in politics.

"This quota workshop is the fourth and not the final one in a series of regional workshops, which we hope will enable us by next year to pull together in a handbook not just the theoretical but also the practical experiences of using quotas and affirmative action for women in politics".

### **Welcome and Introductory Remarks by Ms. Daša Šilović**

*Chairperson of the Central and Eastern European (CEE) Network for Gender Issues*

Ms. Daša Šilović, on behalf of the CEE Network for Gender issues, welcomed the participants and thanked IDEA, in particular, for its role in organizing the workshop and its work on gender and democracy issues.

Šilović recounted the history of the CEE Network for Gender Issues, focusing on its origins, objectives, challenges and successes. The Network was created in 1993 in response to the transitional changes in Central and Eastern Europe in the early 1990s. Women from the region came together to build on the traditions of the women's movement in trade unions and in centre-left political parties. The European Forum for Democracy and Solidarity, an association of left-wing foundations active in the European Parliament, provided early support to the Network. The initial focus was on how to strengthen political parties and to engage them in a constructive dialogue during the transition process. Democratic discourse could not take place if one-half of the population was not represented. Rather than creating a largely donor-driven non-governmental organization (NGO), the group's founders decided to organize as a network of engaged women activists, which would try to make a difference by entering the political discourse and identifying a political constituency. They faced numerous challenges:

“The process was extremely difficult. The first thrust of the transition was followed by an enormous amount of social and economic problems, disorientation among the electorate, and a certain cynicism, which was also creeping into women, often professional women who had been active before but who felt lost in trying to find their new place and the possibilities for them to contribute to society. The other cynicism that we confronted was the issue of political participation. At that point, politics and political parties, both old and new, were seen as dirty ... We had long discussions whether feminism is dirty, the quota is dirty, women in politics is dirty, and how we could go with these corrupt men!”

To deal with the variety of adverse psychological, cultural and political factors, the CEE Network concentrated on organizing workshops, meeting not only with female politicians but also with male political leaders, strengthening women’s organizations in political parties and enhancing the capacity of women in positions of political leadership. In addition, emphasis was put on reaching out to women in trade unions and at the grassroots. The dearth of financial resources and the lack of communication among different women’s organizations in the region were also challenges tackled by CEE Network activists in the early days.

“Today we can talk about the problems and the setbacks, but overall we can be very proud of the fact that we have made progress on women in politics, in electoral lists, in political parties, and in governments with a lot of cases in point from Macedonia to Croatia”.

Šilović highlighted some of the instrumental pressures that the CEE Network was able to apply to promote women’s participation in politics. For instance, the political party quota was a precondition (the ‘stick’) for joining the Socialist International (the ‘carrot’). The minimum required quota was set at 25 percent, with some political parties adopting thresholds of 35 percent or more. Partnerships with sister organizations in Europe, particularly in Scandinavian countries, also proved advantageous. Developments surrounding

the European Union (EU) accession process provided another ‘window of opportunity’ to promote a women’s agenda. Beginning in the mid-1990s, the CEE Network publicly stressed that the accession process would not be successful unless everyone was able to benefit from it.

The post-conflict reconciliation process in the Balkans also incorporated efforts to strengthen women’s input: lobbying for the ratification of the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); targeting violence against women; and putting together the Organisation for Security and Co-operation in Europe (OSCE)’s Gender Task Force (GTF) as part of the Stability Pact. As early as 1996, the CEE Network adopted a training manual entitled ‘Women Can Do It’, aimed at building women’s capacity to participate in public life.

In her concluding remarks, Šilović emphasized the importance of concentrating on instruments that can help to ensure women’s greater participation and leadership in public life and government.

“When we first started, we began with grassroots women who then became leaders and were elected in government, in national parliaments, and the European Parliament. By going through the political channel, women can actually influence what happens in parliaments and in government”.

### ***Opening Address by Ms. Erzsebet Kovarik***

*President of the National Office for Equal Opportunities, Hungary*

Ms. Erzsebet Kovarik welcomed participants to the city of Budapest, noting with pleasure that women from across the region have come together to share their concerns about, and experiences of, issues connected to women in politics in Central and Eastern Europe. The speaker pointed out the similarity between the work platform of the CEE Network and the National Office for Equal Opportunities in Hungary.

An essential objective of women's organizations in the region has been to increase women's political participation and investigate the means to make it possible. Kovarik asserted that the period prior to the political changes of the early 1990s saw higher levels of women's political participation than subsequent years, which witnessed a significant decline. The causes of this decrease are to be found in the small number of women representatives in national parliaments, administrative offices and positions of expertise.

Kovarik highlighted the encouraging impact that the EU accession process has had on focusing attention on gender equality questions. External pressure led to the establishment of the Ministry for Equality, an agency dedicated to implementing women-related reforms.

In addition, women activists have been able to use the CEDAW provisions, recommending the adoption of a 'road-map' of temporary special measures for improving the situation of women and stressing the need to lift legal barriers to women's participation.

Yet, the process to achieve gender equality in public life still faces numerous obstacles. Kovarik underlined the importance of changing public attitudes, overcoming the stereotyping of women and promoting women politicians in national and European governance bodies. She described the workshop, therefore, as a very useful opportunity to advance the women's agenda and to devise mechanisms to increase women's participation.



# Quota Systems: An Overview of Global Trends and Regional Analysis

## Overview of the Session

This session provided an introductory overview of the use of quotas in a global context and looked at the types of quota in existence and the methods of quota implementation in Central and Eastern Europe.

### 'No Quota Fever in Europe?'

Professor Drude Dahlerup started by highlighting the very dynamic quota developments occurring in different regions of the world. In the past ten years, an astonishing number of countries have introduced gender quotas and analysts often describe the situation in terms of a 'quota fever'. However, this epidemic has not reached Europe, with the exception of Belgium, France and some Balkan nations.

In Europe, the Scandinavian countries have long been revered as the most successful examples of high representation of women, with women comprising between 35 and 45 percent of Members of Parliament (MPs). Yet, the Nordic states have never adopted legal quotas. Instead, the political parties of the centre and the left have used quotas voluntarily adopted by the party. In addition, party quotas were adopted only after women had already acquired around 25 percent of parliamentary seats. Here, Dahlerup makes a distinction between 'fast' and 'slow' tracks to women's increased presence in decision-making bodies. The 'slow track', typical of the Scandinavian model, is characterized by incremental changes in women's representation, preceded by increases in women's education, participation in the labour market and activism in civil society. In contrast to the Scandinavian model, the 'fast track' is characterized by major historical 'jumps' in the number of women's seats in national assemblies. In Costa Rica, for instance, women increased their

"In recent years, electoral gender quotas have been introduced in an amazing number of countries all over the world. Today one may even talk about a 'quota fever'. In Europe, however, quotas are rather unpopular, except in the Balkans. In Western Europe, quotas mainly take the form of voluntary party quotas, Belgium and France being the exceptions. In Central and Eastern Europe very few parties have approved quota regulations and no legal gender quota regulations for parliament are in place".

It is better to use 'affirmative action' or 'equality measures', and to emphasize that quotas are not a form of discrimination but rather compensation for structural discrimination. The debate on quotas must shift away from the liberal notion of 'equality of opportunity' to the concept of 'equality of results'.

share of parliamentary seats from 19 to 35 percent in one election. The Scandinavian countries are therefore not necessarily the model for nations in other parts of the world.

Dahlerup drew attention to some of the frequent arguments levelled against quotas. Critics have often described them as a violation of the meritocratic and individualistic principles of liberal democracy, as well as being discriminatory against men. (Examples can be found in civil court cases in Egypt, England, France, Lesotho and Morocco.) There are several strategies for overcoming such criticism, such as avoiding use of the term 'positive discrimination', which seems to indicate that quotas discriminate against men, when in fact they should be considered as compensation for discrimination against women. Quotas do not challenge the rights of individuals—no one has the right to be nominated—rather, quotas challenge the prerogatives of the political parties in

their roles as gatekeepers. By introducing requirements for a minimum number of women on electoral lists, or gender balance, quotas give voters the 'real equality of opportunity' to choose among men and women. Thus, quotas are instrumental in overcoming the significant exclusionary barriers present in political parties, sustained by the power of party gatekeepers to nominate candidates.

### Quotas in Central and Eastern Europe

In her regional analysis, Dr. Milica Antić-Gaber presented an overview of ten CEE states: Albania; Bosnia and Herzegovina (BiH); Croatia; the Czech Republic; Hungary; The Republic of Macedonia; Poland; Serbia and Montenegro; Slovakia; and Slovenia.

For all countries, the socialist/communist past was characterized by 'state feminism or feminism from above', with the

issue of women's representation being treated as part of the class question. Independent promotion of the women's agenda was not deemed necessary. During the transition to democracy in the early 1990s, significant differences emerged in the region in terms of the peacefulness of the transition, the success of economic reforms, the development of the political system and the pace of the EU integration process. Antić-Gaber argued that there were certain commonalities in the region concerning gender equality. Women's political issues were limited to reproductive rights and attempts to limit (or abolish) abortion rights, violence against women and sexual abuse. Independent women's NGOs

were weak or absorbed into the peace movement in war-torn parts of the region. Society focused on the 'big' political and economic transition questions. A strong anti-feminist sentiment manifested itself due to people's fatigue with 'forced emancipation'.

The electoral and party systems that emerged during the transition had a significant impact on the political participation of women in Central and Eastern Europe. All countries in the region use some kind of proportional representation (PR) or a mixed electoral system, combining an element of PR with majoritarian/plurality elections. Much scholarly research shows that PR systems tend to promote women's representation more than majoritarian systems. In those countries that use PR, the electoral prospects of women highly depend on their position on the lists. In general, the proportion of women on party lists for national elections in Eastern Europe is low, averaging between 13 and 16 percent. However, the percentage of elected women indicates a relatively high success rate among nominated women. Regional research also reveals that more women are re-elected than men.

With regard to party systems, the region is still characterized by a high number of parties competing in elections and in parliament, internal party insta-

The implementation and scope of quotas differ greatly across the region. BiH, Macedonia and Serbia and Montenegro utilize quotas in electoral legislation. Slovenia is considering a constitutional amendment to introduce positive gender equality measures and has established a quota for the European Parliament elections. In the remaining countries, voluntary political party quotas have been mostly used by left-wing and Green parties. Not all of the party quotas are statutory.

Some of them target the parties' electoral lists, others apply to elections to internal party bodies and still others focus on both candidate lists and party positions.

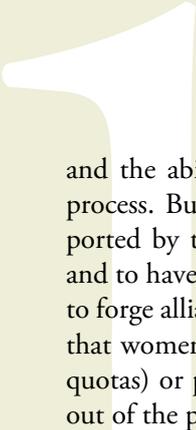
bility and electoral volatility. In terms of party organization, most party members are men, with the exception of some Christian-Democratic Parties, which claim that women make up one-half of their membership base. The participation of women in party governing bodies is even lower and not proportionate to their membership share, with the gap being smallest in Social-Democratic and Green Parties. Leftist parties are also more ideologically inclined to promote women's participation in politics. A common observation is that party platforms do not dedicate significant attention to women's issues. Finally, Antić-Gaber underscored the importance of party gatekeepers in deciding which candi-

dates the political party nominates for election. By dint of their control over nomination procedures and electoral lists, party gatekeepers have direct influence over women's access to political power.

### ***Discussions from the floor***

In the discussion, participants raised several issues, including the consequences of quotas in practice. Does an increase in the number of women in parliament result in substantive changes vis-à-vis policy outcomes? Are quotas temporary, becoming unnecessary when a 30 percent or 50 percent target of women in parliament is attained? Some argued that the 'equality of results', whereby quotas guarantee women's presence in parliament, is not sufficient, but should lead to a different way of doing politics. It is necessary to understand what normative responsibilities and formal institutional mechanisms are required to allow women MPs to alter policy outputs. It was also asserted that, simply because of their presence, a higher number of women in parliament might inspire cultural and 'psychological' changes in parliament.

However, the dangers of assuming that women will automatically make a lot of difference in parliament were also flagged. Quotas are important because they give women access to power structures



and the ability to participate in the agenda-setting process. But women in parliament need to be supported by the women's movement and civil society and to have a power base. It might also be important to forge alliances with men. Otherwise, there is a risk that women could be stigmatized (when elected via quotas) or perceived as 'token women' and thus left out of the political mainstream.

The discussion also addressed the role of international actors. International pressure to deal with gender equality issues was much stronger in the war-torn, failed states of the Balkans than in the rest of region. Hence, women's movements in the Balkans emerged more committed and with greater support than those in Central European countries. The participants also discussed the impact of the EU accession process and the importance of EU pressure in producing changes to gender-related legislation. For instance, in Slovenia, the EU harmonization process resulted in the 2002 Equal Opportunities Act for Men and Women, the first umbrella law to define special positive measures for gender equality and to recommend them to political parties and other actors. In addition, in February 2004, a 40 percent gender quota for candidate lists for the European Parliament elections was adopted. As a result, three women were among Slovenia's seven Members of the European Parliament (MEPs) elected in 2004. It was suggested that EU member states are often inconsistent when it comes to implementing gender-equality measures and that, occasionally, the women's agenda needs to be pushed for from outside by the applicant countries.



# No Quota Fever in Europe?

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## 'Quota Fever'

In recent years, electoral gender quotas have been introduced in an amazing number of countries all over the world (see [www.quotaproject.org](http://www.quotaproject.org)). Today, one may even talk about a 'quota fever'. In Africa, the Balkans, Latin America and South Asia many different types of quota regimes have been introduced very recently.

A dramatic change has taken place in the global ranking of countries based on their level of women's political representation. As a result of quota provisions, Argentina, Costa Rica, Mozambique, Rwanda and South Africa are now placed very high in the world league of the Inter-Parliamentary Union.<sup>1</sup> The five Nordic states, Denmark, Finland, Iceland, Norway and Sweden, which for a long time were virtually alone at the top of the table, are now being challenged. Although controversial, the electoral gender quota has proven to be a highly effective instrument for achieving equality, provided that it is implemented properly.

In Europe, however, quotas are rather unpopular, except in the Balkans. In Western Europe, quotas mainly take the form of voluntary party quotas, Belgium and France being the exceptions. In Central and Eastern Europe very few parties have approved quota regulations and no legal gender quota regulations for parliament are in place.

Analysis of quota discourse reveals that resistance to quotas in Western Europe is connected primarily to the belief that quotas are in conflict with the concept of liberal democracy and the principle of merit ('let the best man (sic!) win').

## **The present myth about Soviet quotas**

In Central and Eastern Europe as well as in Russia, strong resistance to quota provisions is, also based on the understanding that quota regulations are a phenomenon of the Soviet past, an example of that period's 'forced emancipation'. It is often heard that under communism a quota system of 30 percent for women was installed. But is this true, or does present resistance to quota systems today partly rest on a myth of the past? The fact is that political institutions during the Soviet period were dominated by men, both in the East and in the West. Moreover, the systems of

nomination and election varied considerably between the countries of Central and Eastern Europe and the Soviet Union. Furthermore, the level of women's representation was not stable, especially during the 1970s and 1980s.

Under communism, the level of representation of women in the powerful central committees of the communist parties was negligible, but somewhat higher in the mostly symbolic parliaments. A few figures may help to dispel the myth about a stable 30 percent quota provision for women. In the Central Committee of the Soviet Communist Party, women's representation (as full members) was eight percent in 1981, increasing to 13 percent only in 1986, an historic high.<sup>2</sup> Women held 31 percent of seats in the Supreme Soviet of the Union of Soviet Socialist Republics (USSR), and as many as 48 percent of seats in the local Soviets in 1975.<sup>3</sup> Women's representation in the parliaments of many Eastern European countries increased during the 1970s and 1980s, but the system of selection or appointment differed from country to country.<sup>4</sup> Research from the 1980s does not indicate a stable and widespread 30 percent quota for women. Maybe it is time to rewrite the script in many countries.

## **Regional differences**

Although in 2004 only 15.6 percent of members of parliament (MPs) around the world are women, significant differences exist between regions. The Nordic countries have the highest number of women parliamentarians (39.7 percent), while the Arab States have the lowest (six percent). Sub-Saharan Africa comes close to the world average (14.6 percent). However, there are considerable variations among nations within each region.

## **The Need for Cross-country Analyses**

Throughout the world women's organizations and political parties are searching for methods to end male dominance in politics. In principle, most people and governments support the idea of gender balance in political life. Today, introducing quota provisions in politics is considered a legitimate equal opportunity measure in many countries, even if resistance is still strong in others.

**Table 1: Women in National Parliaments (Lower Houses)—Regional Differences**

Nordic countries	39.7%
Americas	18.5%
Europe/member states of the Organization for Security and Co-operation in Europe (OSCE) (excluding the Nordic countries)	16.3%
Asia	15.1%
Sub-Saharan Africa	14.6%
Pacific	11.1%
Arab States	6.0%

Source: <http://www.ipu.org>, 30 September 2004

This calls for a new research agenda. What happens when electoral gender quotas are introduced in political environments as dissimilar as those of Argentina, France, India, Pakistan, South Africa, Sweden and Uganda? Under what conditions do quotas contribute to the empowerment of women? When do gender quotas lead to unintended negative consequences like stigmatization and marginalization? These are crucial questions that need to be addressed by feminist researchers, as well as by international institutions and non-governmental organizations (NGOs).

Having gathered data on the employment of quotas globally, it is time to formulate this new research agenda to compare these different quota systems.<sup>5</sup> Such cross-national research should examine the discourse that is taking place, decision-making processes, implementation processes and the effects of quotas.

While electoral statistics can provide information on the number of women elected, many countries, unfortunately, do not have data on the sex of nominated candidates, which must be obtained through other channels, such as the parties themselves. Quotas should also be assessed from a qualitative perspective, however, that is, the intended and the unintended ramifications, such as the real empowerment of women or specific groups of women versus the possibility of stigmatization and glass ceilings that prevent the number of women exceeding the quota requirement.

With some exceptions, until now, research on quotas has primarily been limited to one country. It is essential to widen the analysis and to conduct research that compares quota discourse and implementation processes and results under different electoral systems, different political cultures and different

gender regimes. Existing single-country studies seem to come up with quite different conclusions on the ability of quota systems to empower women. These differences, though, might be due to the chosen approach rather than to actual differences between nations.

### ***The theoretical foundation of quota demands***

Analyses of quota discourse reveal interesting variations among countries and regions. Quotas are highly controversial in some countries, whereas quota proposals have been passed with only little discussion in others. Yet the debate is often confused, and is only comprehensible if hidden assumptions about women and the position of women are scrutinized. Hence some consider quotas to be a form of discrimination and a violation of the principle of fairness, while others view them as compensation for structural barriers that prevent fair competition. Quotas are sometimes perceived as violating other principles like fairness, competence and individualism. Yet quotas are also seen as an efficient way of attaining ‘real’ equality, that is, ‘equality of results’.<sup>6</sup>

If we take the actual exclusion of women as the starting point, that is, if we recognize that many barriers exist that prevent women from entering the realm of politics, then quotas are not viewed as discriminating (towards men), but, instead, as compensation for all of the obstacles that women face. When all of these impediments are removed, quotas will no longer be necessary, it is argued. In this respect, quotas are a temporary measure. It may take decades, though, before all social, cultural and political barriers preventing equal representation of women are eradicated. Today, the very idea of linear progressive development towards gender equality is challenged.

The gatekeepers to the political scene used to be the political parties, because of their control over the nomination process. The role of voters is often not as decisive as one would think. Who will be elected is frequently decided by the nomination committees of the political parties—they select the candidates and place them in good or bad constituencies (in terms of likelihood of election). Prior to the polls, the political parties usually know which seats are ‘safe’. In all systems, it is important to examine who actually exercises control over the nomination process. In countries with a high level of women’s representation, women’s organizations have consistently asked: who controls the nomination process? In the Scandinavian countries women’s organizations shifted from

the more vague call for ‘more women in politics’ to the demand for 50 percent of seats on nomination committees and within the party leadership.

The decision as to whether or not to introduce a quota is increasingly influenced by the recommendations of international organizations and by developments in different national contexts. Electoral gender quotas are being introduced today in nations where women have been almost entirely excluded from politics, as well as in states with a long history of female involvement in the labour market and in political life, such as the countries of Scandinavia. In the Scandinavian countries, electoral quotas were not introduced in the latter until the 1980s, when women’s parliamentary representation already exceeded 25 percent.

The introduction of effective quota systems represents a shift in approach, from ‘equal opportunity’ to ‘equality of results’. However, since most quota systems specify the number of women and men to be presented to voters on electoral lists, and not the gender distribution following the election, one might prefer to see electoral gender quotas as an example of ‘real equal opportunity’. Women and men have an equal chance to present themselves to the voters and in open-list proportional representation (PR) systems, as well as in majority systems, voters have the option of voting for a female or male candidate. In general, a quota system represents a break with the widespread gradualism of equality policies. Viewed from this perspective, the Scandinavian countries can no longer be considered a model for ensuring equal political representation around the globe.

### ***Why Scandinavia is no longer the model***

For many years, feminist organizations worldwide have viewed the five Nordic countries as a model for achieving equality for women. A key factor has been the very high level of representation of women in parliament and on the local councils, especially since the 1970s.

How did women in Scandinavia come this far? What can we learn from the Scandinavian experience? As Nordic researchers we have tried to answer these questions by pointing to structural changes within these countries, such as secularization, the strength of social-democratic parties and the development of an extended welfare state, women’s entrance into the labour market in large numbers in the 1960s, the educational boom of the 1960s, and the type of electoral system (PR). Strategic factors are also seen as im-

**Table 2: Percentage of Women in Scandinavian Parliaments Today**

Sweden	45.3% (2002)
Denmark	38.0% (2001)
Finland	37.5% (2002)
Norway	36.46% (2001)
Iceland	30.2% (2003)

portant, especially the various approaches employed by women’s organizations to raise the level of women’s political representation.

The international research community has paid considerable attention to the results of Nordic research. The extraordinarily high rate of women’s representation in the region since the 1970s, by international standards, has sometimes been attributed to the introduction of quotas.<sup>7</sup> However, this is not an accurate assessment: quotas were not introduced until women had already acquired around 25 percent of the seats in parliament. Women politicians then used this new power to consolidate the position of women in general by working for the introduction of quotas in their respective political parties. Quotas were never introduced by law in the Nordic countries, only as a result of internal party decisions. And not all Nordic political parties use quotas—those that do are mostly to be found in the centre and on the left of the political spectrum. The few Danish parties that introduced quotas abolished them after just a few years. Finally, the Swedish principle of ‘every second women’ is not even considered a quota system by the general public, even if, in fact, it is a radical quota system, demanding and, in most cases, leading to a 50 percent gender balance.

The Scandinavian experience cannot be considered a model for the twenty-first century because it took 80 years to get that far. Today, the women of the world are not willing to wait that long. Electoral quotas are a symbol of the impatience of modern women. A very good example is South Africa, where the introduction of quotas in the 1994 election (the first poll to be held following the demise of apartheid) by the African National Congress (ANC) resulted in women’s representation in the new democracy reaching 27 percent.<sup>8</sup>

### **Different Quota Systems**

The electoral quota for women may be constitutional (like in Burkina Faso, Nepal, the Philippines and Uganda), legislative (as in many parts of Latin America, as well as, for example, in Belgium, Bosnia and Herze-

govina, Serbia and Sudan) or it may take the form of voluntary party quotas. In some countries, including Argentina, Bolivia, Ecuador, Germany, Italy, Norway and Sweden, a number of political parties have some type of quota. In many others, though, only one or two parties have opted to use quotas. However, if the leading party in a country employs a quota, such as the ANC in South Africa, this may have a significant impact on the overall rate of women's representation. Yet most of the world's political parties do not use any kind of quota at all.

Even if constitutional amendments and new electoral laws providing for gender quotas may seem more commanding, it is not at all evident that these methods are more efficient than political party quotas when it comes to implementation. It all depends on the actual rules and the possible sanctions for non-compliance, as well as on the general opportunities that exist for quotas within a country. As for nomination rules, the crucial issue is whether there are any rules governing the rank order of candidates on the list. Are the nominated women placed in a position with a real chance of election? 'Reserved seats' are a different kind of quota, whereby a specific number of seats are set aside for women—as in Uganda, where a number of regional seats are reserved for women. The differences between the various systems should not be exaggerated. In a closed list system, quotas, in reality, determine which of the candidates will be elected, but the number of seats to be awarded to each party is still down to the electorate.

In some countries quotas pertain to minorities based on regional, ethnic, linguistic or religious cleavages. Almost all political systems utilize some kind of geographical quota to ensure a minimum level of representation for a densely-populated area, such as an island. That type of quota is usually not considered to be as controversial as a gender quota.

Quotas work differently under different electoral systems. Quotas are most easily introduced in proportional representation (PR) systems. But even in a PR system, because of the few elected candidates, small parties and parties in small constituencies experience difficulties in implementing quotas without interference by the central party organization.

Quotas may be introduced in democratic political systems, as well as in systems with limited democratic freedoms, or even in non-democratic or authoritarian political systems.

### ***Gender-neutral quota provisions?***

Most quotas aim to increase women's representation,

since, typically, the problem to be addressed is the under-representation of women. This is particularly relevant as women usually make up 50 percent of the population or more. An electoral gender quota regulation may, for example, require that at least 40 percent of the candidates on an electoral list are women. A minimum requirement for women implies a maximum number of men.

Some quota systems, however, are constructed on a gender-neutral basis, which establishes a maximum for both genders. The requirement may be that neither gender occupies more than 60 percent and no less than 40 percent of seats.

A 50–50 quota is, by nature, gender-neutral. It also sets a maximum for the representation of women, which a minimum female requirement does not.

A 'double quota' not only calls for a certain proportion of women on an electoral list, but it also prevents women candidates from being placed at the bottom of the list with little chance of election. Argentina and Belgium are examples of countries with a legal requirement for double quotas.

### **The Troublesome Matter of Quota Implementation**

Quotas have often stimulated vehement political debate. To date, research on quotas has tended to concentrate on these debates and on the decision-making process. While these discursive controversies are an essential part of the Stockholm University research project, emphasis is also being placed on the frequently neglected and troublesome matter of quota implementation and on the consequences of introducing quotas. From single-country studies we know, for instance, that the introduction of a requirement demanding a minimum of 30 percent of each gender on an electoral list does not automatically result in women acquiring 30 percent of seats. Thus, by comparing the use of quotas in many similar (and different) political systems, it is possible to determine whether quotas are an equitable policy measure, contributing to the stated goal of equal political citizenship for women.

An unclear debate and lack of legitimacy with regard to the claim often leads to problems at the implementation stage. In a survey of political parties in the Nordic countries, and of women's organizations in the same parties, the Norwegian Labour Party reported that it takes three elections to implement a quota. Why? Because the party is not prepared to throw out an incumbent male parliamentarian in order to include a woman.

The results of past single-country studies vary to a

considerable extent: the partial failure of the attempt to introduce women's shortlists in a single majority electoral system, like that of England, which nevertheless produced some positive results;<sup>9</sup> the success of the Scottish 'twinning system'; often 'minimalist' compliance with the rules by political parties in Latin America, resulting in small and uneven gains in women's representation, with Argentina and Costa Rica serving as outstanding positive examples;<sup>10</sup> and the somewhat stigmatic consequences of the system of reserved seats for women in Uganda.<sup>11</sup>

The 30 percent quota provision for local councils in Bangladesh, India and Pakistan amounts to a sort of revolution in the gender regime in this area. Research has shown, though, that the quota system requires that women's organizations develop capacity-building programmes for nominated and elected women candidates. If quotas are to lead to the empowerment of women, elected women must have the capacity to fulfil their new responsibilities; especially in a strong patriarchal society, capacity-building for women politicians is essential. At the same time, we may conclude that properly implemented quotas might contribute to a more gender balanced society.

### International 'Translation'

A new international discourse on gender balance in institutional politics is an important factor behind the recent introduction of quotas all over the world. Today we see male-dominated parliaments passing quota laws. However, the fact that some countries have opened up to quotas, while others have not, and the fact that specific types of quota systems seem to manifest themselves in regional clusters, all point to the need for context based research on how this international discourse is translated in order to make it applicable in different individual and regional contexts. The women's movement appears to have a crucial role to play in this process.

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# Overview of Quota Systems in the Region of Central and Eastern Europe

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This case study provides an overview of the application of quota systems in Central and Eastern Europe. In so doing, however, geo-political concerns arise. How do we define the region of “Central and Eastern Europe (CEE)”? It is problematic, since how can one speak of the CEE region when some countries have become members of the European Union (EU) and some remain outside of it? And how can one speak about the CEE countries and leave out the nations of the Balkans? Despite the fact that they were all former socialist countries the differences among these countries are great and they are even becoming bigger as development and transition processes proceed at different speeds. For the purpose of this case study, therefore, the region is assumed to include the following: the Czech Republic, Hungary, Poland, Slovakia and Slovenia, as well as Albania, Bosnia-Herzegovina, Croatia, The Republic of Macedonia, and Serbia and Montenegro.

## **The Position of Women: Commonalities and Differences**

During the socialist (communist) period in the region a common understanding of the ‘women’s’ question prevailed: it was seen as part of the class question. It was going to be solved by the communist party led by self-organized workers and citizens (in the former Yugoslavia) or by the communist state and its agencies (in the other countries). Hence no independent organization of women was needed—this is why some of feminist writers have proclaimed that this was a period of state feminism or the imposition of feminism from above. One can really witness big changes during the socialist (communist) period in the position of women. Most notably, state feminists secured a ban on gender-based discrimination, as well as formal equality and the right to vote for women, the right to abortion, paid maternity leave for employed women, equal access to schooling and paid work, and a declaration calling for equal pay for equal work. In addition, a publicly subsidized network of childcare facilities was set up.

The transition away from communism occurred over a different timeframe in different countries, had a different intensity and shape, and produced different results. Furthermore, these countries have

enjoyed a different rate of economic development, plus there are big differences in their political systems and in the national, religious and cultural structures of their societies. Development was most rapid in the Czech Republic, Hungary, Poland, Slovakia and Slovenia and hence these countries acceded to the EU on 1 May 2004. Progress in the other countries is much slower. One of the most important reasons for this relates to the wars that took place in the Balkans. While Slovenia was ‘lucky’ only to endure ten days of clashes, the other parts of the former Yugoslavia suffered long and bloody conflicts.

During the first years of extensive political change, and especially during the conflicts, the concept of the woman/worker was reshaped by a number of big developments, the most important of which were the establishment of independent nation states, privatization and the creation of a market economy, political and religious pluralism, and state- and institution-building. The new mainstream political practices attempted to reduce women to a part of a national body—the reproductive part which assumes its own important role during such periods. The tactics were different in different countries, ranging from the assertion that women would prefer to leave their paid jobs and stay at home and take care of the family and efforts to legalize the sanctity of life from the outset in order to undermine the rights of women to abortion (Slovenia), to attempts to ban abortion outright (Croatia and Poland) and the rape of women of other nationalities during war (Bosnia-Herzegovina, Croatia, Kosovo and Serbia).<sup>1</sup>

Transitional or mainstream war politics did not provide much room for deliberations on questions connected to gender equality and the political participation of women in any of the respective countries. Conversely, disillusioned by the transition or by war, mainstream politics was more or less perceived by most women as a dirty business, time-consuming and as a highly corrupt activity.<sup>2</sup> Up to the mid-1990s, women’s non-governmental organizations (NGOs) in most of the countries were weak, powerless and received insufficient outside support (information, financial resources and moral backing)—if they existed at all—and were unable to press for a stronger presence of women in public life and the political

arena. Until the end of the war in Bosnia-Herzegovina in 1995, for example, women's NGOs there were mostly focussed on helping to deliver humanitarian assistance, achieving peace and on defending the human rights of women in war regionally and globally with the well-connected women's pacifists' movement. The most significant achievement of these bodies was that rape during war was finally declared a crime against humanity (at the United Nations (UN) World Conference on Women in Beijing, China, in 1995). Most of the women's NGOs in the Balkans during this time also concentrated on so-called social issues, including running SOS help-lines, providing support to rape victims, setting up safe houses for women victims of violence, and offering economic assistance. But, little by little, and at a different rate, the situation started to change. In the early 1990s, women started to organize themselves within political parties, trade unions and other entities.

## **Common Features Regarding Gender Equality and Political Culture**

### ***Concentration on big issues***

The political agendas of the countries under consideration are focussed on big issues like stabilization of the national economy, integration into the EU and the North Atlantic Treaty Organisation (NATO), and the preservation of the nation (more specifically, addressing the low birth rate). One of the key reasons, therefore, for the low level of political participation by women is a very narrow definition of 'political' and the lack of importance accorded to the issue of equality for women and men in the political sphere.

### ***Misunderstandings of the concept of political equality***

In this region, it is believed that women are in an equal position to men and hence that there is no need for special support, and that they are not discriminated against in the education and employment fields or with regard to rights of citizenship. It is also believed that liberal democracy (as a political regime) and the market economy ensure economic and political equality for all individuals, independent of gender. As already noted, a narrow definition of the 'political' has blocked initiatives to encourage greater political participation of women in post-socialist systems.<sup>3</sup> Accordingly, demands for the introduction of mechanisms to guarantee the equal participation of women were often seen as illegitimate and unacceptable.<sup>4</sup> Acceptance of a simplified liberal democratic agenda has ruled out

any rethinking of the structural relationships between public and private spheres.<sup>5</sup> Women are faced with a political culture that strongly believes in the power of individual political rights and the market economy and does not support the argument that special positive measures are needed to guarantee greater political participation of women. This, among other things, explains why many attempts to introduce such measures have failed.

### ***Strong anti-feminism***

The majority of men and women in the countries of the region believes that feminism, feminist theory and the organized feminist movement are not appropriate instruments for improving the position of women in politics and society. Feminism is still seen in quite a negative light and, for the most part, is connected either with militant suffragettes or with strong women communist politicians. Opponents would say that the feminist politics are too encumbering and uncompromising and that all of the changes need more time—we cannot achieve change overnight, but only through a step-by-step process.<sup>6</sup>

### ***Lack of a strong women's movement and collective action for new rights***

Many people in this region, especially women, are used to receiving benefits from the state—due to state feminism during the socialist era. At the same time, people are not used to organizing themselves in order to acquire new rights. In Slovenia, for instance, it is easier to organize to preserve existing rights (the right to abortion) and much more difficult to organize to gain new ones (equal representation through quotas). As well, in some countries of the region, women (and men) stress that they are weary of compulsory political activity and forced emancipation from the previous regime and that they have a right to abstain from politics. This is why electoral turnout is now quite low, as witnessed in Slovenia, for example, during the last few referenda.

## **Systemic Factors**

### ***Electoral systems***

The type of electoral system employed in a country has a crucial bearing on the success enjoyed by women at the polls. Many research projects have proved that systems based on proportional representation (PR) serve to ensure women a stronger presence in politics and thus offer a better chance to introduce different kinds of special measures, including quotas.

From research on politics in Western countries, we also know that list-PR systems have a more favourable impact on the electoral prospects of women than majority systems.<sup>7</sup> The same studies show that women stand a better chance of being elected in multi-member districts (MMD) than if voters choose a small number of candidates or can select only one candidate. Some researchers have observed that women's chances of being elected increase with the raising of the electoral threshold, which qualifies parties to gain seats in a legislature. Unless the electoral rules provide for specific ranking order of men and women on party candidate lists, women often tend to be concentrated halfway down the list or lower, with slim chance of election. So, the larger the pool of elected candidates for one party within an electoral district, the

more likely parties are to reach the women candidates further down the party list.

None of the CEE countries under consideration here uses a plurality/majority system in parliamentary elections, but rather some variation of proportional representation, including mixed systems. Hungary, for example, employs a mixed-member proportional (MMP) system (single-seat constituencies, territorial and lists and national or compensatory seats), together with Albania, Bosnia-Herzegovina, Croatia, the Czech Republic, Macedonia, Poland, Slovakia and Slovenia all have PR electoral systems, some with one nation-wide constituency and some using multi-member districts. Serbia and Montenegro uses PR for direct elections at the Republic level, while the state parliament is indirectly elected.

**Table 1: Women's Representation in Parliaments in CEE, 2004**

Country and year of last election	Electoral system	No. of parties in parliament	No. of women in parliament (of total seats)	Percentage of women in parliament	Type of Quota
Albania 2001	MMP (100 Single Member Districts plus 40 Multi Member Districts)	14	8/140	5.7	None
Bosnia-Herzegovina 2002	List PR (MMD)	8	7/42	16.7	National legislation Electoral law 2001
Croatia 2003	MMD (local constituencies filled by PR plus votes for diaspora and minorities)	15	27/152	27.0	Voluntary political party quota
Czech Republic 2002	MMD (local constituencies filled by PR)	6	34/200	17.0	Voluntary political party quota
Hungary 2002	Mixed (SMD with absolute majority plus MMD local constituencies filled by PR, plus nationwide MMD constituencies)	4	35/386	9.1	Voluntary political party quota
Macedonia 2002	Mixed (SMD with absolute majority plus nationwide MM constituencies filled by PR)	14	22/120	18.3	National legislation-33% quota for under-represented gender and voluntary political party quota
Poland 2001	PR (MMD—local constituencies filled by PR and nationwide MMD constituencies filled by PR)	15	93/460	20.2	Voluntary political party quota
Serbia & Montenegro	List PR (direct and indirect elections)	17	13/126	10.3	Electoral law quota of 30% in Serbia
Slovakia 2002	List PR	7	26/159	17.3	Voluntary political party quota
Slovenia 2004	List PR (MMD—local constituencies filled by PR, 2 SMD seats for ethnic minorities)	7	11/90	12.2	Voluntary political party quota

We can conclude, therefore, that none of these countries has an electoral system that is particularly unfavourable to women. Of these, however, the least conducive to women's election chances are the PR varieties used in Hungary and Slovenia. In Hungary, the reason for this is that roughly half of the parliamentary seats are filled from single-seat constituencies (176) and the remainder from territorial and national party lists. In Slovenia, the reason is that eight constituencies are further divided into 11 electoral districts, where parties nominate individual candidates who compete for votes with other parties' candidates and then with their own party colleagues—this has not benefited women candidates.<sup>8</sup>

As for elections in Hungary, Ilonszki states that, in the first elections to be held following the demise of communism, 'the consequences of the electoral system were more obvious and straightforward than in the second and third ones'.<sup>9</sup> The proportion of women elected from national lists fell from one election to the next: 50 percent, 28 percent and 22 percent in 1990, 1994 and 1998, respectively.<sup>10</sup>

In Slovenia, the division of constituencies into voting districts radically affects the logic of proportional representation and diminishes women's chances of becoming party candidates. Consequently, parties act similar to those operating in a majority electoral system, where they have to select and propose one candidate for each voting district. This usually results in the presence of a significant number of male, middle class, locally well known MPs in parliament.<sup>11</sup>

As for those countries that use the party-list PR system (Czech Republic, Poland and Slovakia), it has been argued that the electoral prospects of women depend on their position on the list: the higher the ranking, the greater the chance of election. However, not many women occupy the top positions on the lists, so the percentage of women elected is low.<sup>12</sup> Although, a comparison of the 1993 and 1997 elections in Poland reveals that, in the latter, the two strongest parties, the Freedom Union (UW) and the Democratic Left Alliance (SLD), nominated fewer women, but voters, in all districts, save for those with a small number of seats, 'exercised their preference to increase the number of women in parliament beyond that planned by the political parties'.<sup>13</sup>

In general, the number of women on party lists for national elections in these countries is small, averaging between 13 and 16 percent. One can conclude, therefore, that their election results are quite good, since the proportion of elected women compared to women candidates is lower by only a few percentage points. Moreover, an analysis of the electoral prospects of women that

focussed on concrete candidate lists revealed that, in the main, when women do appear on candidate lists they stand a good chance of being elected.<sup>14</sup> Furthermore, studies have shown that women candidates are elected several times in succession and that the percentage of women who are re-elected is greater than that of men.<sup>15</sup>

In all countries the election results are additionally affected by setting a threshold for entry of parties into parliament. The threshold varies: in Slovenia it is four percent (changed from three seats in the 2000 elections), while in the Czech Republic, Poland and Slovakia it is five percent. In Hungary a provision exists stipulating that a national list may be presented by a party that has drawn up lists in at least seven territorial constituencies. These rules help to exclude smaller parties from the electoral competition, so their votes get distributed among the larger parties. According to some interpretations,<sup>16</sup> the women members of larger parties thus stand a better chance of being elected—presuming that they are selected as candidates of course.

One can conclude, therefore, that the countries of Central and Eastern Europe do not utilize parliamentary electoral systems that are unfavourable to women, and hence that the reasons to explain the low proportion of women in the parliaments of the region should be sought elsewhere.

## Party Systems

Research shows that political parties, as the guardians of the candidate nomination process, are important gatekeepers to the election of women for public office. Following are characteristics of the party systems in the region.

- **A relatively large number of parties:** In contrast to the other European countries, the political arena in CEE is characterized with many political parties. Between 20 and 30 parties compete in an election, and many more small parties are registered (for example, there were 200 parties in Poland in 1991 and 29 held seats in parliament).
- **Party fragmentation:** Of the numerous parties competing in elections, many are successful in gaining access to parliament. However, the number is decreasing. As noted above, there were 29 parties in parliament in Poland in 1991, but this figure fell to 15 in 2001. Among other things, the decline is due to the introduction, in 1993, of the five percent threshold for parties and the eight percent threshold for coalitions. In Slovenia,

the introduction of the four percent threshold resulted in 20 parties competing in the 2000 election (down from 28 in 1992) and the number of parties in parliament decreased from eight in 2000 to seven following the 2004 poll.

- **Unstable party systems:** The instability of the party system is due, in part, to the fact that new parties are continuing to appear (some of which are small, interest-based parties, such as the Youth Party in Slovenia and the Pensioners' Party in Poland and Slovenia). In addition, some small parties are continuing to merge (different green parties and groups in Slovenia), while like-minded parties are continuing to unite (such as the Christian Democrats and the People's Party in Slovenia). Hence the electorate's loyalties and preferences are not entrenched and shifts in public support occur.
- **Male domination of the parties:** In all of the countries under review party politics is still 'a man's job'. Party membership remains predominantly male. Christian democratic parties are the exception: around 50 percent of their membership is female or they are linked with strong women's groups. The Christian Democrats in Slovenia and Poland are reported to have 61 percent<sup>17</sup> and 52.3 percent<sup>18</sup> of women in their ranks, respectively, while the Christian Democrats in Hungary are said to have an 8,000-strong women's section.<sup>19</sup> The data show that women's participation in important party bodies is not in proportion to their share of the membership. One finds it hard to identify, for instance, a woman at the deputy level within a party—usually one in every three or five deputies is a woman. With respect to those parties that are situated ideologically in the centre and left of centre, the smallest gap between share of membership and share of leading positions is found among liberal and social democrats and greens.
- **Party gatekeepers:** Parties exercise direct influence over women's access to political power. They often behave as gatekeepers. Researchers who focus on questions that relate to women's prospects of election agree that the party is an important obstacle that they must overcome in order to enter parliament.<sup>20</sup> Ilonszki asserts that parties are a more important factor governing women's chances of election than the electoral system.<sup>21</sup> According to Siemeńska, women parliamentarians estimate that, in general, women are less likely to be included on an electoral list be-

cause this is a responsibility of party bodies in which they are heavily under-represented.<sup>22</sup> She concludes that being placed on a list often depends 'on the gatekeeper's own sweet will'. In Slovenia, for instance, the electoral headquarters of political parties frequently work in complete secrecy and only a select few are made aware of their activities. They usually choose candidates from different circles. The first and most powerful circle, and the one from which most of the candidates are chosen, includes high-profile individuals, such as parliamentarians, ministers, state secretaries and mayors. There are extremely few women members.<sup>23</sup>

- **Party ideology:** Some important characteristics of parties' impact on women's participation in politics, notably: organizational structure; ideology; and formal and informal rules.<sup>24</sup> It seems that, in particular, the party's ideology plays an important part in determining its perspective on women in the political arena.<sup>25</sup> Left of centre parties (such as liberals, socialists, social democrats and greens)<sup>26</sup> are more amenable to women entering politics than right of centre parties (for example, people's parties and Christian democrats). While the first group typically sees women as equal partners in politics (with men), often it does very little or nothing to make this a reality. The second group, by contrast, highlights, for the most part, the important role to be played by women in the private sphere. If women appear in the public domain it is often because they are engaged in charity work or are helping male colleagues. The latter group also does not support any special measures that could help women to gain access to politics.<sup>27</sup>

As has already been noted, party programmes are still preoccupied with big issues (relating to the nation and the economy). Politicians do not attach much value to achieving equality between men and women, while political parties do not consider women to be serious political agents. Women are perceived as a relatively significant part of the electorate whose support only has to be garnered at decisive moments, particularly at election time. Partly because party programmes do not devote much attention to so-called women's issues, new parties have emerged that can be classified as women's parties (like the Women's Party and New Party in Slovenia). None, though, has attracted enough votes to surpass the threshold criterion.

The number of women on candidate lists for parliamentary elections in all of the countries of the region is low (less than one-quarter of the total). Thus

the representation of women on these lists does not correspond with either their strength within party memberships or populations as a whole. However, analysis of elections shows that women who have appeared on the candidate lists have a good record. Female candidates are receiving beyond average support from the electorate, which demonstrates that they are qualified and electable, contrary to claims of party officials. Research conducted on the situation in Hungary has revealed that more women are placed in positions on party lists with less prospect of election (that is, in single-member districts where the party has little hope of winning and less and less in winnable positions on national lists). The same applies to Slovenia, where strong parliamentary parties and parties, which aim to improve their results, nominate fewer women in winnable seats than small parties and parties which have less prospect of winning.<sup>28</sup> In the Czech Republic and Poland only a very small number of women are placed in the first three positions with a good chance of election. As for elections in Poland, Siemeńska assumes that, ‘in parties with strong individualities and organized women’s groups, slightly more women are placed on high positions on the lists’.

### Attitudes to Quotas in the Region

In terms of strategies that enable parties to nominate more women in an election, it is widely recognized that quotas are among the most successful. Quotas are mechanisms that allow members of marginalized groups to be included on candidate lists for parliamentary elections. But the bad experiences of certain countries following the collapse of the socialist system led to the rejection of quotas on the grounds that they constituted an inappropriate means of ensuring the participation of women in politics.

The public perceives the quota mechanism as a means of forced participation, the establishment of inequality and/or the placing of one of the sexes (male) in an unequal position. Although discussions on quotas are not a total novelty, as a tool for ensuring more appropriate representation of women in politics they are still being rejected by most political parties in the region.

Quotas can be incorporated into the Constitution, as in France, established through national legislation (electoral law or a law on political parties), or introduced by internal party statutes law. With regard to the CEE region, only in Slovenia are the basis for quotas guaranteed in the constitution. In Bosnia-Herzegovina (BiH) the introduction of quo-

tas in the BiH Election Law came with the support from the international community. In the past ten years, Macedonia and Serbia and Montenegro have passed national legislation introducing quotas. In all other cases, quotas have been introduced by some political parties.

The system of quotas was rejected by all parties in the Czech Republic; only the Party of the Democratic Left employs a kind of quota for elections to internal party bodies (25 percent).<sup>29</sup> The same thing happened in Poland; only the post-communist left wing Democratic Left Alliance is inclined to use the quota. The Parliamentary Group of Women in the Polish Sejm proposed a 30 percent quota, but its proposal did not gain sufficient support in parliament.<sup>30</sup> In Hungary, only the Hungarian Socialist Party uses a 20 percent quota, which applies to women and party members under 35 years of age.<sup>31</sup> In Slovenia, quotas have been adopted by centre-left parties: the Liberal Democracy of Slovenia currently utilizes a 25 percent quota, which will be raised by three percentage points at each election—the ultimate objective is 40 percent representation of women. The Greens have introduced a provision calling for equal representation of both sexes, while the United List of Social Democrats does not have a statutory provision but observes a proviso that women should fill at least one-third of the positions on candidate lists.<sup>32</sup>

Quotas alone, of course, cannot solve the problem of women’s under-representation in politics. However, they may have a positive influence on the operation of parties and their endeavours with respect to the advancement of women in the political realm. They may also have a positive effect by encouraging women to aspire to participate in party politics.

A more specific survey in Slovenia<sup>33</sup> for example, reveals that there are several reasons why all previous proposals for the introduction of quotas through national legislation failed prior to the Act on Elections to the European Parliament:

- one of the most important is the low number of women in parliament and the insufficient political power that they wield within their respective parties;
- women parliamentarians only rarely participated in debates on quotas, mainly because the struggle for women’s rights was often portrayed and interpreted negatively in Slovenia and elsewhere;
- insufficient knowledge about special measures and various equal opportunity policies; and

- the opposition of the government, which saw the proposals as amounting to indirect interference in the affairs of state and of political parties.

Two important developments led to a slight change in the situation. In 2001, a coalition was established that is seeking to achieve an equitable balance of women and men in public life. The coalition acts as a pressure group, occasionally publishing leaflets in order to focus the attention of the public and politicians on the low rate of women's political representation and presenting party politicians with written appeals calling for more women in parliament and demanding that they support special measures like quotas or zipper lists. By autumn 2002, two-thirds of the country's parliamentarians were backing constitutional change, intended to provide a legal basis for the introduction of the special measures, that is, quotas.

The Act on Equal Opportunities for Women and Men, which entered into force in July 2002, was the first law to introduce and define special and positive measures and to lay the ground for their adoption in individual areas of social life where one gender is under-represented.<sup>34</sup> Via this law, positive measures to encourage gender equality became recommended measures—meaning that political or other actors are still not legally obliged to comply. The most promising development came in February 2004, when a 40 percent gender quota for candidate lists became a legal provision of the Act on Elections. This can serve as a precedent.

## Conclusion

The leading countries in the region in terms of women in parliament are Poland (20.2 percent) and Croatia (21.7 percent). A number of factors can be observed in these two countries, which are anomalous to the relatively high percentages of women in parliament. These factors include: the strong influence of the Catholic Church; absent or weak state mechanisms to help women gain access to politics; the nuances of the PR electoral systems in each; and a large number of parties in parliament (15 in both). In the other countries of the region, one can discern stagnation or a slow rate of change with respect to the presence of women in parliament. The introduction of a strong and effective quota mechanism is, therefore, vital to strengthen the presence of women in politics in the short-term.

## Endnotes

- 1 For more information, see Ramet, Sabrina Petra. ed. (afterword by Branka Magaš.) 1999. *Gender Politics in the Western Balkans*. University Park: Penn State Press.
- 2 See also Jalušič, V. and Antić, M.G. 2001. *Women – Politics – Equal Opportunities, Prospects For Gender Equality Politics in Central and Eastern Europe*. Ljubljana: Peace Institute.
- 3 Ibid.
- 4 In the words of Marylin Reuschmeyer, gender equality is 'a term that most politicians, male and female alike, hesitate to use. Quotas for women in political representation are generally shunned because they are associated with the politics of the past. And women who came into politics then, it is said, were only tokens, less qualified and experienced than men'. Rueschmeyer, Marylin. 1998. *Women in the politics of Post-Communist Eastern Europe*, New York, London: M.E. Sharpe, Inc. p. 293.
- 5 Jalušič, Vlasta. 1999. "Socially Adapted, Politically Marginalized: Women in Post-Socialist Slovenia", Ramet Sabrina P. (ed.), *Women Society and Politics in Yugoslavia*, Pennsylvania State University Press, pp. 51-66.
- 6 See Butorova in Jalušič, V. and Antić, M.G. 2001. *Women – Politics – Equal Opportunities, Prospects For Gender Equality Politics in Central and Eastern Europe*. Ljubljana: Peace Institute. 6a Ibid.
- 7 This is dealt with in the papers by Richard E. Matland and Wilma Rule. For more on women's access to power in the region see Matland, Richard E. and Montgomery, Kathleen. eds. 2003. *Women's Access to Power in Post-Communist Europe*. Oxford: Oxford University Press.
- 8 For more on this, see Antić, Milica. 1998. *Ženske v parlamentu* (Women in the Parliament), Znanstveno in publicistično središče, Ljubljana.
- 9 Ilonszki, Gabriella. 2000. "Gloomy Present, Bright Future? A Gender Perspective for Party Politics in Hungary", paper presented at the international workshop "Perspectives for Gender Equality Politics in Central and Eastern Europe", The Peace Institute, Ljubljana, May 2000.
- 10 Ibid.
- 11 Antić, 1998, op. cit.
- 12 Filadelfiová and Gurán in Jalušič and Antić, op. cit.

- 13 Gibson, John. 1999. "Parties and Voters. The Effect of the Polish Electoral System on Women's Representation, paper presented at the international conference "Women's legislative Representation in Eastern Europe: Ten years After the Fall", Bergen.
- 14 Ilonszki, Siemienska, Havelková in Jalušič, V. and Antić, M.G. 2001. *Women – Politics – Equal Opportunities, Prospects For Gender Equality Politics in Central and Eastern Europe*. Ljubljana: Peace Institute.
- 14a Ibid.
- 15 Siemienska, Renata. 2000. "Political Representation of Women and Mechanisms of Its Creation in Poland", paper presented at the international workshop "Perspectives for Gender Equality Politics in Central and Eastern Europe", The Peace Institute, Ljubljana, May 2000.
- 16 Matland an Montgomery op.cit.
- 17 See Antić, Milica. 1999. «Slovene Political Parties and their Influence on the Electoral Prospects of Women» in Corrin, Cris. (ed), *Gender and Identity in Central and Eastern Europe*, London: Frank Cass, pp. 7- 30.
- 18 See Saxonberg, Steven. 1999.«Influence From Within? The Attempts of Czech Women's Organisations to Increase Female Representation in Political Parties», paper presented at the international conference "Women's legislative Representation in Eastern Europe: Ten years After the Fall", Bergen.
- 19 See Fodor, Eva. 1998. «The Political Woman» in Reusmeyer, op. cit.
- 20 Havelková, Siemeńska, Illonszki in Jalušič and Antić op. cit.
- 21 Illonszki, 2000. op. cit.
- 22 Siemeńska, 2000. op. cit.
- 23 Antić, 1999. op. cit.
- 24 Norris, Pippa and Lovenduski, Joni. 1993. *Gender and Party Politics*, Sage, London. and Illonszki. op. cit.
- 25 Illonszki, Siemeńska, Antić, Havelková in Jalušič and Antić, op. cit.
- 26 This no longer applies to the Scandinavian countries. While the breakthrough was made by leftist parties, others have followed their lead and now no party can afford to have a wide gender gap with respect to its electoral lists.
- 27 In 1996, in Slovenia, an attempt was made to introduce mechanisms to improve women's access to politics. This supra-party initiative failed because of the opposition of right of centre parties.
- 28 Antić. 1998. op. cit.
- 29 For more, see Havelková, Hanna. 2000. «Political Representation of Women in Czech Republic: Political Institutions, Public Pools and Intellectual Discourse», paper presented at the international workshop "Perspectives for Gender Equality Politics in Central and Eastern Europe", The pace Institute, Ljubljana, May 2000.
- 30 Siemeńska. op. cit.
- 31 Ilonszki. op. cit.
- 32 In 2000, their share exceeded 32 percent.
- 33 See Antić, G. Milica. 2004. Women in the Slovenian Parliament: Below Critical Mass in Antić G. Milica and Ilonszki Gabriella, Women in Parliamentary Politics, Hungarian and Slovene Cases Compared, Peace Institute, Ljubljana, pp. 81-116.
- 34 Meaning that representation is less than 40 percent.

## Implementing Quotas: Legal Reform and Enforcement

### Overview of the Session

This session examined the challenge of implementing legislated quotas in the region, including the important role of enforcement mechanisms. Examples were drawn from Bosnia and Herzegovina, The Republic of Macedonia, Serbia and Montenegro, and Belgium.

### Bosnia and Herzegovina

Ms. Besima Borić provided an overview of the legislated quota in BiH and how it has affected women's representation in parliament.

The level of women's representation and the use of quota mechanisms in BiH have undergone several changes across time and between election cycles. Table 1 illustrates these dynamics.

**Table 1. Percentage of women by election year and decision-making body**

Decision-Making Body Election Year	Parliamentary Assembly of BiH	Federation Parliament	Republika Srpska	Cantonal Assemblies
1986 group representation under Communist Party	24.1	N/A	N/A	17.3
1990 first multi-party elections (no measures)	2.92	N/A	N/A	5
1996 first post-war elections (no measures)	2.38	5	1.89	6.4
1998 elections (quota for party lists-closed lists)	30	15	2	18.2
2000 elections (quotas for party lists-open lists)	17	17	18	17.9
2002 first elections under new BiH election law (quota for party lists-open lists)	14.3	21	16.8	22

Borić explained that, in socialist times, the Communist Party provided representation for women. In the early multiparty elections, in 1990 and 1996, no reserved seats were secured and the percentage of women in decision-making bodies dropped dramatically. Because of these disappointing election outcomes, women in NGOs, together with a few women politicians, started a joint action. The result was a large campaign supported by international actors, such as the OSCE and the United States Agency for International Development (USAID) missions in BiH. Thirteen NGOs and some 14,000 women took part in the campaign aimed at educating women voters and demanding quotas. As a result, the first quota rules were adopted as part of the temporary electoral regulations for the 1998 polls.

Borić noted that the introduction of quotas provoked mixed responses from political parties. Some parties thought they could ignore it. Others tried to manipulate the quota requirement by depriving strong women politicians of a presence on the lists and replacing them with inexperienced women or relatives of male party politicians. Yet, the OSCE-led Provisional Election Commission reacted with sanctions whenever there was a violation of the regulations.

The combined effect of a quota and closed party lists, plus enforcement to ensure compliance, led to a dramatic increase in women's representation. The next step was to incorporate the quota into the permanent electoral legislation. Borić maintained that the negotiations were somewhat strained by the unwillingness of members of the election law drafting committee of international experts to consider the permanent inclusion of quota provisions. Eventually, women activists successfully used the example of France, which at the time was adopting its constitutional parity principle, to convince the international experts of the utility of quotas. In 2002, BiH held its first general elections under the new electoral law, using quotas, as well as open lists. Some believe that the latter have had an adverse effect on women's electoral chances because they favour well-known politicians who tend to be male. The evidence

Article 4.19 of the Election Law of BiH enforces a mandatory 30 percent quota for the under-represented gender on party electoral lists. It is required that at least three out of ten candidates on party lists be from the under-represented gender. The Constitution of BiH incorporates the CEDAW provisions granting women equal social, political and economic rights.

from BiH is mixed, given that the elections that utilized open lists saw a dramatic reduction in the number of women elected to the Parliamentary Assembly and an increase or slight decrease in other decision-making bodies.

### **The Republic of Macedonia**

Dr. Daniela Dimitrievska spoke about The Republic of Macedonia's democratic journey, characterized by low levels of women's representation in political parties, on electoral lists and in decision-making bodies. The demand for quotas in the 1990s was initiated by the awareness-raising activities of women's NGOs, supported by international donors, the GTF and the 'Women Can Do It' programme. By 1998, there was a genuine movement behind the demand for quotas, favoured by most ordinary people. Quotas were introduced for the first time prior to the 1998 election as part of a broader electoral reform package, as well as in some political parties. A Conservative majority parliament approved the legislative quota.

Dimitrievska highlighted several reasons for the adoption of the legislative quota: academics working on the electoral reform law supported it; women's NGOs lobbied for it; and women in political parties embraced it. It is important to note that the introduction of quotas cut across party lines; there was no divide between government and opposition parties on this issue. The Macedonian Women's Lobby initiated a series of meetings with political leaders, presenting them with lists of women who were prepared to be nominated. It used favourable public opinion to convince politicians to sign a declaration of support for the quota mechanism.

Yet, Dimitrievska pointed out that implementation of the legislative quota faced challenges. Political

parties tried to violate the spirit of the law by placing women only towards the bottom of the electoral

lists, thus reducing their chances of election. Therefore, an amendment calling for a placement mandate was put forward. The proposal generated greater opposition than the initial legislative quota provision. However, active media support for, and internal party splits over, the amendment helped in securing its passage, although only by one parliamentary vote.

### **Serbia and Montenegro**

Dr. Zorica Mrsević provided an overview of Serbia and Montenegro, which is among the most recent countries to implement quotas. Serbia employs a 30 percent mandatory quota for the under-represented gender on electoral lists for local and parliamentary elections. The quota legislation for all municipalities in Serbia was first used in the local elections of September 2004 and helped women candidates to capture between 15 and 25 percent of the seats in local assemblies. The quota legislation for national-level elections exists in the amendments to the Law on Parliamentary Elections, adopted in April 2004.

The first quota provision was introduced for the 2002 local elections in three Albanian-majority municipalities in southern Serbia. In 2004 the local legislative quota was extended to other municipalities. Mrsević argued that the quota at the local level was implemented not out of explicit concern for women's representation but rather due to security worries and a desire for the country to be more politically stable. The legislative quota at

the national level was considered only after the December 2003 elections, when 90 percent of men and

BiH provides an example of a country where significant progress has been made in implementing a quota mechanism and raising the number of women in decision-making bodies. However, the representation of women remains low in high-profile political positions, government ministries and mayoral offices. Leading political parties still do not prioritize women's issues. An additional challenge is presented by the withdrawal of international donors. An important goal for the future, therefore, is to sustain regional cooperation and convince political parties to act on issues of gender equality.

Article 37 of the Law on Election of Members of Parliament of the Republic of Macedonia envisions a 30 percent quota for the under-represented gender on party electoral lists. An amendment of the law added the requirement of a 30 percent quota for the top half of the list. The State Electoral Commission is not to register parties that do not satisfy this stipulation.

100 percent of Serbs were elected to parliament. This resulted in much international attention being paid to the exclusion of minorities and in calls for the amendment of the electoral law in order to make the electoral process more legitimate. A new electoral law was thus elaborated; a gender quota was included, despite not being in the spotlight during the discussions. In Serbia, the quota regulation was not an independent political question, but was linked to issues of peace, security and minority representation.

Mrsević outlined some of the key challenges to implementing the quota in Serbia: perceptions of traditional gender roles are difficult to change; not all women automatically favour quotas; and there are some women politicians of clearly undemocratic orientation. Independent research conducted in Serbia shows that support for quotas is lowest among women students and is highest among women politicians, with women in NGOs taking the middle ground. In addition, conservative and nationalist political discourses present quotas as Western implants meant to weaken Serbia's ability to govern itself. The 'quota women' also face challenges in their own political parties, with men perceiving them as intruders. Women candidates are the first ones to be eliminated when parties face electoral crises. In the media, 'quota women' are often not taken seriously. A further difficulty concerns the occasional tensions between women politicians and the women's movement: the former being blamed for not representing women's interests and the latter belittled for not having an electoral constituency.

### **Belgium**

Petra Meier pointed out that, for decades, Belgium had experienced low levels of women's representation. This began to change in the 1990s, coinciding with the passage of two quota acts in 1994 and 2002. Table 2 summarizes the features of these two pieces of legislation.

The implementation of the legislative quota raised the level of women's representation in Macedonia from three percent to a high of 18 percent. The quota also allowed women from minorities to secure representation in the legislature for the first time. The Macedonian success story was made possible mostly by the public alliance behind quotas, the strong women's movement and the unusual merging of partisan interests. A future challenge is to increase women's representation at the local level, in light of ongoing processes of decentralization in the country.

**Table 2. Gender Quota Laws in Belgium**

Quota laws	1994 Quota acts	2002 Quota acts
Characteristics		
Quota provision	Electoral lists not to comprise more than two-thirds of candidates of the same sex	Equal number of female and male candidates on the lists
Double quota	No	Yes, candidates from the same sex cannot occupy the first two positions on the list
Scope	Applicable to all elections	Not applicable to local and provincial elections; the regions will continue to use the 1994 quota unless they adopt their own legislation
Temporary measures	Yes, between 1996 and 1999 lists comprised a maximum of three-quarters of candidates of the same sex	Yes, at the time of the first elections with the new quota, the first three positions could not be occupied by candidates of the same sex. The double quota will be applicable in future elections

Meier showed that the gender quota laws were made possible by the opening of rare windows of opportunity in the 1990s. In 1991, the women's movement managed to slip a commitment to gender equality into a Government Declaration on the need for consultation with civil society, despite significant opposition within the governing coalition. In 1999, a historic change occurred, with the Christian-Democrats losing power after 40 years in government and being replaced by a new coalition of Liberals, Social-Democrats and Greens. Politicians from the new coalition embraced the gender equality issue after receiving a lot of criticism from the feminist movement for not doing so. The 2002 quota law was adopted because the 1994 provisions were increasingly seen as being both

unfair (ensuring only 30 percent of women on the lists when the goal was 'gender equality') and insufficient (not targeting eligible positions). The 2002 legislative quotas, however, did not make parties abandon their own quota provisions. Furthermore, some parties even increased their requirements, driven by competition with other parties and the desire to profile themselves as gender equality friendly in the eyes of voters. Thus, the legislative quotas served as a minimum benchmark and many political parties opted for wider-reaching special measures.

Notwithstanding the stimulating impact of the quota as a minimum standard for political parties, Meier contended that it would be wrong to conclude that quota laws alone were responsible for the increase in women's representation in Belgium. The net effect of the quota needs to be questioned because it was not sufficiently tailored to the features of the electoral system. Two major deficiencies have been identified. First, due to an electoral reform that occurred at the same time as the 2002 quota acts, many constituencies were merged. The increased district size often resulted in increased party magnitude. Once parties were able to win more seats in a district, this in itself improved the electoral chances of women. Second, the quota provision targeting eligible positions requires relatively closed lists. Yet, in Belgium, the lists are not entirely closed since the system allows for multiple preferential voting, and the electoral reform reduced the impact of quotas on the list order by making it easier for candidates to win on the basis of preferential votes. In addition, parties strategically placed well-known candidates towards the bottom of the list, confident that they would be able to defy the list order and leapfrog the top two candidates. The 2003 and 2004 elections provided considerable evidence of men climbing up the list to the detriment of women. Although the level of women's representation increased substantially, peculiar elements of the electoral system undermined the effective working of the quota mechanism.

### ***Discussions from the floor***

The discussion focused on the factors that facilitate or hinder successful implementation of legislative quotas. In some countries, constitutions and courts play a vital role in defining and interpreting electoral laws. In nations like Argentina, Costa Rica and Mexico, the

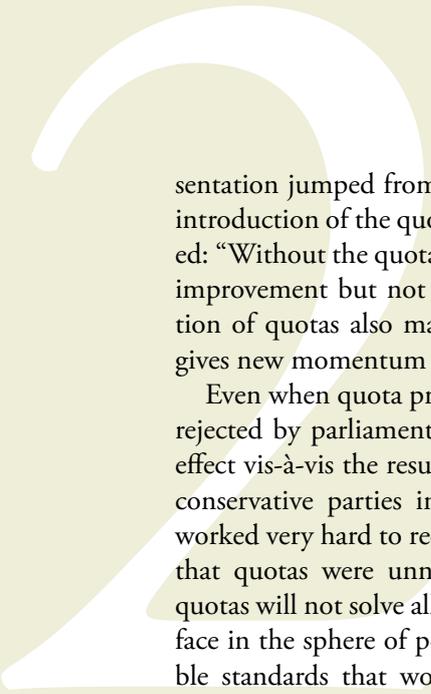
courts were instrumental in forcing political parties to use a placement mandate when compiling party lists, which defines where women should be placed to have a realistic chance of election, such as every third slot. The Constitutional Court in Costa Rica, for instance, has reinterpreted the 40 percent quota provision in the electoral law and concluded that women should be placed in positions with a realistic chance of election. Although they are not a guarantee of equal representation, constitutional provisions supporting gender equality may be preferable because legislation and regulations are easier to 'strike down'.

The effects of electoral reform and the use of gender quotas were also discussed. The case of Bosnia and Herzegovina pointed to the fact that the introduction of open lists resulted in the election of fewer women from all political parties.

Light was shed on the part played by international donors. On the one hand, there was successful interaction between international donors and women's organizations in the Balkans. Donors have been particularly important in providing material support. On the other hand, the Balkan countries are witnessing the withdrawal of donors from the region. To avoid a backlash against gender quotas, it is important to sustain regional 'peer pressure' and the exchange of information, as well as to generate a sense of 'local ownership' of the gender equality issue.

The discussion also highlighted the different approaches towards legislative quotas among political parties. In BiH, not a single party nominated more women than required by law, whereas in Belgium, many political parties exceeded the threshold of the legal quota. In all case studies, the conservative parties were less sympathetic to gender quotas. In Macedonia, parties that employ an internal party quota achieved greater representation of women than those using only the legislative quota. The effectiveness of the Belgian gender quota has served to inspire political parties to act on the basis of 'good faith' compliance and to prove to an increasingly supportive electorate that the law is not just symbolic.

In addition, the quota law has forced the parties to be aggressive in their pursuit and recruitment of qualified women. The discussion demonstrated that quotas have yielded varied rates of effectiveness, depending on the country and the electoral system. With regard to Macedonia, where women's repre-



sentation jumped from three to 18 percent after the introduction of the quota, one participant commented: “Without the quota we could have achieved some improvement but not to that extent. The introduction of quotas also makes women more visible and gives new momentum for women in politics”.

Even when quota proposals are questioned or bills rejected by parliaments, they still have a significant effect vis-à-vis the resulting discussion. For example, conservative parties in the Scandinavian countries worked very hard to recruit women in order to prove that quotas were unnecessary. Although legislative quotas will not solve all of the challenges that women face in the sphere of politics and overcome the double standards that women confront in public life, they are still incredibly important because they force political parties to recruit more women.



# Application of Quotas: Legal Reforms and Implementation in Bosnia and Herzegovina

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The ramifications of a long conflict and massive human displacement continue to shape the post-war reconstruction of Bosnia and Herzegovina (BiH). The situation of women in BiH and the evolution of their political rights—and, therefore, the observations of this paper—must be viewed in the context of a country transitioning from the ravages of war to sustainable peace and democratization. This case study examines the political participation of women in BiH and the use of electoral quotas.

## Background to Women's Political Participation

Women in BiH were granted full suffrage in 1946 immediately after the World War, in the Federative People's Republic of Yugoslavia. Today, the Constitution of BiH and the Constitutions of the two entities—the Federation of Bosnia and Herzegovina and the Republika Srpska—accord women equal social, political and economic rights, including the right to vote and to stand for election. The latter are recognized in the 1979 international Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). According to Articles 7 and 8 of CEDAW, the state is obliged to respect and protect women's political rights and to introduce special measures to ensure that they can exercise them fully. Such measures include positive discrimination, mandatory election quotas for women and reserved seats in the legislature.

Owing to the egalitarian principles of communist ideology, women in BiH were well-positioned to participate in traditionally male spheres, including the political arena. The Former Socialist Federal Republic of Bosnia and Herzegovina even had a system of reserved seats for women officials. In fact, at different points in time, women constituted 20 percent (1968–1975) or 27 percent (during the 1980s) of the Communist Party membership. They were also well-represented in other political organizations, such as the Socialist League (50 percent) and the unions (35 percent).

Due to the system of reserved seats adopted by the Communist Party to support women's representation, in 1986, women made up 24.1 percent of the People's Assembly of the Republic of BiH and 17.3 percent of local or municipal assemblies. However, the relatively large number of women in elected of-

fice did not actually translate into real political power. Many of them were elected as a consequence of their political connections, as opposed to political commitments to different issues, such as gender equality, or their name recognition. The male–female dynamic in the political sphere corresponded to traditional gender roles in the family. Essentially, influences associated with the patriarchal culture were transferred to the domain of public life and perpetuated.

The first free multiparty elections in the early 1990s highlighted the tenuousness of Bosnian women's real political empowerment. The loss of reserved seats in these elections resulted in the disappearance of women from elected political bodies and state institutions. Of the 240 elected representatives in the People's Assembly of the Republic of BiH, only seven were women (2.9 percent). In the municipal assemblies, women secured 315 of 6,299 seats (5 percent).

## After the Conflict

Between 1990 and 1996—the years leading up to the war and its conclusion—women withdrew to the margins of political power and influence. In extreme situations of war, where existence is in jeopardy, gender identities became maximally polarized at the man/warrior and woman/mother levels, reversing power dynamics and reinforcing traditional gender roles.

In 1996, in accordance with Annex 3 of the General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Peace Accords), the first post-war elections were conducted by the Provisional Election Commission—formed by the Organization for Security and Co-operation in Europe (OSCE) Mission to Bosnia and Herzegovina—which developed provisional election commission rules and regulations.<sup>1</sup>

Following these elections, women remained powerless and under-represented. With regard to the 42-seat House of Representatives of the Parliamentary Assembly (representing both BiH Entities), there were only 9.4 percent women candidates and only one woman was elected (2.4 percent). As for the 140-seat Federation Parliament, 10.5 percent women candidates ran and only seven women were elected (five percent). And of the 106 seats at that time in the People's Assembly of the Republika Srpska, only

two were won by women (1.9 percent) of the 7.6 percent female candidates. At the canton level in BiH, women secured 6.4 percent of the elected seats. A similar trend was observed following the 1997 municipal elections: in the Federation, women won 6.15 percent of the seats; and in the Republika Srpska, women captured 2.4 percent of the seats.

This unfavourable situation and the deep marginalization of women from decision-making institutions prompted women's non-governmental organizations (NGOs), in coordination with various women politicians, to campaign for the introduction of a quota in the electoral law between 1997 and 1998. Their nationwide campaign was supported by the OSCE Democratization Unit in BiH and funded by the United States Agency for International Development (USAID). The initiative led to the emergence of the League of Women Voters, founded by 13 NGOs, focusing on women's issues, human rights and democracy. The message of the League's voter education campaign, 'There are More of Us', was widely publicized on posters and in leaflets distributed throughout the country. Public outreach projects were conducted in cities and villages in both Entities of BiH and reached 14,000 women. They were mobilized to take part in the 1998 elections, to exercise their right to vote and to demand quotas for women candidates. Women were also encouraged to vote on political programmes and not to be swayed by nationalistic fervour.

## The Electoral Quota for Women

### ***The 1998 national and regional elections***

As a result of the women's campaign, in 1998 the Provisional Election Commission adopted Article 7.50, the gender rule instituting a 30 percent quota of women on every party list. This meant that, for the first time, there had to be three women among the first ten candidates on any electoral list submitted by political parties to contest the election. This represented a turning point for Bosnian women in politics. The quota system, combined with closed electoral lists, also employed in the 1998 general election, dramatically increased women's representation at all legislative levels. Accordingly in the 1998 elections, women made up 30 percent of officials (13 of 42) elected to the House of Representatives of the BiH Parliamentary Assembly. Women captured 15 percent of the seats in the Federation Parliament and two percent in the National Assembly of the Republika Srpska. They also made

significant gains in the cantonal assemblies: their representation surged to 18.2 percent.

There were, nevertheless, problems even in the application of the quotas. Some international election monitors reported manipulations by political parties. These ranged from ignoring the rules to depriving experienced women politicians of quota seats and replacing them on the candidate list with younger, less experienced politicians who could be more easily influenced or replaced by male colleagues after the election. Likewise, among the 'smaller' parties, so-called alibi candidates—wives and daughters of male politicians—were placed on the list. Wherever rules were violated, though, the Provisional Election Commission (OSCE) responded with sanctions.

Although the temporary gender rule increased the number of women in political office, there was growing resistance to the incorporation of quotas into the new Election Law of BiH from political parties and the international and local experts who were drafting the legislation. Francois Froement-Meurice of France, Chairman of the Election Law drafting commission, argued that quotas were non-democratic. It was only after a series of contentious debates with the women's delegation that the quota system was allowed to stay in place. Bosnian women stressed (decisively) that, at the same time as these questions were being raised in BiH, the Constitution in France was being modified to ensure equal access and parity between the sexes. Ultimately this was how Article 4.19 came to be included in the Election Law of the BiH, establishing a quota formula for gender representation.<sup>2</sup>

### ***The 2000 national and municipal elections***

A mandatory quota stipulating one-third representation of women was applied to all party lists in the 2000 election. However, the open-list proportional representation electoral system also applied in this poll. Open lists are, in theory, disadvantageous to women in that voters may be able to 'demote' the women on the party lists if they so choose. Open lists also work to the advantage of more popular and well-known candidates, who are usually men. Accordingly, the election results demonstrated that the electors largely supported male candidates, even though 49.4 percent of voters were women. There was a drastic reduction in women's representation at the state level compared to 1998. Only three women (17 percent) were elected to the BiH House of Representatives in contrast to 39 men. Women captured 18 percent and 17 percent respectively of seats in the People's Assembly of Repub-

lika Srpska and the House of Representatives of the Federation Parliament. In the municipal assemblies, where quotas were applied for the first time, women acquired 17.9 percent of the seats.

In August 2001, the Parliamentary Assembly of BiH adopted the Election Law of BiH—approving various changes and amendments in 2002 and 2004. Hence, the general elections that followed in 2002 became the first polls since the signing of the Dayton Peace Accords to be administered and conducted completely by local authorities.

### ***The 2002 national elections***

The results of the general election of 2002 (utilizing the quota and open lists) indicate progress, as some voters opted to back women candidates. In the cantonal assemblies, the Federation Parliament and the House of Representatives of BiH, the number of women increased—while the number decreased in the National Assembly of Republika Srpska. A total of 63 women (21.9 percent) were elected to the cantonal assemblies. Twenty-one women (21 percent) were elected to the House of Representatives of the Federation Parliament, while six women (14.3 percent) were elected to the House of Representatives of the Parliamentary Assembly of BiH. Two women were elected to the National Assembly of the Republika Srpska (16.9 percent).

### ***The 2004 municipal elections***

In the 2004 local elections, all of the country's political parties struggled to meet the mandatory quota, although some of the lists did include enough women to satisfy legal requirements. As a result, parties were sanctioned, and some male candidates were removed from the lists. By ensuring that candidates of both genders are placed in specific places on party lists, quotas have led to greater representation of women on municipal councils. However, their impact has again been somewhat diminished by the open-list proportional representation system, which tends to lower the number of women actually elected.

These polls were also the first opportunity to directly elect municipal mayors in BiH. Of 860 mayoral candidates, only 30 were women. Only one woman, from the SNSD party, was elected mayor of Drvar municipality. Interestingly, the three main ethnic/nationalist parties in power—the Party of Democratic Action (SDA), the Serbian Democratic Party (SDS) and the Croatian Democratic Union (HDZ)—did not nominate a single woman candidate.

In short, across the nation, time and again, election results have highlighted that the participation of wom-

en in political party structures is low. It is increasingly evident that very few women hold influential positions within party hierarchies.

### **Women in Parliament: Moving Beyond Numbers**

Even with a quota system in place to ensure some degree of political participation, women have struggled to become equal partners in decision-making. Real distribution of power means access to influence in that process. Although women have made modest strides with respect to representation within legislative bodies, they are still excluded from high-ranking positions in other branches of government.

A woman has never been elected head of state and thus represented BiH in the tripartite presidency. There has never been a woman prime minister and only three women have served on the Council of Ministers. The two entities of BiH have never had a woman prime minister. Generally, women ministers are a rare breed. Of 100 cantonal ministers, only eight have been women, and typically, they have been awarded the 'feminine' portfolios of housing, social welfare, healthcare, labour and education.

It is instructive too, that men dominate almost all the high ranking and decision making positions in the executive and judicial branches of government. Gender based discrimination is, in fact, evident in high-ranking posts in all public administrative structures and even diplomatic appointments.

In 2003, the Parliamentary Assembly of BiH adopted the Law on Gender Equality in BiH, guaranteeing women in public service full and equal rights. In actualizing its objectives, however, a stalemate has been reached. For this reason, a powerful network of 28 women's NGOs adopted a 'Platform for Action' in 2003, making concrete implementation proposals on how to apply the law via an initiative entitled 'Through Law to Real Equality'. To become effective the Law on Gender Equality in BiH must be integrated into the Election Law of BiH to ensure gender equality in all organs of political power.

There is almost no public discussion on the need to reconcile these two pieces of legislation. Only low-profile debates have been convened on this topic involving networks of women politicians in the social-democratic-orientated parties, including the Social Democratic Party of Bosnia and Herzegovina (SDP BiH) and the Alliance of Independent Social Democrats (SNSD).

Overall, political parties have not shown any interest in defending and promoting gender equality.

Only the SDP BiH clearly stipulates that all party functions should be equally accessible to both genders and that its Executive Board should comprise at least 30 percent of women and that they must be equally distributed on candidate lists.

Most political parties have not gone beyond the formalities associated with statutes and public relation campaigns; regardless of political orientation, women are discriminated against even within their own parties. They are not promoted to the leadership or awarded high-profile positions and their candidacies are not pushed during an election. Indeed, they are not part of policymaking circles within the party hierarchy and there is little strategic thinking on women's rights or discrimination. Gender sensitivity is also not necessarily part of the consciousness of women politicians: they rarely refer to gender equity or its value in a democratic society.

## Final Analysis

The discrimination that Bosnian women have experienced in seeking access to influence and the equitable distribution of power is a reflection of traditional views, which were further entrenched during the war. Bosnia and Herzegovina is similar to other post-conflict states where political, social and economic reconstruction appears to create opportunities for men and women to work together. Yet, as elsewhere, the negotiation of peace and reconstruction strategies in BiH quickly became the domain of men.

Nevertheless, rhetoric on the promotion of gender equality is promising, and new structural and legal institutions have been created to reinforce women's representation. The Constitution of BiH contains provisions to include women, an open-minded quota system has been instituted, and governmental gender centres have been established to aid women's integration into the political process. While women have made great strides in BiH, a glass ceiling and a resistant cultural heritage continue to deny them influential positions of power.

An analysis of election results sheds light on the participation and representation of women in the political sphere. But quantitative data do not reveal the real impact (minimal) of women and their influence (negligible) in shaping decision-making in the legislative, executive and judicial branches of government. Likewise, to evaluate the national commitment to gender equality, one needs to look beyond the surface mechanisms of quotas, constitutions and governmental gender centres. This is an area where a vibrant Bosnian civil society can provide valuable input, including 'checks and balances', to ensure non-partisan implementation of gender policies.

The combined leadership of civil society and women at all levels can enable gender equity in the political sphere. However their success requires that women at all levels of society speak from a shared position of concern and interest to become agents of social change.

Without quotas women would have remained on the margins of political and public life—a situation evident with respect to the executive branch where quotas are non-existent. Quotas have had a positive impact on election rules and have enabled women to enjoy their rights to political power. As a group, though, women remain too far removed from political influence.

An imbalance in the distribution of power exists on all levels. While the state's efforts to ensure equality between the sexes is encouraging, it is difficult to have complete faith in a system that has experimented with closed and open lists at such an important juncture in the history of women in Bosnian politics.

## Political parties

Changes can be made in the short term that will have a lasting effect and will create opportunities even in the current political climate:

- Political parties must begin to promote women and women candidates.
- Political parties should be encouraged to place women representatives in visible positions of power within the party.
- Women's forums within political parties must become more high profile and influential.
- Politicians of both sexes should receive training at workshops on the importance of female representation, non-discrimination, human rights and other related issues.
- Stronger networks need to be established between women politicians and grassroots civil society organizations in BiH and across the Balkans, to share best practices and lessons learned.
- Elected officials, particularly women, must be sensitized to socio-economic and political struggles at the local level.

At a time when resources are limited, it is difficult to convince political parties to prioritize funding for these issues. Without the necessary resources, however, it is virtually impossible to meet these concerns. Increasingly, the donor community is looking at targeted areas to spend its resources. If money is not in-

vested in ensuring gender equity vis-à-vis all aspects of Bosnia's political and economic development, it will become increasingly difficult for women to maintain their struggle and even the fragile gains of recent years could be eradicated.

### ***Supporting women's networks***

The influence and support of women's networks within the European Union (EU) are integral to the stability and political and economic development of BiH. Their support is key to the Balkan region's progress and achievements in areas of gender equality, and the equitable distribution of power. While Bosnian women must be engaged and committed to implementing change from within, outside support ensures solid backing for the women's movement as it seeks to create opportunities for gender equality at all levels in Bosnia and Herzegovina.

The EU has already demonstrated a commitment to women's issues. However, additional resources and expertise are needed to build on the modest accomplishments to date and to ensure the continuation of important national and regional support projects, such as the Working Group of Stability Pact Gender Task Force. Likewise, the support of the international community is essential to develop the capacity of local women's NGOs—the building blocks on the road to civil society and democracy in a region still threatened by destabilizing economies and negative political sentiment. Much work remains to be done by European women collectively to ensure the participation of Bosnian women in politics.

### **Endnotes**

- 1 Controversy and the failure of the local authorities to agree on a permanent election law led to the provisional regulations and standards set forth by the OSCE being extended to the elections in 1997, 1998 and 2000.
- 2 The Article states: 'The candidates of the less represented gender shall be distributed on the list of candidates in the following manner: at least (1) one candidate of the less represented gender out of the first (2) two candidates, (2) two candidates of the less represented gender out of the first (5) five candidates, or (3) three candidates of the less represented gender out of the first (8) eight candidates. The number of candidates of the less represented gender shall be at least equal to the total number of candidates on the list, divided by (3) three, rounded up to the closest full number'.



# Quotas: The Case of Macedonia

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At the start of the 1990s, women confronted a new set of challenges as a result of the introduction of a multi-party system as part of the democracy-building process in the Republic of Macedonia. They faced up to them with a great deal of energy, hoping to construct a society that would continue to advance equality. This case study focuses on the political participation of women in Macedonia, and the implementation of the law on quotas.

## Political Background

In the first post-transition general election of 1990, five women (four percent) were elected to parliament (out of 120 representatives). For many this was not unusual; few were surprised by the fact that 95 percent of the candidates were men and, therefore, that only five percent were women.

These were the years when everyone was learning about the new society, about democracy. In these circumstances, no one was asking questions about the representation of women or minority groups. If someone did pose such a question, the standard response was: 'The time when everybody needs to be officially represented as happened in Socialist times is over, equality and individualism are now the main symbols of democracy'.

In the second democratic parliamentary elections, in 1994, four women were elected to parliament (out of 120 representatives). With three percent female representation in parliament, Macedonia was placed at the bottom of the list of European countries in terms of women's participation in politics. Women stressed that they wanted to be treated the same as men—without special measures—and started to think more seriously about what they could do to change the situation.

## Electoral Quotas for Women

The more progressive women in politics realized that the presence of women in the political arena was going to continue to decline, no matter how capable and qualified they are or how loyal to the party they are. Thus they emphasized the need to address hidden forms of discrimination and other domination techniques—which are very difficult to tackle if you do not have the necessary skills and capacities.

Women from non-governmental organizations

(NGOs) initiated a debate on the lack of women in politics, especially in decision-making forums. There was much discussion about the obstacles and about ways of improving the situation. Among the solutions, the quota was highlighted as an instrument that could produce tangible and immediate results. Women's NGOs realized that one of the ways to improve the status of women was by ensuring that women were represented in decision-making bodies. Consequently they proposed:

- to develop relationships with women from political parties;
- to raise awareness of the need for quotas; and
- to lobby for quotas.

A very important point made by women's NGOs was that there is not sufficient time to wait for equality to evolve naturally—this could take hundreds of years.

Public awareness strategies highlighted to the general public the importance of having women in power, of what representation means and of what quotas stand for. It was very important that the public recognize that parliament is dominated by men, that government is dominated by men and that party leaderships are dominated by men, and to ask why, and what is the solution. To have more than 90 percent of men in parliament does not make for balanced decision-making posts, and is based on discrimination.

A number of campaigns were launched to eradicate stereotypes and prejudices, involving, for example, the distribution of leaflets and posters. Women used every opportunity to stress that: 'It is hard to imagine a world with 97% of Romeos and 3% of Juliets'. When members of the public acknowledged the problem of the representation of women in politics, women from political parties and women's NGOs told them that a possible solution was to implement quotas.

## *Political parties and quotas*

Evidence from other countries in Europe, and indeed globally, show that the implementation of voluntary party quotas can be an extremely effective policy to

increase the representation of women. These types of quota are adopted voluntarily by political parties, and are most common in centre-left leaning parties. Prior to the adoption of legislated quotas in FYROM, some political parties had adopted voluntary quotas.

However, opposition to quotas is pronounced. Some political party members consider quotas to be a 'gift', in the sense that women are afforded a place as a candidate simply because they are women. This reflects the male/female power dynamic within political parties. Some women believe that by winning a seat on a quota ticket they will be viewed as lacking capacities and qualifications. Others believe that woman who have relevant qualities and capacities will be able to develop their political careers.

But the reality was different. Women who were capable, educated, loyal and hard working found many challenges to getting involved in decision-making. Women organized forums and groups within political parties to press for the introduction of quotas. As a result, party quotas have focussed on the participation of women in party decision-making bodies and the representation of women on lists of candidates. Some accepted the quota in order to be part of an international alliance based on party affiliation. Parties, which have voluntarily adopted the quotas, include the Social Democratic Union of Macedonia, the Liberal Democratic Party, and the Liberal Party.

For the parties that adopted the quota, it meant recognizing the under-representation of women; building women's capacities within the party; and considering the needs of women in society. The quota brought women's issues to the surface in political parties and helped to strengthen organized women's bodies within political parties. The quota also increased the number of women in politics.

It is important to reiterate, though, that this quota applied only to women who belonged to political parties that accepted it. In reality, one of the problems with party quotas is that they are voluntary and implementation is not always obligatory. Not all political parties accepted the quota—some argued that this was due to party ideology. For the rest it was necessary to establish quotas in electoral law.

### ***Legislated quotas in general elections***

The commission in charge of drafting the electoral law included two members of the women's lobby, university professors and experts in law and elections. They analyzed the issue of quotas and electoral law, concentrating, in particular, on whether the introduction of quotas

in electoral law would breach constitutional law.

Article 9, of the Constitution of the Republic of Macedonia, states that all citizens of Macedonia have equal rights and freedoms regardless of their sex, race, skin colour, national and social background, political and religious beliefs and social status. If women were singled out, the quota would be rejected by the Constitutional Court on the grounds that quotas are discriminatory based on sex. The solution was to introduce a quota, into the election law, that applies to the 'under-represented sex'. The final wording was as follows: a '[m]inimum 30% obligatory presence of the under-represented sex on the candidate lists'. However, there is no placement mandate specifying that women should be placed in winnable positions.

A vigorous campaign to support quotas in the election law focused on political party leaders and was strengthened by the participation of women within political parties. The efforts of the campaign bore fruit when the election law was passed by parliament with very little opposition. The law was approved by the Parliament, governed by a conservative majority, on 25 June, 2002.

The law is very clear: those political parties that do not meet the 30 percent criterion will not be registered for elections. The penalty, therefore, is that the party will not have an opportunity to win any seats in parliament.

The candidate lists for the 2002 general election show that all of Macedonia's political parties respected the law. However, the extent of their commitment to women's participation in politics is illustrated by the fact there were only 32.2 percent women on the candidate lists of all of the political parties. Macedonia employed a proportional closed-list system in the 2002 general election. Hence it was very important that women were placed in a position in which they could win (that is, towards the top of the list). However, the female candidates were distributed as follows:

- positions one to five (4.53 percent);
- positions six to ten (7.81 percent); and
- positions 11 to 20 (19.84 percent).

As a result, 18.3 percent of women were elected to parliament in 2002. By contrast, in 1990, 1994 and 1998, 4.1 percent, 3.3 percent and 6.6 percent of women, respectively, were elected. The increase can be attributed to use of the PR electoral system, the introduction of the law on quotas and the enormous amount of work done by the women's movement.

### **Legislated quotas in local elections**

Given the experience that we gained and the lessons that we learned with respect to the introduction of quotas in the electoral law (general elections), and the new political situation—decentralization of power and more responsibility for local government—we found that the issue of women's under-representation at the local level was very important to tackle. The solution was to introduce quotas in law for local elections. The opportunity presented itself with the restructuring - decentralization and new division of local districts – and the amendments to the law for local elections. A proportional closed-list system is employed for local elections (city councillors) in Macedonia.

The quota that was adopted was the same as the one outlined above for general elections, but with one important difference: it fixes positions for women on the lists. There was much debate on the content of the amendment, and a great deal of information was compiled on the situation in other countries and regions. The amendment was proposed on 26 June, 2004, and for the first time parliament was divided by the issue and not by political affiliation. After a great deal of discussion, the amendment was approved with 41 votes (the minimum necessary).

The amendment stipulates that a: 'Minimum of 30% of [the] under-represented sex [is] to be on the first half of the list for the local elections and 30% of [the] under-represented sex [is] to be on the second half of the list'.

### **Conclusion**

The lessons learned from Macedonia are the following:

- Quotas are extremely important in kick-starting the process that can lead to parity.
- Quotas need to be obligatory and enforceable to generate tangible results.
- Quotas have allowed Macedonian women to become 'visible' in the political sphere.
- Quotas have made history: the first ethnic Albanian woman has been elected to the Macedonian parliament.
- Quotas have resulted in political parties paying more attention to their women members. Even women from rural areas are being listed as candidates.

All of this would not have been possible, though, if women from political parties, from NGOs, from trade unions, from the media and elsewhere had not worked together

to exert pressure to adopt quotas to ensure women's rightful place in decision-making.



# Implementing Quotas: Legal Reform and Enforcement in Serbia and Montenegro

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## Women's Political Participation

There are numerous mechanisms to increase women's participation in political life which have met with varying degrees of success. They include reform of political parties, quotas and other forms of positive action, training to develop women's skills and to heighten gender sensitivity, working with the women's sections of political parties, supporting institutions focused on gender equality and the creation of women's political organizations.

Quotas have so far been used in Serbia to increase women's representation in political party leadership and on parties' lists of electoral candidates. Quotas may be the only way to ensure a degree of representation for women in countries where the rate of participation is very low. They can also be effective in countries where women already have some political power, as in the Nordic countries.

Increasing the level of political participation of women, however, is not just about increasing the number of women in formal politics. Women in politics may be members of the social elite; they may hold certain positions because of their personal connections with male politicians and consequently may be unable to represent the interests of women at the grassroots. It is important, therefore, to 'feminize the power spaces effectively', meaning that it is necessary to strengthen simultaneously the women's movement and local institutions focussed on gender equality, so that they are able to initiate a dialogue with political power structures. This case study examines the use of electoral quotas in the Republic of Serbia and how they have affected the political representation of women. There is no quota regulation in Macedonia or in the Federal Parliament of Serbia and Montenegro.

## The Introduction of Quotas in Serbia

Only 1.7 percent of women were elected in the first multiparty elections for the Serbian Parliament in 1992. Under the regime of President Slobodan Milosevic, the largest proportion of women in parliament was 5.5 percent. Following the democratic changes of 2000 and subsequent elections, the representation of women stands at around 11 percent and between six and seven percent in the national parliament and the local assemblies, respectively.

## Local-level elections

Local (and national) elections were held in most of Serbia in September 2000, introducing overall, sweeping democratic changes. Elections were, however, delayed in three municipalities in southern Serbia—Bujanovac, Medvedja and Presevo—where instability due to ethnic conflict prevented conditions for the holding of democratic elections. Later on, when the situation was improved and the armed incidents stopped, in December 2001 the question of local elections and electoral legislation was raised.

In 2000, none of the electoral laws included quotas. It was since proposed that a new law for local elections be drafted that included mechanisms to guarantee fair representation for the majority of the population (as opposed just for privileged Serbs). In addition, a quota system for the under-represented gender was introduced. The Law on Local Elections of 2002 included a 30 percent of the less-represented gender on all local election candidates' lists. Without a quota system, it would probably be the case that no women would be represented in the three municipalities of southern Serbia. This is an economically and politically backward area, with patriarchal and militaristic traditions.

The main reason for introducing the quota, therefore, was not to provide women with better mechanisms to secure political representation and access to decision-making positions, but rather to establish a more peaceful and cooperative atmosphere in future local representative bodies. This was to be done by increasing the number of women in these fora who were believed to be less belligerent and less revengeful.

While the new law on local elections, which included quota provisions, was prepared principally for the local elections in three aforementioned post-conflict municipalities of southern Serbia, it was stressed that it would also be applied to all future local elections in Serbia, the first of which were scheduled for September 2004. The fragile political situation, common in many Serbian municipalities, resulted in the holding of extraordinary—and early—local elections in 16 municipalities prior to the regularly scheduled elections in September 2004. In all 16 municipalities, the new quota provisions were applied.

In September 2004, the quota system, specifying that 30 percent of the under-represented gender must be in-

cluded on candidate lists, was introduced nationwide. As a result, women won between 15 and 25 percent of the seats in local assemblies.

### **National-level elections**

While a national-level electoral quota is among the recently adopted amendments to the law on parliamentary elections ('Act Amending and Modifying the Act on the Election of Deputies'), adopted on 25 February 2004, it has not been put into practice to date. A quota for the under-represented gender, along with some other affirmative action measures to protect minority interests, was included in the law because only Serbs (90 percent men) were elected to the National Assembly of Republic of Serbia in the last parliamentary elections held in November 2003. This is despite the fact that more than one-third of the population of the Republic of Serbia is not ethnic Serb and women make up 52 percent of the electorate.

### **Quota Enforcement Mechanisms in Serbia**

The law not only provides for a 30 percent quota, but also defines placement so that women are not relegated to the bottom of party lists for both local and national elections. If a candidate list does not comprise 30 percent of the under-represented gender, placed in at least every fourth position, it is to be returned to the respective party for correction. If it still does not satisfy the 30 percent criterion after being revised, the list will not be approved by the Electoral Commission. The Election Law states:

'For every four candidates on the electoral list (first group of four places, second group of four places and so on until the end of the list) there shall be one candidate of the gender less represented on the list, and the number of candidates of the gender less represented on the list shall be at least 30% of the total number.

'If an electoral list should not meet the conditions set forth in Paragraph 1 of this Article, it shall be deemed incomplete for proclamation, and the submitter of the list shall be called to remedy the deficiencies of the list, in accordance with the present Act.

'If the submitter of the list should not remedy the deficiencies described in Paragraph 2 of this Article, the Republic Electoral Commission shall refuse to proclaim the electoral list, in accordance with the present Act'.<sup>1</sup>

## **The Consequences of the Law on Quotas**

### **Discourse and debate**

Despite quotas being included in the Election Law, debate about the quotas and uncertainty about their implementation persisted in the run up to the September 2004 municipal elections. Rumours circulated that the law would be changed and the quota system would not be employed. Leaders of many parties argued that women were not interested in being candidates or that there would simply not be enough women to meet a 30 percent quota on the candidate lists. This argument was supported by evidence that some women candidates were added to party lists at the last minute, many of whom were relatives or friends of male party leaders and activists. In reality, however, political parties did little to support genuine women candidates and neglected their political—and legal—obligations to foster an inclusive process.

Some popular individuals from the sport and culture sectors issued statements to the media in which they argued that the quota system had been imposed on Serbia by the international community in order to humiliate it further. They said that the intention was also to diminish Serbia's decision-making capacity by pushing for the inclusion of 'incapable women' instead of 'capable men'. As a result, there would be fewer people who could take 'proper care' of national interests. Furthermore, it was asserted (wrongly and maliciously) that the quota system demanded representation for 30 percent of women and 30 percent of homosexuals—allegedly a 'European standard, which obviously cannot be accepted in Serbia'.<sup>2</sup>

### **The numbers**

The mandatory quota has led to a significant increase in the number of elected women in all municipalities in Serbia. After the local elections on 19 September 2004, women's participation at the local level rose to between 15 and 25 percent. Only a few municipalities achieved 30 percent, however.

The law states that smaller political parties, with less than four seats in local assemblies, are not legally obliged to nominate women candidates. Additionally, the replacement of women, once they are both nominated and elected, is not regulated by law; it is possible that men might eventually replace women in the assembly. Given these legal gaps, and the reluctance of political parties to promote women, one should not be surprised by the anecdotal public statement made by a senior party official from Zajecar in

which he boasted that his party ‘invested maximum efforts to keep the number of women minimal’.

### ***Political parties***

It has also been noted that women candidates were not endorsed by their own political parties. The defeat of independent women has led to the conclusion that, in the current political environment, women can only succeed if they are candidates of popular political parties and if a legally binding quota system is in operation. Hence it has been recommended that political parties should be the main focus of organizations engaged in gender activities. The ‘Women can do it 2’ training module, developed for members of political parties by the Gender Task force of the Stability Pact, has been highlighted as a possible tool. Cross-party networking with respect to common issues is seen as essential to achieving gender-related objectives. Most political parties agree, but some see networking as a disloyal (and hence unacceptable) form of behaviour.

### ***Professional conduct***

Other creative solutions, which have been raised in the debate on quotas in Serbia, include the introduction of an ethical code of conduct for members of political parties, demanding professional treatment of women, and introducing penalties for harassment, could improve the position of women and the work of political parties. A lack of basic knowledge among members of the public and, particularly the media, about gender-based discrimination, and its importance vis-à-vis the building of democratic institutions, should be addressed by enhancing the capacities of media representatives. Finally, newly elected representatives in local assemblies, woman and men, should receive gender-awareness training.

## **Key Lessons Learned From Serbia**

### ***The involvement of civil society***

Women’s non-governmental organizations (NGOs) and other civil society actors consistently promote the quota as a positive action measure to achieve a more equitable gender balance in representative bodies. They help to generate political support for the quota system. While the law was being drafted and debated however, they were not allowed to participate in the procedure. Instead, some prominent women parliamentarians engaged in lobbying behind the scenes, pushing the amendment forward.

### ***Empowerment of women***

The empowerment of women is one of the four essential components of the human development paradigm—the others are productivity, equity and sustainability. Empowerment is defined as people fully participating in decision-making and the processes that shape their lives.

Women’s empowerment not only comprises gaining access to decision-making, but also to the processes that lead women to perceive themselves as being able and entitled to representation in the decision-making space. Awareness-raising initiatives, including civil and political education, should be launched, therefore, to encourage women to participate in politics and to assist those who are elected in fulfilling their political duties. The government, the parliament, political parties and organizations, trade unions, NGOs and the media could contribute to this process. There is a great deal of scope for women’s NGOs to engage in various kinds of public activities.

Efforts to promote the empowerment of women should concentrate on: encouraging the participation of women in policy and decision-making processes and bodies; establishing income-generating programmes for women; and providing women with access to education and all kinds of training.

### ***Political parties and quotas***

Political parties’ programmes should pay special attention to the principle of equality between men and women. They should focus on the benefits to be derived from active partnership between men and women, recognizing differences and similarities. Also, political parties should eliminate from their programmes any language that could directly or indirectly give the impression that men are superior to women. It has been suggested that measures should be introduced to allow equally qualified men and women to become members of decision-making bodies at all levels of a party (local, provincial and national). Whenever a quota system is chosen, it is recommended that it does not refer to women, but instead to the ‘under-represented gender’.

It has been suggested that the key documents of a political party are reviewed in order to eliminate any regulations that explicitly contribute to or justify the discrimination against women, such as those defining the basic policies of the party, its hierarchy, and its rules of procedure.

### **Participation of women and men in executive bodies**

The equal participation of women in government should be one of the rules of democracy. All governments that are committed to the principle of shared political responsibility should include a certain number of women in all government structures. Men and women are equally competent to serve in government or to work in any of its sectors. Women should not be confined to special sectors, therefore, but rather they should be present in every area, including finance, foreign affairs and defence.

### **Legal empowerment of women**

Indicators of the legal empowerment of women include: the approval of gender-sensitive legislation, particularly with regard to family protection, antidiscrimination, protection against violence and labour relations; the enforcement of legislation related to the protection of women's human rights; the number of cases related to women's rights that are heard in local courts, and the results of these cases; the number of cases related to the legal rights of divorced and widowed women that are heard in local courts, and the results of these cases; the effect of legislation on the treatment of offenders; the increase/decrease in violence against women; the rate at which the number of local justices/prosecutors/lawyers who are women/men is increasing/decreasing; and the rate at which the number of women/men in the local police force is increasing/decreasing.

### **Perceptions about the quota system for women<sup>3</sup>**

A minor survey of Serbian women prior to the 2004 municipal elections demonstrates that over half of all women support gender quotas.<sup>4</sup> In interviews, however, younger and politically less experienced women are less supportive of the quota system than women politicians and women belonging to an institution, for instance. The latter are more willing to accept political nominations achieved via the quota system.

## **Conclusion**

### **Questions that need to be answered:**

- Is the quota issue to be advanced as an independent political issue or as part of some other issue (concerning minorities, state security or European Union integration, for instance)?

**Table 1: Response to Question**

Do you think that the quota system for the under-represented gender is politically justified?

	Yes	No	Total
1. Women students in their final year in the law and political science schools of the University of Belgrade	45 (62.5%)	27 (37.5%)	72
2. Women senior managers and programme officers in municipal administrations	49 (79.0%)	13 (21.0%)	72
3. Women NGO activists and leaders	65 (85.5%)	11 (14.5%)	76
4. Women members of political parties	35 (94.6%)	2 (5.4%)	37
<b>Total</b>	<b>194(78.5%)</b>	<b>53 (21.54%)</b>	<b>247</b>

**Table 2: Response to Question**

Would you accept a position acquired as a consequence of a quota election system?

	Yes	No	Do Not Know	Total
1. Women students in their final year in the law and political science schools of the University of Belgrade	31 (43.1%)	35 (48.6%)	6 (8.3%)	72
2. Women senior managers and programme officers in municipal administrations	38 (61.3%)	11 (17.7%)	13 (21.0%)	62
3. Women NGO activists and leaders	31 (40.8%)	19 (25.0%)	26 (34.2%)	76
4. Women members of political parties	33 (89.2%)	1 (2.7%)	3 (8.1%)	37
<b>Total</b>	<b>133 (53.8%)</b>	<b>66 (26.7%)</b>	<b>48 (19.5%)</b>	<b>247</b>

- Who needs women politicians? Their male colleagues, who may manipulate them and exploit their political inexperience? International organizations which implement gender programmes to empower women politically? In other words, what needs to be done to allow women, citizens, political parties and other interested stakeholders to claim political ownership of the quota system?
- What will be the effect of the quota in the Serbian parliament elections? What role should women politicians play who have been elected via the quota system?

There are many challenges and unanswered questions as the quota debate continues in Serbia. Some believe that women candidates do not receive sufficient support from their parties. Others believe that women are

exploiting legal provisions in order to occupy places earned by men. Many proponents of the quota recognise the weaknesses of the current system where, although women comprise 30 percent of party lists, the representation of women in Serbian national and local assemblies is less than 30 percent. These challenges demonstrate that, although Serbia has begun the journey to increased representation of women in political life, there is still some way to go before arriving at the final destination.

## Endnotes

- 1 Republic of Serbia. 'Act Amending and Modifying the Act on the Election of Deputies'. 25 February 2004. Quota for the under-represented gender (women) at candidacy lists (art. 8 and a new Article 40a are added).
- 2 This comment is attributed to Dusan Savic, popular former football player and in the time of the statement, a high official of the Red Star Football Club, during a popular TV talk show at the beginning of September 2004.
- 3 Telephone interviews conducted at the end of August 2004—in advance of the local, municipal elections held on 19 September 2004. This was the first time that the quota electoral system was employed throughout the whole of Serbia. The research was carried out by the Institute of Social Science, Belgrade, and was managed by Zorica Mrsevic.
- 4 The 247 interviewees included: 72 female students in their final year in the law and political science schools of the University of Belgrade, 62 female senior managers and programme officers in municipal administrations, 76 women NGO activists and leaders and 37 female members of political parties.



# Implementing Gender Quotas in Belgium: Legal Enforcement Lessons

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## Introduction

In light of the extremely small number of women who have gained access to Belgian politics over the decades, feminists have long invoked gender-related thresholds and called for the introduction of quotas. During the 1990s, several members of parliament (MPs) submitted bills in order to establish gender quotas in law, both for the legislature and later for the executive. The underlying notion was that only legally binding gender quotas would make party leaders act, since party quotas have proven not to be far-reaching and have not always been strictly adhered to. None of these bills were passed. This case study traces the development and implementation of the laws on quotas that finally were adopted in Belgium.

## Legislating Quotas

After the 1991 elections, the feminist movement managed to include a point about the position of women in politics in the government declaration. This resulted in the federal government itself having to take the lead on such matters.

## *The Gender Quotas Act 1994*

In 1994, the government proposed the gender quotas act<sup>1</sup> intended 'to promote a balanced representation of men and women on electoral lists'.

The act stipulated that electoral lists must not comprise more than two-thirds of candidates of the same sex and that, in the event of non-compliance, public authorities would not accept the lists for election. Parties would have to submit incomplete lists if they could not identify the required number of candidates, but even these would have to respect the gender criterion.

The act entered into force in 1996 with exception of the 1994 local and provincial elections. For those elections and between 1996 and 1999, however, lists were allowed to comprise a maximum of three-quarters of candidates of the same sex. In practice, though, the 1994 local and provincial elections were the only ones to apply the temporary quotas. The 1995 elections were excluded from the quotas act and no elections were held between 1996 and the end of 1998. From 1999 onwards, electoral lists have had to respect the two-thirds provision.

However, the act had constantly been criticized for being both unfair and insufficient:

- (1) It was considered unfair because it did not insist on an equal number of male and female candidates on electoral lists. That is, it was not based on a parity principle.
- (2) It was deemed insufficient because it did not impose double quotas, that is, quotas that apply not only to the electoral list but also have a 'placement mandate' to ensure that women are placed in eligible positions.

## *Revisions to the Quotas Law 2002*

In 2002, a series of new gender quotas acts were approved.<sup>2</sup> The new acts compel parties to put forward an equal number of male and female candidates. Furthermore, candidates of the same sex may not occupy the top two positions on a list. Again, non-compliance will result in rejection of the list by the public authorities. This provision, however, is to be gradually reached by the second election to take place after the acts entered into force in 2002.

In the first election, after entry into force, in 2003 (federal elections) and in 2004 (regional and European elections), the first three positions on the electoral lists could not be occupied by candidates of the same sex. In the subsequent election after that, the final quotas will grant women at least the second position on a list, replacing the temporary provision guaranteeing women only the third spot. In addition, it is important to note that, while the 1994 act applied to all elections, the 2002 acts do not apply to local and provincial polls, since their organization has become the responsibility of the regions. Hence, regions that do not adopt their own legislation will continue to observe the provisions of the 1994 quotas act.

## **Political Party Quotas**

Various political parties had introduced gender quotas or set targets for the selection of candidates prior to the 1994 act coming into being. Interestingly, parties did not scale back their quotas following the introduction of the federal legislation. Most parties adapted their existing quotas or targets in order to go beyond the

federal legislation; some even established their own quotas once gender quotas had been legally imposed.

The issue at stake was one of contagion, with a symbiotic relationship between political party quotas and legal quotas. Party quotas opened the way for legally imposed ones designed to impact on parties reluctant to enact gender quotas. But legal measures serve as a benchmark. The law raises the obligation of parties from having no measures regarding sex-balanced electoral lists to a minimum standard of inclusiveness. Parties that desire to be seen as gender aware and more progressive than others have no alternative than to surpass the law. This logic of a contagion effect also explains why legal measures lag behind party measures. Measures adopted at the legislative level are a compromise and not every political party is in favour of such measures. Finally, parties are reluctant to let any political actor intervene in their selection of candidates.

### **The Quotas in Practice**

The application of legally binding gender quotas did not lead to an automatic rise in the number of women entering Belgian politics. Belgium has traditionally been a laggard when it comes to the presence of women in political decision-making forums. Until the second half of the 1970s, women made up approximately five percent of the membership of the House of Representatives and of the Senate. From then until the middle of the 1990s the figure was around ten percent. On the whole, there was never much of a difference between the two assemblies in terms of the number of women elected.

### **The parliament**

Following the 1995 federal elections, however, the number of women Senators doubled to 24 percent, while the number of MPs remained constant at 12 percent. In 1999, the proportion of women elected to the House of Representatives climbed to 19 percent; the proportion of women Senators rose to 28 percent. In the federal elections of May 2003, 35 percent of women were elected to the House of Representatives and 38 percent to the Senate. The spectacular result with respect to the House of Representatives has meant that the gap between the lower chamber and the Senate, which has existed since 1995, has been closed significantly. Moreover, the increase in the number of women elected in the last three federal polls has resulted in Belgium joining the top ten countries with the highest number of women in the national legislature.

### **Regional and local assemblies**

Similar successes have been achieved at other levels of government. With the federalisation of the Belgian state from the 1970s onwards, three Regional Councils—for the Walloon region, Flemish region and the region of Brussels and three Councils of the Communities—for the Flemish community, the Francophone community and the German-speaking community—have been created. The Council of the German-speaking community was the first to be directly elected. In 1986, four percent of women entered the assembly. Subsequently, the number of women elected has risen from 12 percent in 1990, to 20 percent in 1995, to 32 percent in 1999 and 2004. The first Council of Brussels Capital Region had 24 percent of elected women in 1989, increasing to 29 percent in 1995, 36 percent in 1999 and 45 percent in 2004. The first Flemish Council (the Flemings merged their institutions) started out in 1995 with 17 percent of women, rising to 20 percent in 1999 and 31 percent in 2004. The main exception is the Walloon Council, which began with 12 percent of women in 1995, decreasing to 11 percent in 1999, before rising to 19 percent in 2004.<sup>3</sup>

At the provincial and the local level, too, ten percent of women were elected by the end of the 1980s. Women's representation at these levels approached 20 percent after the 1994 elections. Following the local and provincial elections of 2000, the proportion of women provincial councillors rose to 31 percent, while that of women local councillors increased to 27 percent. On the whole, both levels show a considerable growth of the number of women elected during the 1990s.

### **It is not just quotas...**

It would be wrong however, to conclude that the gender quotas acts are responsible for these gains, although they have undoubtedly played a part. As mentioned above, they served as a benchmark for the promotion of equality. Being applied in a highly proportional system under which parties have to compete for votes because of an increased electoral volatility, on the one hand, and where there is a growing public voice in favour of gender equality on the other, these gender quotas acts stimulated a process whereby political parties sought to 'outbid' each other in terms of commitment to gender-sensitivity.

Indicators of this are not only the aforementioned gender quotas adopted voluntarily by parties. Another interesting phenomenon is the fact that parties have tended to 'stay ahead' of the stipulations of the gender quotas acts, often surpassing the requirements

of the quotas laws in terms of numbers of women candidates, and their placement on the party lists.

In this respect, the quotas laws have had an impact. But they can only do so as long as gender balance in politics remains an important issue and parties try to outbid one another. As a legal instrument, however, gender quotas have not had any effect at all. In themselves, they have not led to the realization of the targets that were set. While the 1994 act was supposed to promote balanced representation of men and women on electoral lists it merely led to a minimum number of female candidates without specifying their position on the lists. The 2002 acts, meanwhile, speaks of equal representation of both sexes, but only stipulates an equal presence of female and male candidates in the top positions on the lists.

## **Quotas and the Electoral System**

A further reason why gender quotas have not been entirely effective relates to the features of the electoral system in which they have been applied.

### ***Preferential voting***

Belgium has a proportional representation system utilizing what could be termed semi-closed party lists. The system allows for multiple preferential voting, but seats are mainly awarded to candidates in the order in which they appear on the list. This is because candidates need a large number of preferential votes in order to modify the order of the list. Additionally, voters tend to make little use of their right to cast a vote for several candidates on the same list. Rather, they vote for the top candidate, thereby reinforcing the list order. This applies to federal elections, as well as elections to the councils at the region and community levels. At the local and provincial levels, multiple preferential voting not only has a longer tradition, but it is also better exploited in terms of modifying the order of the list.

Particularly important from the standpoint of placement mandate gender quotas, is the relatively closed character of candidate lists. This implies that, to a large extent, the order in which candidates are ranked determines their prospects for election. Empirical evidence suggests that the number of women in eligible positions matters more than the number of women on a candidate list. In Belgium, women have traditionally been under-represented with regard to eligible positions, even after the number of women candidates started to rise in the 1990s. The first gender quotas act of 1994 did not alter this situation, since it did not contain any provisions concerning eligible positions on a list. The 2004 revisions, with

the 'double quotas' requiring that women are placed among the first three candidates (and later among the first two candidates), should make a difference to the number of women elected.

### ***Increased weight of preferential votes and increase of district magnitude***

At the same time as the 2002 gender quotas acts came into effect, however, the electoral system was reformed for the election of assemblies at the federal, community and regional levels. The changes cut in half the number of preferential votes needed by candidates to move up the party's list. The impact of the list vote was, therefore, halved, a claim the Liberals had since long insisted on. They argue that it gives voters more weight in the decision on who gets elected. In the case of the House of Representatives and the Council of the Flemish Community, reforms also meant that the size of the electoral districts was increased with the introduction of provincial districts. Furthermore, the number of seats in the Council of Brussels Capital Region was raised from 75 to 89 prior to the 2004 polls, in order to satisfy Flemish and Francophone requests. Both aspects of electoral reform undermined the potential effect of the new double quotas.

### ***Party magnitude***

Double quotas will have maximum effect if they apply to all eligible positions. The placement mandate of the 2002 quotas acts only applies to the first three (and in a later stage two) candidates and does not apply to the remainder of the list. But the electoral reform considerably increased the number of cases where parties can expect to capture four or more seats. In other words, the increased size of electoral districts involved an increase in party magnitude, the number of seats a party wins per district. This increased size of electoral districts resulted in the new gender quotas losing their impact because the subsequent increase in party magnitude made the new gender quotas law less effective in large constituencies.

However, increasing the size of electoral districts facilitates women's chances of being elected. The largest number of women with legislative power is found in those assemblies with sizeable electoral districts. In Belgium, an increase in district size has generally been accompanied by an exceptional rise in the number of women elected. This explains the phenomenal increase in the number of women elected to the Senate in 1995, to the House of Representatives in 2003, and in Brussels and Flanders in 2004. But the point remains that the details of the quotas

law, and its placement mandate, need to ‘fit’ with the electoral system. Currently the Belgian law has little impact in large constituencies.

### **Safe seats**

The halving of the impact of the list vote, where votes are cast for a list of candidates and not for individual candidates on that list, is at odds with the new double quotas, too. This is because the added weight, given to preferential votes, strengthens the open character of the candidate lists, while double quotas require closed lists in order to have the maximum impact. The increased weight of preferential votes 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 less-known candidates figuring at the top of the list. The traditionally safe seats at the top of electoral lists lose their safe character. Well-known candidates at the bottom of the list are meant to attract a lot of votes for the party. By and large, they have no intention of getting elected or taking up their mandate. But even if they refuse their mandate, someone from the list of succeeding candidates will take up their mandate while the candidates in theoretically eligible positions will not get elected. The elections in May 2003 and June 2004 showed that the increased weight of preferential votes did not really disadvantage women in the case of the House of Representatives or of the Council of Brussels Capital Region, but that it did in the case of all other assemblies. In the Senate, in Flanders, in the German-speaking Community and in Wallonia, more men than women were elected.

### **Conclusion**

The Belgian experience with gender quotas sends out contrary signals. There is a lacuna between official discourse, which is very much in favour of gender equality, and measures taken, which are more ambivalent in terms of their objectives. This gap provides the perception that the federal government is actually trying to prevent gender quotas from being efficient. The most important lesson to be learnt from the Belgian experience is that gender quotas acts, in order to have an impact, must be tailored to the features of the electoral system.

### **Endnotes**

- 1 Wet van 24 mei 1994 ter bevordering van een evenwichtige verdeling van mannen en vrouwen op de kandidatenlijsten voor de verkiezingen. Belgisch Staatsblad. 1 July 1994.

- 2 ‘Wet van 17 juni 2002 tot waarborging van een gelijke vertegenwoordiging van mannen en vrouwen op de kandidatenlijsten voor de verkiezingen van het Europees Parlement’. Belgisch Staatsblad. 28 August 2002; ‘Wet van 18 juli 2002 tot waarborging van een gelijke vertegenwoordiging van mannen en vrouwen op de kandidatenlijsten van de kandidaturen voor de verkiezingen van de federale Wetgevende Kamers en van de Raad van de Duitstalige Gemeenschap’. Belgisch Staatsblad. 28 August 2002; ‘Bijzondere wet van 18 juli 2002 tot waarborging van een gelijke vertegenwoordiging van mannen en vrouwen op de kandidatenlijsten van de kandidaturen voor de verkiezingen van de Waalse Gewestraad, de Vlaamse Raad en de Brusselse Hoofdstedelijke Raad’. Belgisch Staatsblad. 13 September 2002; ‘Wet van 13 december 2002 houdende verschillende wijzigingen van de kieswetgeving. Belgisch Staatsblad. 10 January 2003.
- 3 The Council of the French-speaking Community is indirectly elected of members of the Council of Brussels Capital Region and of the Walloon Council. Hence the number of women members of the Council of the French-speaking Community is dependent on these other institutions.

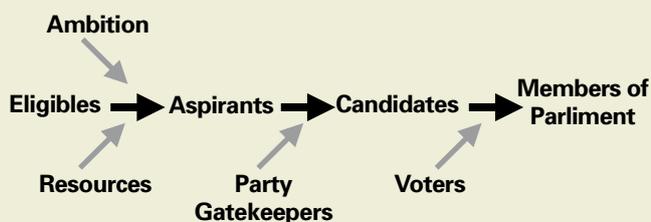
## Political Party Quotas in Practice

### Overview of the Session

Experience of quotas globally shows that their voluntary adoption by political parties can be an effective means of increasing women's representation. This is especially so in PR electoral systems that use party lists. In Europe, there are several examples of political parties adopting quotas, including the Nordic countries, which have long had the highest numbers of women in parliament. This session focused on cases of voluntarily adopted internal party quotas and conditions needed for successful implementation. It draws on studies of Norway, Croatia, Hungary and Poland.

### Legislative recruitment and party quotas in Norway

Dr. Richard Matland began by highlighting the dramatic drop in women's representation in Eastern Europe immediately after the fall of the Berlin Wall. After more than a decade of democratic reforms, women's representation has increased significantly in some countries, but it is still very low in others. Russia and Slovenia are examples of 'real laggards'. Matland situated the dynamics of women's representation in the region within the general framework of the legislative recruitment model:



The model comprises three steps: moving from an eligible to an aspirant; moving from an aspirant to a party candidate; and moving from a party candidate to an elected representative. In the majority of countries, the eligible pool comprises 51–52 percent of women. Yet, at the end of the process, on average, only around 15 percent of those elected are women.

“While each of the three steps is important, the truly crucial step with respect to the level of women's representation is the step from aspirant to candidate, when the party gatekeepers select their candidates”.

During the first stage, eligible to aspirant, ambition, resources and interest in politics are important influences commonly found more among male than female citizens. Yet, there are still enough women in the aspirant pool for parties to select if they so desire. The final step, candidate to MP, is likely to be of only limited significance, since when voters make their choice they accord priority to issues more salient than the sex of the candidate. Gender quotas can be applied at all three stages of the process. The most common quotas (party or legislative) are intended to influence the second stage, aspirant to candidate. The reserved seats option (with or without elections) pertains to the final stage, candidate to MP. Women's recruitment is likely to be affected by the broad influences of societal culture, level of development, electoral system provisions and party rules and norms.

Applying the legislative recruitment model in the post-communist setting yields interesting patterns. Matland asserted that evidence from public opinion surveys indicates dramatic differences in the societal culture of Eastern and Western Europe. In a survey conducted across five West European countries, between ten and 15 percent of respondents contended that 'men make better political leaders than women do'. In Central and Eastern Europe, the lowest percentage in agreement was 40; more typically it was 60, 70 or even 90 percent. Women agreed with the statement as strongly as men did. Clearly, women in the region face a more patriarchal culture, which diminishes their ambition and also has an effect in terms of access to resources. At the second stage, aspirant to candidate, research has pointed to significant sexism in political parties and somewhat higher recruitment standards for women. Parties tend to look for women with higher socio-economic status.

Matland introduced an important distinction between clientelistic and programmatic parties. A clientelistic party is based on patronage and loyalty to the leader, whereas a programmatic party aims to affirm its ideological identity and promote its platform. Programmatic parties tend to exhibit greater interest in women candidates and have sometimes used women as anti-corruption symbols or protectors of social goods. In general, women in

the region have fared better with leftist parties, especially those anxious to appear as Western European Social-Democrats. Women did worse with rightist parties that call themselves 'liberal'.

At the third stage, candidate to MP, evidence from Ukraine shows candidate sex to be almost irrelevant to voters' choices because of the higher salience of other issues.

The importance of the electoral system is clear, since the seven countries with the highest rates of women's representation all have pure PR rather than mixed-member PR systems. In six cases, there have been electoral shifts towards PR, and in all of them, women's representation increased post-reform.

Overall, women have done better in countries where politics have not remained centred on the development of electoral democracy and have instead focused on questions of democratic quality. The states that have done worse commonly have lower rates of economic development and very poorly organized women's movements.

### **Norway**

Matland continued his discussion by maintaining that the Scandinavian states constitute the world's most successful examples of party quotas in action. He traced the experiences of women in politics in Norway over the course of several decades, a country where the legislative recruitment model involved the development of quotas over a long period. Candidate selection in Norway can be described as an elite but decentralized process, which may be influenced by motivated activists within the party. For all political parties, local nominating committees propose the candidate lists (based on the 1921 Electoral Law), for which rank-and-file party members vote. Thus, the nominating committee is constrained by the need to satisfy all party factions, place different interests under the party banner and appeal to various groups of voters. Nomination procedures in Norway result in a very strong

emphasis on group representation.

Women's influence over, and their position in, the process of party candidate selection has changed incrementally over the course of many decades. Matland distinguished four historical periods. The first is from 1909, when women received the right to vote, to 1953, when women's inclusion in parliament can be described as an era of 'Giants Among Men'. The 16 women elected to parliament in this period were all loyal party members or local notables, such as doctors, teachers or union activists. The second period from 1957–73 could be titled 'One Is Enough'. Nominating committees started to see women as a legitimate group to be represented. However, political parties never nominated more than one woman from a district, with the sole exception of the Labour Party delegations from Oslo. The third period, from 1977–81, could be named 'Tokenism No More'. In this transitional period, significant changes occurred. The Socialist Left and the Liberal Parties adopted the first gender quotas in Norway, driven by burgeoning social debates on women's issues and the desire to profile themselves as progressive parties in the eyes of voters. These parties had a very insignificant political presence but they had a crucial indirect impact on the largest political party in Norway: the Labour Party. In the fourth period, from the mid-1980s to the present, a gradual process of contagion took place. Women became 'Second Among Equals'. The Labour Party made the critical move of adopting its own quota in 1983. The Centre Party and the Christian People's Party adopted quotas in the 1990s. In 2004, five of the seven parties in parliament had quotas.

Since 1995, the percentage of women MPs has fluctuated between 36 and 40 percent. Despite the significant progress in Norway, the election of women is still dependent on the number of seats that parties win. It is noteworthy that, when parties capture an even number of seats in a district, women have a better chance

The development of party quotas in Norway is characterized by a long process of incremental change. The Labour Party quota was crucial but was adopted only after the party already had one-third of women in parliament. Party quotas have been helped by the progressive culture of second-wave feminism. Also, Norway has favourable electoral and party institutions. The country uses a closed list PR system with reasonably high party magnitude. Gradually, gender equality has become an important element of the nomination process. The internal party democracy structures have had a limited but crucial bearing on the selection of candidates.

of equal representation. However, when the number is odd, men come off best. Thus, although the principle of gender equality is well established, women are only 'Second Among Equals' and Norway has not managed to surpass 40 percent of women in parliament.

### **Croatia**

Ms. Karolina Leaković presented an overview of the development of internal party quotas in the Croatian Social-Democratic Party (SDP), which was largely responsible for a significant increase in women's representation in parliament.

The SDP internal gender quota was the first such provision to be adopted by any reformed party in Eastern Europe in the 1990s. Leaković explained that the road to success was not a smooth one.

The establishment of the Social Democratic Women's Forum (SDWF) in early 1995, as an internal party organization, was crucial for the adoption of the party quota at the SDP Convention in 1995. The SDWF introduced the novel practice in Croatian politics of inviting women from other parties and non-partisans to participate in its activities. Despite criticism from male colleagues that the 'party was opening up too much', the SDWF managed to reach out to other political parties and NGOs. In 2004, the SDP approved the idea of having non-party members on its lists. It is predicted that this potentially beneficial trend for women will continue in the 2005 local elections.

The 40 percent quota for office holders within the SDP was not initially applied at all levels across the party structure. Although the main executive board and party presidency generally respected it, the lower levels held the quota in less regard, mostly because of the lack of sanctions. Therefore, a new statute of May 2004 introduced a supervisory board to act as a regulatory mechanism to oversee quota implementation on all levels.

Leaković noted that the implementation of party quotas has had far-reaching effects. For the parliamentary elections in 2000, the SDP not only applied the quota rule to its electoral lists but also was able to pressure its liberal coalition partner into nominating more women. The SDP managed to enforce the rule of at least 35 percent of women on each coalition

The SDP has incorporated into its Statute a 40 percent party quota for both sexes. The driving force behind the adoption of the gender quota was the separate women's organization within the party.

list. If there were not enough women candidates, the presidents of the parties refused to sign the list. In 2003, the SDP elected the largest share of women in parliament (12 out of 34 MPs). In the same election, the conservatives in Croatia elected around 25 percent of women to their parliamentary delegation, which is indicative of the contagion effect of the SDP's pioneering efforts to promote women's representation. Following the 2004 SDP Convention,

women make up 52 percent of the party's main executive board, and the SDP deputy president and two of the party's three vice-presidents are women. Given that, from 2000–04, the SDP was part of a coalition government and had the most women MPs, it was able to take several steps to deal with gender equality,

by passing the Gender Equality Act and a new Family Law and by creating a Committee on Gender Equality in parliament and a Government Gender Equality Office.

### **Hungary**

Ms. Zita Gurmai examined the dynamics of women's representation in both the national parliament and the Hungarian delegation to the European Parliament. She began by noting that, in the Hungarian Parliament, in the pre-transition period, the Communist Party attained 30 percent representation of women. With the changes in the 1990s, however, the number dropped to between seven and 11 percent among the new democratic parties. In Hungary, women have a long tradition of political participation through labour unions; they have achieved high levels of education and a strong presence in the employment market; and the constitution stipulates equality of legal opportunities. Yet, the level of women's representation is very low. Gender stereotypes persist in public and media discourses.

After the 2002 elections, women held only 9.1 percent of the 386 seats in the Hungarian parliament. The Hungarian Mixed Member Proportional (MMP) electoral system includes a significant number of representatives from single-member districts, which partially explains the difficulties women face in being elected, compared to women on political party lists.

Within political parties, discrimination of women continues across the political spectrum. Only the Hungarian Socialist Party stipulates a 20 percent gender quota for its lists and demands that at least 25 percent of its candidates should be under 35 years of age. Nevertheless, it does not enforce a placement mandate on lists to ensure that women are in winnable positions. During the 2002 election, women comprised only 17.8 percent of the candidates and five percent of elected socialist MPs.

The overall proportion of women in the European Parliament has grown significantly over the past few decades: from 16 percent in 1979, to 31 percent in 2004. Hungary has performed better in terms of women's representation in the European Parliament than in its own national parliament (29.6 percent of women). Of the eight Hungarian female MEPs, five are from the Hungarian Socialist Party. Gurmai, who was elected Chairperson of the European Socialist Party Women in June 2004, drew attention to the agreement that exists within the leadership of the Party of European Socialists (PES) on the goal of women's representation:

"To ensure that gender equality is among the top priorities, we have to redefine its content and the structures supporting it; we have to formulate a clear vision on the way to proceed on future targets; we have to reorganize the party structures; and, we need more active women at the grassroots level and in political positions. We have to make gender equality a priority within the national parties".

To be successful, Gurmai underscored that governments must be convinced that the quality of democracy suffers without women. Thus, the political engagement of women needs to increase, European social-democratic values need to be further promoted and, in the economic realm, women's participation in the labour market must rise and the existing 'glass ceiling' that ensures that women are underpaid and remain in part-time jobs must be challenged. In the social sphere, a vital EU aim is to achieve progress on issues of childcare, poverty, trafficking and discrimination. Politically, it is fundamental to stress the horizontal process of gender mainstreaming.

Ms. Marta Bonifert completed the Hungarian overview by emphasizing the important role played by women's networks, connecting people at the local, regional and national level. The CEE Network has ac-

tively worked to raise public awareness, train women and empower them to address their social, economic and political needs. The Yellow Scarf Movement was essential in establishing supportive networks of politicians, activists and experts and successfully advocated for the introduction of gender quotas in the Hungarian Socialist Party. To make progress on the women's agenda, it is necessary also to engage devoted male activists and leaders. Hungary was successful in bringing women in to several very visible political positions, such as minister of the interior, spokesperson of the parliament and MEPs. Yet, greater numbers of women are needed in the National Assembly in order to promote gender equality and to strengthen women's leadership locally and nationally.

### **Poland**

Dr. Renata Siemienska prepared a case study on women's participation in Poland (although the author could not attend the meeting and present the paper, it is included here). It analyzes the effectiveness of quotas in according women and men equal access to top positions in politics, with a focus on the parliamentary elections of 2001 and the local elections of 2002. It also examines Polish opinions on, and attitudes towards, quotas and the behaviour of members of society and the political elite towards gender inequality in politics. It shows that, while quotas are important for increasing the number of women in elected bodies, their efficiency depends on a numbers of factors, including the level of the elections (national or local) and the type of electoral system.

### **Discussions from the floor**

The discussion focused on the variables that determine support for gender quotas across political parties, even among like-minded ideological parties. Slovenian conservative parties, for example, are very resistant to women's participation, despite the country's strong legislation, whereas in Croatia, the nationalist Croatian Democratic Union (HDZ) elected significant numbers of women in the absence of legal quotas. The degree of successful cooperation between political parties and women's organizations also influences the presence of women. Links between Western and Eastern European parties, often predetermined by geographic proximity, can also be a factor. For instance, the Baltic parties received a lot of advice on women's issues from

their Scandinavian neighbours. Programmatic parties do not support quotas uniformly. All parties tend to look for resourceful candidates with higher socio-economic status and significant connections with important interest groups. Women are usually disadvantaged in terms of financial and other resources.

Another area of discussion focused on the attitudes of voters towards women candidates. The mass media and the media policies of parties frame gender issues for the public. It was suggested that party gatekeepers would increase the presence of women if they believed that voters would support women candidates or parties that field numerous women candidates. The converse argument is that, often, women do not automatically vote for other women or parties with more women candidates. Given the strong party-centred electoral systems in use in most European countries, it is the party gatekeepers, rather than voters, who directly discriminate against women candidates. Given the influence of female voters, though, party gatekeepers should be aware of the potential impact of women's votes.

An additional dimension of the voter-candidate relationship pertains to the type of electoral system and whether open or closed lists are utilized. It is generally held that closed lists, like those used in the Norwegian parliamentary elections, generally benefit women. Open lists, such as those employed in Denmark and Poland and in local elections in Norway, are believed to hurt the electoral chances of women. It was noted, however, that preferential voting does not have a uniform effect across parties. In egalitarian parties, where women have achieved significant gains in terms of their presence on candidate lists, preferential voting could diminish their electoral chances. Yet, in less inclusive parties, where party gatekeepers discriminate against women candidates, open lists may work to the advantage of women and improve their electoral prospects.

Participants also addressed the interplay between different levels of government—local, national and the European level—and its influence on women's representation. Local government has often been considered a training ground for previously excluded political actors. Some argued that the European Parliament is sometimes viewed as a level that is easier for women to access because it is believed to be less important than national parliaments. Thus, interac-

tion between different levels of government and the perceived prestige of representation in various institutions constitute an intriguing question for women in Europe. In Norway, a country of some four million people, there are more than 500 local councils, with 20 members each. Hence, it is relatively easy for women to participate at the local level, and it is in the best interest of each party to find people to fill local offices.

Working on local city councils is often seen as a starting point for a political career. The initial impetus for women's representation in post-communist Eastern Europe, however, was at the national level. The local level was not considered important due to the high degree of administrative centralization and the lack of communal power at the local level. However, with the increasing devolution of authority and resources, local government offices have become more politically attractive. Thus, it is increasingly difficult for women to capture local offices and to participate in local democracy.

At the European level, many EU members feared that the entry of new member states would decrease the level of women's representation in EU institutions. Yet, in the first post-enlargement elections (June 2004), the number of women in the European Parliament only dropped marginally: from 31 to 30 percent. EU policies towards both old and new members are crucial for gender mainstreaming processes.

With regard to Eastern Europe, participants repeatedly drew attention to the 'changing meaning of party quotas'. The spectacular decline in women's representation following the collapse of the Soviet Union "meant only the dramatic drop of ideology". The real level of women's representation could be gauged only on the basis of democratic elections, because "it is better to have nine percent of women in a meaningful parliament than 30 percent women in a non-democratically elected assembly".

The discussion also addressed the issue of gender quotas outside of the political arena. For instance, Norwegian legislation requires that, by the year 2006, all companies must have at least two women on their boards. This is an important step forward, given that women in corporate structures often find it impossible to break through the 'glass ceiling'. Unfortunately, in Eastern Europe, women's exclusion from positions of power in the private sector is still the norm.



# The Norwegian Experience of Gender Quotas

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## Introduction

For many years Norway has been a world leader in terms of women's representation. When it comes to women's representation in the national parliament, Norway has been among the top ten countries in the world for a quarter of a century. More than one-third of the representatives elected to parliament in each of the past six parliamentary elections have been female. Furthermore, for more than 20 years, the cabinet has been at least 40 percent female. In the 1980s, Prime Minister Gro Harlem Brundtland was the dominant figure on the Norwegian political stage and worked actively and successfully to promote women's participation. All of these factors led to Norway being an inspiration to many women around the world who were fighting for greater access to political power.

Superficial knowledge of the Norwegian case led many people to note that, not only were the Norwegians world leaders with regard to women's representation, but also Norwegian parties had adopted gender quotas. This led to a natural assumption that gender quotas had resulted in the high levels of representation. While this may seem logical, the reality is that, in both Norway and Sweden, quotas were first established in the largest parties only after women had made significant inroads into the party. Before quotas were adopted in the Norwegian Labour Party, women held 25 percent of the parliamentary seats belonging to the Labour Party delegation. Before quotas were adopted in the Swedish Labour Party, women already held more than 33 percent of the seats in the Labour Party Riksdag delegation. So, in the Scandinavian case, quotas may not lead to significant representation, but rather, significant representation may lead to quotas.

Drude Dahlerup and Anita Freidenvall have argued that quotas in Scandinavia represent an example of incremental change.<sup>1</sup> This is certainly true. In both Norway and Sweden, quotas were merely the next logical step in a long process. As such, Dahlerup and Freidenvall question the validity of using Scandinavia as a model for emulation in other countries, where women are trying to institute dramatic and relatively quick changes. The conditions in the countries of Scandinavia are distinct enough that it would not be easy to transplant the Scandinavian institutions in other countries and assume they will function in a similar manner.

To provide a better understanding of the Norwegian case, which will hopefully help people to com-

prehend both how quotas work and why they work, this case study will take a close look at the advances made by women in terms of representation.<sup>2</sup> First, the paper briefly describes the legislative recruitment process. Then it outlines the candidate selection process in Norway, before looking at how this process has changed over time as women have lobbied for greater representation in Norway. The final section focuses on relevant lessons for other countries.

## The Legislative Recruitment Process

I have examined the legislative recruitment process more extensively in other work.<sup>3</sup> It is useful, however, to spend a little time going over the matter. Legislative recruitment refers to the process of selecting those individuals who eventually serve in legislative bodies. This is a process that Pippa Norris refers to in terms of a set of three hurdles.<sup>4</sup> An individual must first select himself or herself, then he/she must be selected by the party, and finally he/she must be selected by voters. In virtually all countries at the outset of this process the pool of eligible candidates is slightly more than 50 percent female. At the end of the process, though, when the Members of Parliament (MPs) have been selected, the average is only 15 percent female.<sup>5</sup> This means women must be systematically winnowed out at higher rates than men.

The first step in the process involves going from being merely eligible to actually aspiring for office, in other words, seriously considering standing for political office. In most political systems the move from eligibles to aspirants results in more men than women making the jump to aspiring for office. This move is affected by an individual's political ambition, the political resources that he/she can muster, and the political opportunity structure that defines the chances to run for office. Even in Scandinavia, it is clear that men are in possession of more political resources than women. In addition, men have substantially greater interest in, and knowledge of, politics.<sup>6</sup> This results in an aspirant pool that is skewed towards men.

The second step in the process involves party gatekeepers (such as the election committee of a party or the party leadership) selecting which of the individuals in the aspirant pool the party is going to nominate

as its candidates for office. For reasons expanded on below, this is the crucial phase.

The final step involves voters choosing candidates. While many people assume that voters are the problem, and that sexist opinions are revealed in their reluctance to vote for women, most of the rigorous research on this question shows that this is largely not the case. While many voters may have very traditional views as to the proper role of women in society, when citizens step forward to vote they can draw on a vast array of political signals in order to form an opinion of a candidate. Political scientists consistently find the most important cues are the candidate's party, the policy positions taken by the candidate and his/her party, and whether the candidate is a member of the party in government (that is, an evaluation of the job done by the incumbent regime). Whether a candidate is a man or a woman is of much less importance in the mind of the voter. The party plays such a dominant role in most electoral systems that large numbers of voters can tell you immediately which party they voted for, but they cannot tell you the name of a single person on its list.

So, if the final hurdle does not significantly hurt women, then significant filtering out must occur during the first two stages. As noted above, the truly critical stage in this process is the second one, that is, when the party chooses its candidates. The reason for this is that the result of the first stage still leaves all parties in a situation where they have sufficient numbers of women to fill all of their nomination slots many times over.

Consider the case of Norway and the Norwegian Labour Party. In 2001, around 2.5 million of approximately 3.4 million eligible voters went to the polls to elect 165 representatives. The Norwegian Labour Party has been the largest party in Norwegian politics for the past 70 years and in the 2001 election it won some 600,000 votes and had 43 of its representatives elected to parliament. Estimates of those who have at one time or another considered standing for office—that is, the size of the aspirant pool—are, in most countries, in the range of ten to 20 percent of the total population. Even assuming that only ten percent of those not just eligible, but of those who actually voted, consider running for office, this still produces around 60,000 possible Labour parliamentary candidates. Even if the number of people who overcome this hurdle is highly skewed, so that 80 percent of those aspirants are male, this still leaves 12,000 hypothetical female aspirants. Compare these 12,000 female aspirants to the party's need to field a total of 165 parliamentary candidates, of which between 40 and 80 have a realistic chance of actually winning seats, and it becomes abundantly clear that the

party could nominate only women many times over if it so desired. What makes the party selection stage vital, then, is that the subsequent stage is not expected to affect women's representation, and while the stage prior to the selection phase may have led to a skewed pool, it is relatively easy for the party to make up for this in selecting candidates, if it so wishes.

This is one of the most important functions of quotas. They compensate for the imbalance that occurs in the first stage of legislative recruitment. If a party opts for an entirely gender-neutral nomination procedure it is unlikely that it will lead to equal representation, rather it will simply mirror the imbalance that existed in the shift from being an eligible to an aspirant. Quotas can rectify this imbalance by ensuring women receive a larger share of the nominations than their proportion of the aspirant pool. Positive discrimination through quotas or gender neutrality are two options open to parties in moving from the aspirant to the candidate pool. A third option, and certainly one that has been significant historically, is for parties to be discriminatory and to choose fewer women than their proportion in the aspirant pool. In the European context, it seems likely the critical stage will be the one where the party selects its candidates and decides between these three models.

### Candidate Selection in Norway

Henry Valen describes candidate selection in Norway as a case of 'decentralized group representation'.<sup>7</sup> This is a succinct and accurate description of the process. The process is decentralized, as decisions on list construction are made by party leaders at the county level in each of the 20 counties. These party leaders look for candidates who have been loyal to the party and preferably are seen in the community as 'local notables'. While these factors are central, when developing lists consideration of individual candidates always takes place with group representation firmly in mind. One of the central concerns of the nominating committees is to ensure groups the party perceives itself as representing are represented on the party lists. Women's march forward over time has occurred because the position of women as a group has altered gradually. Initially women comprised a group with no power or relevance; now the group is seen as crucial, deserving full representation.

Formally, the process of selecting candidates is governed by the Act of Nominations—an electoral law first enacted in 1921. This law guarantees that, while there is some variability in the process, the basic procedure is quite similar across all parties. Within each party a county nominating committee,

made up of between five and 15 county party leaders, develops an initial proposal for the party lists. This proposal is made after the committee has received recommendations from local party organizations in all county municipalities.

Next, the proposal is presented to a party nominating convention, at which delegates, who have been chosen at the local level, vote on whether to accept or reject the committee's proposal one position at a time. The norm is for the list to be accepted as proposed by the committee. Changes and even wholesale rejection of the committee's proposal happen often enough, however, that the nominating convention clearly does not exist merely to rubber stamp the committee's decision.

Under these conditions, the nominating committee's incentives are fairly clear. It wants to make sure that it does not alienate party members to such a degree that they might risk a revolt. It also wants to make sure that, in a crowded field, with five, six or even seven parties competing for parliamentary seats, the primary interests that their party represents are included on the party lists.

The emphasis on group representation is due to several factors. First, it is very clearly seen as a legitimate principle of representation. While the Anglo-American outlook<sup>8</sup> on the selection of Members of Parliament (MPs) or Members of Congress (MCs) very much focuses on the individual and the selection of a specific candidate on the basis of group characteristics is often seen as an anathema and a violation of the liberal principle of choosing the most qualified person, in the Norwegian context, this is simply seen as a non-issue. Having a corporatist mindset and strong affinities to the consociational perspectives of Belgium and the Nether-

lands, which stress the need to ensure that all relevant interests are on the table, it is perfectly natural, from a Norwegian standpoint, to think in terms of balancing a ticket. Interests, much more than individuals, are central to the development of party lists in Norway.

Furthermore, decentralized group representation is an effective way of integrating factions and guaranteeing party peace. One can easily imagine a nomination committee chair saying: "Okay, your side did not get the number one slot, but you do not need to start an internal fight over the issue. Your candidate has been placed number two on the list, and that person has an extremely good chance of being elected. We all need to make sure everyone is represented'. Finally, Norwegian party leaders often see a diverse slate as important in appealing to various groups of voters. By placing representatives of a specific occupational group or public interest group in a prominent position on the list, party leaders believe they increase the likelihood of being able to attract the votes of ordinary citizens with ties to those groups.

## Women's Representation in Norway

Table 1 shows the level of women's representation in the national parliament over the past 50 years. One can see that, at both ends of this spectrum, there was relatively little movement. Women did not start making strong gains until the 1970s, and they have made virtually no gains since the mid-1980s. In the period in-between, however, there was strong progress in terms of representation. These phases are divided into four separate categories, which are assessed below.<sup>9</sup>

**Table 1: Women's Representation in the Norwegian Parliament (Stortinget), 1953–2001**

Year	No. of women MPs	Total No. of MPs	% women in parliament
1953	7	150	4.7
1957	10	150	6.7
1961	13	150	8.7
1965	12	150	8.0
1969	14	150	9.3
1973	24	155	15.5
1977	37	155	23.9
1981	40	155	25.8
1985	54	157	34.4
1989	59	165	35.8
1993	65	165	39.4
1987	60	165	36.4
2001	60	165	36.4

### ***Giants among men, 1909–1953***

In this more than 40-year period—from the point at which women of property gained the right to vote—16 women were elected to serve in parliament. These women are unique in the sense they were able to survive and thrive in an era when being a female politician was extremely rare. Women from the capital, Oslo, were slightly more likely to be elected than women situated in other parts of the country.

At this time, nominating committees emphasized the importance of being an active and loyal party member, although they also looked for persons of standing in the community. Such a person would tend to be someone who held an important occupational position (minister, doctor or teacher), someone with previous experience of public office (local elected official) or someone holding significant status in social organizations outside the party (labour unions or religious organizations). While looking for ‘local notables’ with experience, parties focussed on a pool of aspirants that was heavily skewed towards men. Not many women were among the possible aspirants, since few women were members of the labour force, most women were not well educated, and most women had little experience of serving as organizational leaders or on local councils.

Parties made a serious attempt to balance their slates with respect to geography. A heavy emphasis was put on ensuring that all areas of the county were represented. In addition, concern was often expressed about the occupational groups and social organizations with which the party may have had connections. Women, as a conscious interest that needed to be taken into consideration, simply did not exist and were rarely nominated (even more rarely were they placed in a winnable position).

### ***One is enough, 1957–1973***

Over this time period women’s representation in parliament increased slowly, rising from eight percent in 1965 to 15.5 percent in 1977. By the 1960s, a second wave of feminism was starting to influence the public debate and there was a call for greater representation. Women outside of the parties were agitating for greater representation, and women inside the parties began to follow suit. This was quite significant. Women had always constituted a substantial portion of the party membership and had always carried out a significant amount of party work. In the past, however, their concerns had largely been tied to the electoral success of the party. As consciousness-raising took hold, though, they started to demand greater representation on the party lists.

In response to these societal changes we see party balancing strategies start to change. List creation looks quite similar to the earlier periods, but, especially at the end of this period, women start becoming seen as a legitimate interest with a right to representation. This is a fairly natural process as nominating committees were already thinking in terms of what “groups” they wanted to insure were represented. This made it relatively easy for women to present themselves as a “group” which had a legitimate right to representation.

While women were seen as a legitimate group, they were only one of many lobbying for representation, and, frankly, at this time, they were not a very powerful group. One can see this quite clearly in terms of the effect of party magnitude,<sup>10</sup> that is, the number of seats that a party wins in a district. When party magnitude was low—that is, when a party won only one or two seats—women were not elected to parliament. When party magnitude was higher—that is, when a party won four or more seats—there was almost always a woman being elected.<sup>11</sup> Yet, it is quite striking that it was almost always one woman. No county delegation, with the exception of the Oslo Labour Party, ever elected more than one woman during this period (or prior to it either).

### ***Tokenism no more, 1977–1981***

This was a transitional period during which one witnessed significant changes in both levels of representation and nominating processes. Representation jumped from 15.5 percent in 1973 to 25.8 percent in 1981. The period of ‘one is enough’ was definitively over, as the number of party district delegations with more than one woman representative rose from one to seven. Women continued to press for greater access. Consequently, the nominating process was adjusted again to allow the gender of a candidate to play a much more prominent part in committee thinking as it put its slates together. It became clear that simply including one woman on the list was insufficient in terms of dealing with the matter of representation of women.

This period is also important as it witnessed formal quotas being adopted for women for the first time. In 1975, the Socialist Left and the Liberal Party both adopted gender quotas. This had relatively little direct effect, as only four of the 155 MPs elected in 1977 belonged to these parties, and only one of the four was a woman. The policy had a significant indirect effect, however, in that it clearly challenged the Norwegian Labour Party with respect to the issue of

women's representation. The Labour Party responded to this challenge. In all of the districts where either the Socialist Left or the Liberal Party placed a woman in the number one slot, the Labour Party markedly increased the number of women that it nominated. By contrast, in those districts where the Socialist Left and the Liberal Party did not place a woman in the top spot, the Labour Party's response was more limited.<sup>12</sup>

An interesting question is: why did these two parties adopt this policy at this time? There are a couple of key reasons. First, it was the 'right thing to do'. The debate on women's role in society had clearly had an effect on these parties and taking a policy stand on this issue was important to both parties with respect to their broader public image. The Socialist Left had strong ties with leftist organizations and women within the party were demanding proof of sincere and substantive (rather than merely rhetorical) support for greater equality. The Liberal Party, meanwhile, was in the process of reinventing itself as at least partially a Green party, and there were strong indications that the Greens were among those most in favour of greater representation for women.<sup>13</sup> The second reason is that it seemed to make strategic sense with regard to both parties' attempts to curry favour with voters. Especially for the Socialist Left, which was always looking for ways to distinguish itself from the much larger Labour Party, the adoption of gender quotas was seen as an effective way of attracting leftist women away from Labour and towards its cause. For the Liberal Party, which had been split by the vote on joining the European Union (EU), the adoption of quotas was part of its plan to establish a new identity.

### ***Second among equals, 1985 to the present***

Between 1981 and 1985, the level of representation of women in parliament jumped from 25.8 percent to 34.4 percent. Since 1985 four elections have been held and the level of representation of women has never been below 35.8 percent, or higher than 39.4 percent.

The most important event in this period was the 1983 decision by the Labour Party to adopt quotas (implemented in the 1985 election for the first time). The move was crucial, since, as noted above, the Labour Party is the largest party in Norwegian politics. Thus, when it decided to increase the rate of representation, it led to a significant rise in the number of women being elected to parliament. New party rules

were honoured (an important requirement for quotas to be effective). These completely changed the role that the sex of the candidate plays in the construction of party lists. Now, candidate sex is one of the first things to be considered by party nominating committees. In just two election periods (1981–1989), women's representation within the Labour Party delegation went from 33 percent to 51 percent. In the party nominating caucuses, a candidate's sex went from being a factor of some relevance to one of primary significance. Every other candidate had to be a woman.

Why did the Labour Party adopt quotas? One important factor was that a large section of the party elite viewed it as the right thing to do. This policy has never been seen as a necessary evil or a temporary measure only to be utilized during a transitory phase, as it has been described in some countries. Rather, it is seen as a legitimate way to ensure that women receive the representation that they deserve. That women made up one-half of the population and one-half of Labour voters and hence deserved one-half of the nominations was a compelling argument. A second important factor was that Gro Harlem Brundtland was the leader of the Labour Party and Prime Minister for most of the 1980s. She was a powerful force who was actively engaged with a large number of issues, including pushing the Labour Party in the direction of greater representation of women. Her support for quotas was not necessarily decisive, but it was significant. Finally, even when there was a degree of reluctance on the part of some men within the party or some party strategists, the political reality was that the party was under pressure from the Socialist Left with respect to this issue. Leftist women within the Labour Party could easily say, 'You do not need to accede to our demands, we can just leave, the distance to the Socialist Left is not very great. If you are not willing to provide us with meaningful representation then we can simply move over to a party that will do so'. In many ways the Labour Party was forced to adopt this policy so as not to lose votes to the Socialist Left.

In a previous work,<sup>14</sup> this has been described as a contagion process, as one party adopts a policy or strategy first implemented by one of its competitors. Once the Labour Party adopted quotas there has been a slow shift to the right in terms of the adoption of gender quotas in Norwegian politics. In the 1990s, both the Senterparty (an Agrarian-based party with a strong anti-EU element) and the Christian People's Party adopted gender quotas. This means that, of the seven 'major' parties in the Norwegian parliament, five have officially adopted quotas. The exceptions are

the Conservative Party (Høyre) and the Progress Party (FrP), which are situated on the far right of Norwegian politics. Both have argued they choose the best candidate and do not want to be bound by arbitrary rules requiring them only to consider a man or a woman. Nevertheless, the adoption of quotas by the other parties has put some pressure on the Conservative Party, which has increased its level of representation of women to the point that its parliamentary delegations are consistently in the 30 percent range.

The obvious question to ask is: why, if five major parties have adopted quotas and a sixth is heavily influenced by the others, have women not been able to break through the 40 percent barrier? Fifteen years ago the Swedes lagged slightly behind the Norwegians, but they have continued to move forward, while the Norwegians have stood still. There are two primary explanations for this. First, the Progress Party has become much stronger and this has worked to suppress women's representation. The FrP is a male-dominated party whose supporters are overwhelmingly male. In the 2001 elections, 26 Progress Party MPs were elected, only three of whom were women (13 percent). Among the other parties, 41 percent of MPs were female.

The second reason is that, although quotas have been adopted, women still tend to be treated as second among equals. If the party magnitude is even (two, four or six seats), parties in recent elections have tended to split the seats evenly between men and women. If the party magnitude is odd, however, (one, three, five or occasionally seven), men are consistently placed first. If we look at the 2001 elections and two-member party district delegations, excluding the Progress Party and the Conservative Party, we see that women achieve parity, holding 50 percent of the seats (16 out of 32). If we look at one-member party district delegations, however, after excluding the Progress Party and the Conservative Party, we see that women hold 36 percent of the seats (15 out of 41). Because of the relatively low district magnitude in the Norwegian counties and the large number of viable parties, a large number of small one-person delegations are generated (more than one-third of all of the party district delegations in the 2001–2005 Storting were single members). If we juxtapose this with the system employed in Sweden, where there are fewer viable parties, a much higher number of MPs (349 as compared to 165) and a slightly greater number of counties (29 as opposed to 20), one can see in part why the Swedes have continued to make advances in terms of the representation of women, while the Norwegians have foundered.

## Conclusion

In assessing changes in women's representation in Norway, one can see that quotas have played a role, although probably not a vital one. The process must be viewed as incremental, leading to a significant but not equal role for women in Norwegian politics—the adoption of quotas was merely a step towards greater equality. The incremental nature of the process can be seen in Table 1: the rate of increase in women's representation from one election to the next has never been greater than 8.6 percent. Rather, there has been slow upward movement, reflecting the changing role played by candidate sex in the nomination puzzle. Initially, candidate sex was irrelevant, then it became one of several weak, but legitimate, interests of the parties, and finally it graduated to a position of central importance in the process to construct candidate lists. The most significant event in terms of the impact of quotas and representation was the adoption of gender quotas by the Labour Party in 1983. Note, though, that this occurred after women had already acquired 33 percent of the positions in the party's parliamentary delegation and when there was a female party leader. This is hardly a case of storming the palace and instituting dramatic change overnight.

In analyzing how the increase in women's representation came about and the reasons for the adoption of quotas it is clear that culture is important. Second wave feminism raised a number of equity issues that were especially salient within the Nordic context of egalitarianism. But the egalitarian culture is not in itself sufficient. While women have been quite successful in gaining access to positions of political power, they have been much less successful, despite a mighty struggle, in gaining access to large numbers of prominent positions in business.<sup>15</sup>

An important part of the explanation for the relative success of women in the political sphere is connected to existing political institutions. The political institutions that were in place were particularly well suited to providing women with the opportunity to acquire positions of political power. In addition, Norwegian feminists, by and large, made an explicit decision to stay and work within existing political parties. They did not leave and establish separate political organizations. The candidate selection procedure placed an emphasis on group representation, hence it was entirely legitimate for women to argue that, as a group, they represented 50 percent of the population, yet enjoyed nothing like that level of representation. Closed list proportional representation in districts with a reasonably high district magnitude

meant that internal party decisions with respect to representation led directly to increased representation.

Furthermore, while there may have been those who were sceptical about the calls for greater representation, additional institutional arrangements pushed them in the direction of agreeing to these demands. First, if party leaders refused to consider seriously these demands for greater representation, there was an easy and clear alternative: feminists could simply switch their support to a party that backed their call. This threat meant that many reluctant men felt that they had to improve the rate of representation. Second, party nominating committees knew full well that, if they ignored these demands for greater representation, women within the party were capable of mobilizing and turning out en masse at the party nominating caucuses where each of the decisions of the nominating committee would be reviewed. Just the threat of attempting to overturn committee decisions was sufficient in many cases to get nominating committees to consider carefully women's demands for better representation. In short, the institutional arrangements played a crucial role in assisting women in their fight for greater representation.

## Endnotes

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- 7 Valen, Henry. 1956. 'Nominasjonen ved stortingsvalg—en demokratisk prosess eller et eksempel paa partidiktatur?' (Nominations to parliamentary elections—a democratic process or an example of party dictatorship?) *Statsøkonomisk tidskrift*. 70(2). pp. 115–152; Valen, Henry. 1966. 'The Recruitment of Parliamentary Nominees in Norway'. *Scandinavian Political Studies* 1. pp. 121–166; and Valen, Henry. 1988. 'Norway: Decentralization and Group Representation'. In Michael Gallagher and Michael Marsh, eds. *Candidate Selection in Comparative Perspective: The Secret Garden of Politics*. London: Sage Publications.
- 8 Squires, Judith. 1996. 'Quotas for Women: Fair Representation?' *Parliamentary Affairs*. 49(1). pp. 71–88.
- 9 Matland, Richard E. 1993. 'Institutional Variables Affecting Female Representation in National Legislatures: The Case of Norway'. *Journal of Politics* 55. pp. 737–755.
- 10 Ibid.
- 11 This is a general trend that we see across many countries and is the basis on which recommendations to women's groups that they should carefully consider the electoral system rules when looking to develop strategies to maximize representation have been made. Electoral system rules that lead to significant party magnitudes are very likely to help women, while electoral system rules that result in small party magnitudes are likely to hurt women. The most striking example of this distinction is the large gap that exists in terms

of representation between majoritarian single-member districts and proportional representation electoral systems.

- 12 Matland and Studlar. op. cit.
- 13 Caul, Miki. 2001. 'Political Parties and the Adoption of Candidate Gender Quotas: A Cross-National Analysis'. *Journal of Politics*. 63(4). pp. 1214–1229.
- 14 Matland and Studlar. op. cit.
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# Political Party Quotas in the Croatian Social Democratic Party

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## Introduction

Before the break-up of Communist Yugoslavia, Croatian women had the benefit of equal rights under the law. Although quotas ensured women were represented in State and Republic legislatures, and despite being represented in parliaments, unions and even the various organs of the Communist Party, women in the former Yugoslavia enjoyed very little real political power, which was vested in the few—male—elite members of the party.

After the fall of the Berlin Wall in 1989, immense structural change took place across Europe, ending the Cold War and uniting the West and the East. At the same time, this event led to the demise of the 'glorious' heritage of Yugoslav Socialism and exposed all of the shortcomings associated with party monopolies and state-run economies. As political elites lost their positions, ordinary Croatian people had reasonable expectations that their own lives would benefit with the advent of democracy. Despite the existence of a vibrant women's movement in the former Yugoslavia, the fall of Communism also witnessed a decline in women's political participation. This decline is in part a result of the patriarchal processes established by the wartime nationalist groups but is largely seen as a backlash to the Communist legacy of a highly proclaimed, although rarely implemented, equality—a backlash experienced in much of Eastern Europe.

As a multi-party system emerged in Croatia, social democrats looked at the examples of social democratic parties of the more privileged stable democracies, which set highly desirable goals. Croatian social democrats carefully studied other parties' patterns and structures and, of course, assessed the time required to attain certain standards. One important aspect of political party reform examined was that of gender quotas and women's participation in politics, which is the focus of this case study.

## The Social Democratic Party of Croatia

Social democratic parties in the 'post-nineties democracies' have their roots in different sources. Some are the offspring of the traditional social-democratic par-

ties and movements that existed before 1990 (for example, those in Bulgaria, Croatia, Hungary and Slovenia). Others emerged out of the so-called alliances of citizens (Socijalistički savez), even the trade union traditions. Many social democratic parties of Eastern Europe, and the most likely to survive, are the products of former communist parties that successfully reformed into social democratic parties.

Today's Social Democratic Party (SDP) of Croatia was created in 1994 after a merger of the relatively large Croatian League of Communists—Democratic Party for Change (SKH-SDP) and a smaller social democratic party, the Social Democratic Party of Croatia (SDH). The new party's programme and statute was to be adopted at the party's convention in 1994 which would provide real opportunities to shape the future of the party.

## *The beginning of the Social Democratic Women's Forum*

In autumn 1994, a group of women started talking about establishing a women's organization within the party, a suggestion that, in general, met with disapproval mostly from male members of the party. One activist commented that 'we had our women' and that the SDP did not need a women's organization. Interestingly, male and female party activists reacted in a similar way.

Nevertheless, a 'critical mass' of support developed and the SDP Women's Forum (SDWF) was founded in Zagreb, Croatia, on 8 January 1995. As an internal organization of the SDP, it had to comply with the party statute, although it had its own Statute that created parallel structures. The latter called for gender representation of at least 40 percent for both sexes; a formulation developed following consultations with Slovenian colleagues. The SDWF proposed quota was the first attempt in any reformed party in the 'post-nineties democracies' to recommend internal party quotas (soon after this proposal, the Social Democratic Party of Croatia introduced gender quotas in the party's statute at the Convention in 1996).

The SDWF Statute clearly stated that women who share the same values may become members of the SDWF on equal terms without having to become

party members. Of course, there is a danger that a forum, which includes women who are not members of the SDP, can develop policies which deviate from, or are opposed to, the party's general orientation. On the contrary, however, the SDWF has created space for many women experts and activists to engage. It has been one of the bridges to non-governmental organizations (NGOs) that have contributed to the establishment of a true civil society within a prosperous state based on the rule of law, democracy and respect for human rights.

### ***The growth of the SDWF***

What has the Women's Forum done over the past ten years to ensure that the quota system is not only 'proclaimed' but truly implemented? Initially, the strategy was to form branch offices in any place where there was a party branch, at the municipality, city or county levels. Within two to four years (after 1995) almost 100 SDWF branches were established across the country. The SDP had some 400 branch offices at the time.

Some of the most important topics and issues dealt with by the SDWF during this first phase were unemployment, healthcare, representation in decision-making bodies and the strengthening of social democracy.

The next phase saw closer cooperation with civil society and a number of NGOs that came into being after 1990, ranging from genuinely feminist groups to those that focussed only on the provision of humanitarian aid. Of course, during this phase, questions concerning women war victims and reconciliation were of the utmost importance.

One of the next priorities was to provide education and training for women in any possible field, ranging from empowerment in general to media presentation and debate skills. Of particular value was the series of seminars entitled 'Women Can Do It', following the example set by Norwegian political parties. During this third phase, numerous women were motivated to become candidates in the local and parliamentary elections.

SDWF understood that external cooperation and training should not happen at the expense of also focusing on the internal structures of the SDP and women's representation within the party. Between 1995 and 1999, there were six vice-presidents of the SDP, of which two were women. The total representation of women on the party's governing executive committee—the Main Board—stood at 52 percent. The SDP's respectable record of women's representation within the party was partly responsible for the

party's admission into the Socialist International in 1999. Representatives of the SDWF engaged in very intensive exchanges of views at different meetings and conferences with their colleagues from Southeast Europe, the countries of the European Union (EU) and worldwide through the SIW.

### ***Women in Parliament***

The strategy of capacity building and increasing the representation of women within the SDP was essential for the SDWF in order to influence the national agenda and implement gender-related policies once the SDP formed government in 2000. As the leading party in the new coalition government, the SDP was largely responsible for the 34 percent women's representation in Parliament. Between 2000 and 2003, an enormous step forward in legislation was achieved.

Strategies and legislation introduced included a new family law, a law on Gender Equality, legislation preventing domestic violence, a national policy on gender equality, and a law on employment with various measures favouring unemployed women. Moreover, huge steps were taken on regional and local levels, especially in areas of women representation in decision-making bodies at those levels. In addition, the SDWF was keen to provide support for the foundation of local gender equality committees at the town and county levels, stressing that these local-level bodies would be very hard to get rid of if there was a change of government.

The next phase was marked by the loss of parliamentary elections (in 2003) when the SDP became the major opposition party. Maintaining the high standards associated with the 40 percent gender quota for all bodies of the party on all levels, at its ninth convention, on 8 May 2004, the SDP adopted a new Statute and a new Declaration. Although the new Statute does not make explicit reference to external quotas for candidate lists, delegates demonstrated a high level of commitment for the principle of equality within the party, voting for a woman deputy chair (there were three candidates, two of whom were men). Two of the three vice-chairs are women, and both vice-chairs of the SDP's Main Board are women. The representation of women on the Main Board stands at 53 percent, the highest level ever.

### ***The Challenges to Implementing Quotas***

The introduction and implementation of quotas at all levels will depend on many factors, including overcoming traditional, patriarchal values. There are, how-

ever, disadvantages and challenges even to the quotas which are in place now. One significant shortcoming of the current quotas within the SDP is that absence of sanctions. If the party leadership fails to meet its statutory obligations, there are no mechanisms to sanction or punish individuals.

In addition, the percentage of women party members is far less than 40 percent, and hence the question of positive discrimination arises and jeopardises the commitment to putting women on candidate lists and placing them in winnable positions. Although the SDWF has been successful at ensuring the placement of women on candidate lists (although not always in satisfactory positions), the lack of a formal quota for candidate's lists for local and parliamentary elections is a barrier to guaranteeing women's political representation.

The relationship between the SDWF and the SDP is delicate at times. Although the Forum has no independent sources of income, the SDP has never, to date, turned down requests for funding. The party is not, however, obliged to provide resources to the SDWF. The successes and strengths of the SDWF is a double-edged sword. Although support among party members for increased women's participation is strong, getting more women in positions at all levels of the party sometimes means displacing men who have held positions in the party for years. During the first 10 years of the SDWF women have not only remained partners with their male colleagues in the SDP but many have also become rivals.

## **Conclusion**

The successes of the SDWF have also been the successes of the SDP. Without the perseverance of the SDWF, particularly on the issue of quotas, the number of women representing the SDP in parliament and local assemblies in Croatia would be much lower. Certainly, the number of women holding decision-making positions within the party would also be reduced. At every election, SDWF will continue to press for greater women's participation and representation. Thankfully, the fierce battles of the 1960s and 1970s when women were the only group insisting on equality are over. True equality requires partnerships, which include men and the SDWF will nurture those partnerships.



# Advancement of Women's Issues through Political Mobilization in Hungary: Impact of the Hungarian Socialist Party Quota

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The countries within the former Austro-Hungarian Empire are long-time traditionalists when it comes to the role of women in society. Hungarian society is no exception with regard to the position of women in public life, particularly in decision-making positions. However, this case study<sup>1</sup> briefly reviews the past 120 years, and illustrates that it is possible to identify the major steps that led to the emergence and acceptance of women in public life.

## The Origins of Women's Political Participation

The first women's associations, involving aristocratic women, were established in Hungary in the Reform Age (1825-49), and lacked a distinctive political profile. The first women's association was called Pesti Jotekony Noegylet (Charity Women's Association of Pest), set up in 1887. By the end of the 19th century, participation in women's associations had become a prestigious activity. Real change occurred when social-democratic women formed a revolutionary women's organization in trade unions in the final years of the 19th century.

These women engaged in highly politicized action, such as the fight for universal suffrage prior to the First World War—Rozsika Bedi-Schwimmer, the leader of the feminist and pacifist movement, had to leave the country. Following the war, in 1920, the first woman deputy, Margit Slachta, the leader of the Social Mission Association, was appointed to parliament. Anna Kethly of the Social Democratic Party followed her in 1922.

Two national women's associations were founded post-1945 during a period of reconstruction and the re-emergence of networks. The democratization of the country and the introduction of universal women's suffrage in 1945 accorded feminists no social space, however. The 1951 decision of the Hungarian Workers' Party (MDP) regarding women's political participation marked the beginning of the period of state feminism. The number of women deputies in the provisional assembly rose to 12, compared with between one and two in the past. In the first MDP congress only four of 66 deputies were women.

## Women in Parliament

Although women received the right to vote in 1919 and a few women members of parliament (MPs) were elected before the Second World War, women did not enjoy a strong political role in society before 1945. In socialist times, despite the proclamations of the communist regime that gender equality was one of its main values and political goals, and numerous improvements in the economic and social position of women, the percentage of women in parliament never exceeded 35 percent. Furthermore, women were not adequately represented in the executive structures of the only existing political party Hungarian Socialist Workers' Party.

Unfortunately, the change to a multi-party system in Hungary in 1989 did not lead to equality for women. They became the group that lost the most, achieving less in the realms of healthcare, education, employment, social security and childcare, to name but a few. Women's representation in the 386-seat General Assembly fell to 7.3 percent after the first democratic elections in 1990. In 1994, it stood at just 11 percent (the highest level since 1979). In 1998, it fell to 8.3 percent. In 2002, it hovered around ten percent—with three women ministers in government. After the 2004 European Parliament elections it declined again slightly to 9.1 percent.<sup>2</sup> The decline occurred because three incumbent women MPs successfully competed for seats in the European Parliament and none of their replacements in the Hungarian General Assembly were women.

Key factors behind this situation were the following:

- not one of the large political parties that made it into parliament had a strong interest in, and thus programme on, gender equality;
- conservative parties from their establishment/re-establishment promoted the traditional role of women; and
- gender-focused non-governmental organizations (NGOs) and independent women's civil society groups, were numerous, but they could not attract any real attention from any of the decision-makers in government or parliament, not even from opposition parties.<sup>3</sup>

It became a great challenge for Hungarian progressive parties, civil groups and activists to work on gender issues in this environment.

## The Hungarian Socialist Party

Hungarian Socialist Party (HSP) women were among the first to persuade their party to change its attitude towards gender equality. However, the transformation of the HSP into a women-friendly party was slow and very gradual. The shift was helped by the moral backing received from the Socialist International Women (SIW) and its sister organizations and support networks, including the CEE Network for Gender Issues, during the HSP's accession to the Socialist International.<sup>4</sup> The supportive national and international network of politically active women and men also facilitated the process.

The first women's organization within the HSP was established in 1992. The HSP women's organization drew on the examples of British, German and Swedish parties, including their gender-related laws. Among the issues raised was the request, in 1993, to include a quota in the party statute.

The HSP, in coalition with the SZDSZ liberal party (Szabad Demokraták Szövetsége: Alliance of Free Democrats) won the second free elections in 1994. The results seemed positive: 11.1 percent of women MPs and one minister. It was obvious, though, that gender equality was not one of the party's priorities, as the gender equality department in the Ministry of Labour was given to the smaller coalition partner, the SZDSZ.

This was also the time when the government had to introduce radical transitional measures to reduce the outstandingly high debt of the country. The austerity programme, while allowing the country to recover, also led to a decline in some important social achievements for women (for instance, paid maternity leave was shortened and many crèches and kindergartens were closed).

Although the country stabilized economically and politically, voters did not forget the austerity programme and hence the HSP lost the election of 1998. The conservative coalition government took office and restructured its operations, including the introduction of newly developed gender equality mechanisms in the country.<sup>5</sup>

Different steps were taken compared to previous governments, such as the participation of Hungary in the multi-stakeholder 12 country Stability Pact Gender Task Force (SP GTF).<sup>6</sup> HSP and HSDP (Hungarian Social Democratic Party) party leaders

signed the appeal to establish the SP GTF, but the new government decided not to take advantage of the opportunity to ensure Hungary's inclusion in regional gender equality projects after 1999.

## Lobbying within the Party

From 1998, the HSP women's organization and its partners started to mobilize in a more structured and determined way, resulting in the HSP 'engendering' its party values, programmes and policies. With the direct moral support of the SIW, material backing from the CEE Network for Gender Issues and in close cooperation with social-democratic foundations and women's organizations from Austria, France, Italy, Netherlands, Norway and Sweden, as well as with women from different political backgrounds connected through the SP GTF's regional training programmes, these women activists started to strengthen their party organization. Their work spanned the entire country. There were increasing calls for including a quota in the party statute. Greater emphasis was put on the argument that the party badly needed the support of women and young voters. To be taken seriously by supporters, it is important for the party to highlight these issues, and give prominence to people representing these issues to the decision making structure of the party. Lobbying together with the party's youth organization, HSP women succeeded in getting a 20 percent quota for women and a 20 percent quota for youth integrated into the party statute at the 1999 Congress.<sup>7</sup>

## Election Results

The first real breakthrough came with the party leadership that was selected in the internal party elections of 2001, chaired by Laszlo Kovacs. Even though the quota was only 20 percent, all women who ran for positions were elected. Suddenly, the party leadership had 30 percent of capable, visible women, bringing to the electoral race all of their knowledge and strength. This was the moment when people like Katalin Szili and Zita Gurmai led the HSP women's organization, all multilingual, brilliant politicians, dynamic and sensitive to gender issues, with a decade of campaigning experience. Not only did they facilitate the establishment of the best possible tool to invigorate the party electoral campaign, but they also forged a strong relationship with major international support networks.

## 2002 National Election

Even if the HSP saw the need to target women voters, very few of its women activists got the chance to run on eligible places on the party lists. The women's

organization had two priorities: to change the government; and to introduce the women's quota.<sup>8</sup> HSP women decided to create a progressive tool to ensure that their issues were taken seriously, to underscore their determination and passion for change and to better society.<sup>9</sup>

The establishment of the national Yellow Scarf Movement in 2002 was their most important innovation. In all of Hungary's main cities (more than 50), the HSP women's organization invited all women to back their silent public demand for a change of government policy on gender issues. Every Friday, for two hours, they stood in the main squares of their cities, wearing long yellow scarves, in silent demonstration. They had just one slogan: **governments change, we stay!** As the electoral campaign progressed, an increasing number of women participated in the weekly protests. A few days before the election, 2,500 representatives of the Yellow Scarf Movement from all over the country gathered in a Budapest sport's hall where the HSP's prime ministerial candidate outlined his electoral promises:

- one-week paternity leave following the birth of a baby;
- higher pensions for widows;
- reintegration of women into the labour market; and
- the establishment of a ministerial post in the national government focused on equality matters<sup>10</sup>

The 2002 elections were very tight. The HSP and its coalition partners won by two percent—a couple of thousand people made the difference. A significant proportion of people believe, even among the losing parties, that the Yellow Scarf Movement was the decisive factor.<sup>11</sup>

The movement's success immediately opened a window of opportunity for all women looking to acquire real power in Hungary's public and political spheres. While ten percent is not a high percentage of MPs, women were given many important positions in parliament and government (president of the parliament and three ministerial portfolios). Furthermore, all of the parties started to show more interest in gender equality issues and in having women candidates in the forthcoming council and mayoral elections. On comparing figures for the local elections of 1994 and 1998, one sees that the percentage of women councillors rose from 20 percent to 23 percent and the number of women mayors from ten

percent to 13 percent. In 2002, the statistics slightly increased. Women were successful not only in small, poor, rural communities, but also in important cities like Nyíregyháza and Szolnok.<sup>12</sup>

### ***The European Parliament***

It seems that the HSP really understood the power of women voters and the importance of its gender equality policy in getting them on-board. The new government kept the promise that it had made to women during the pre-electoral campaign, and started to work seriously on gender equality issues in the context of Hungary's accession to the European Union (EU). A gender equality minister was appointed for the first time, the gender equality mechanism was re-established and given a much stronger mandate than was the case between 1994 and 1998, legislation in some fields (labour, violence against women and trafficking) was reshaped in accordance with EU best practice, and the first anti-discrimination law was passed in 2004.<sup>13</sup>

HSP women's next battle for full gender equality in politics came in June 2004, during the first EU elections in Hungary. This time, the CEE Network for Gender Issues worked closely with campaigning women across the region, among others, introducing a specific sandwich strategy. The HSP women's organization applied bottom-up pressure, while social-democratic women within the Party of European Socialists (PES) applied top-down pressure. The leader of the PES, Poul Nyrup Rasmussen, sent a letter to all social-democratic party heads, including EU newcomers, asking them to target women voters in their campaigns and to give their women candidates a real chance of election. In Hungary, this strategy worked very well. The results of women's campaigns in the last national and local elections offer the best proof yet that a gender equality approach really matters.

### ***Election 2004***

The European parliamentary election of 2004 revealed a very positive result. Of the first 18 candidates on the conservatives' list, six were women. The liberals had eight women among their 18 candidates, while the socialists placed five women among their 24 candidates (although they were all in winning positions). The HSP makes up the second biggest Hungarian faction within the European Parliament. The total number of Hungarian women in the European Parliament is 9, out of a total of 24 Hungarian Members of the European Parliament.

## European Parliament Party Delegations

The HSP brought to the Party of European Socialist a delegation of European parliamentarians consisting of five women (55 percent) and only four men. A so-called contagion effect—when a serious approach to gender equality in one party forces competing parties also to move in the right direction—was also visible with regard to the group of European parliamentarians elected to the group of the European People's Party. This right-wing party, which won the European Parliament elections in Hungary, has 23 percent of women, one even coming from the Roma community.<sup>14</sup>

## The Results of the HSP Quota

What impact has the use of the quota by HSP women had on the political empowerment of women in Hungary? What lessons can be learnt?

1. The quota can serve as a positive measure to counter structural gender inequality within a large party only if there is enough systematic external support (from the PES and SIW, and from sister parties and their women's organizations). Additionally, women must be organized regionally (CEE Network for Gender Issues and SP GTF), so that they can help each other with the exchange of best practice, and a strong and determined women's organization must exist that is capable of attracting important allies within the party. In this case, these allies were the youth organization and new party leaders.
2. The quota will be well respected only if the women's party organization can ensure its public visibility and prove that campaigning produces tangible results. In this case, the Yellow Scarf Movement ensured the visibility of HSP women and the result of the general election in 2002 persuaded the HSP to take gender equality seriously.
3. To sustain the process and to trigger a contagion effect, the most important thing is that the first big party with a respected quota, leading to a larger number of women being elected on all levels, keeps its promises to voters and that its women's organization does not forget to take advantage of an ensuing window of opportunity. In this case, the window of opportunity took the form of the first European Parliament election in Hungary.<sup>15</sup>

## Conclusion

Women have come to acquire political power through political parties. The quota is an important tool to en-

hance their participation in decision-making, helping women to assume an active and visible role in public life.

In summary, from 1990–2002, the number of women candidates grew continuously—actually, the figure doubled. In 2002, 614 women participated in the parliamentary elections (17.8 percent of all candidates). Of the running female candidates, 5.7 percent entered the General Assembly. Of the running male candidates, 12.4 percent entered the General Assembly.

Strategies that bolster women's participation in politics are the application of the parity principle and the employment of the quota system in the election of the political structure. According to the parity principle, the representation of women and men in governing structures should be 50:50. The Hungarian Constitution ensures this, stipulating that: 'The Republic of Hungary shall ensure the equality of men and women in all civil, political, economic, social and cultural rights'.

## Endnotes

- 1 This case study is largely based on Gurmai, Zita and Marta Bonifert. 2005. "The Yellow Scarf Success: The impact of the Hungarian Socialist Party (HSP) Quota". In Sonja Lokar, ed. *From Quota to Parity: Social Democratic Women in Action*. Novi Sad, Serbia and Montenegro, CEE Network for Gender Issues.
- 2 Ibid., p. 13. See also Inter-Parliamentary Union, 2005. 'Women in National Parliaments,' available at <http://www.ipu.org>
- 3 Idem.
- 4 Ibid., p. 14.
- 5 Idem.
- 6 The Gender Task Force is the working body of the Stability Pact for South Eastern Europe and is working under the auspices of the Organization for Security and Co-operation in Europe (OSCE).
- 7 Ibid., p. 15.
- 8 Idem.
- 9 Idem.
- 10 Ibid., p. 16.
- 11 Idem.
- 12 Idem.
- 13 Idem.
- 14 Ibid., p. 17.
- 15 Ibid., p. 18.

# Gender Party Quotas in Poland

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The process of democratization, observed in many parts of the world, has not been accompanied by a significant rise in the number of women in senior positions in economic and political structures, especially decision-making posts.

Analyses show that the presence of women in decision-making bodies is not directly related to the level of economic or social growth, or to the development of democratic systems in individual countries.<sup>1</sup> Pippa Norris and Ronald Inglehart underline the importance of cultural factors because: (1) they make it easier to choose some careers; they impact on women's aspirations to become decision-makers; (2) they influence the level of support for women candidates, affecting the electoral behaviour of men and women; (3) they determine which political goals are to be prioritized, such as gender equality, which are considered to be socially important by various groups and organizations; and (4) they shape the beliefs and behaviour of party gatekeepers, that is, those who decide who will be on the lists of candidates, and who will be appointed to political (governmental) and economic positions.

Therefore, traditional or egalitarian views on women's participation in political and economic decision-making bodies influence both the supply-side of the equation (whether women want to run in an election and be appointed to such posts) and the demand-side (whether they attract the support of party gatekeepers and the media, as well as financial support from sponsors and actual backing (votes) from the public). However, several authors have pointed out that electoral legislation can facilitate an increase in the number of women in politics. A proportional system benefits women more than a majoritarian one.<sup>2</sup> Also, quotas, applied by political parties or established at the state level, as part of electoral law, are considered an important mechanism to bring more women into politics.

This paper analyzes Polish opinions on, and attitudes towards, quotas and the behaviour of members of society and the political elite with respect to gender inequality in politics. It also seeks to assess the effectiveness of quotas in according women and men equal access to top positions in politics. The analysis will focus on the parliamentary elections of 2001 and

the local elections of 2002, following an introduction of quotas for women. It will demonstrate that quotas are important for increasing the number of women in elected bodies. The efficiency of quotas, though, depends on the level of the elections (national or local) and on the existence of several other factors that can aid or hamper their implementation. To verify the hypotheses, the elections will be discussed separately.

## The Representation of Women in Parliament

The proportion of women elected to the lower chamber of parliament in 1991, 1993 and 1997 was nine percent, 13 percent and 13 percent respectively. In the higher chamber, over the same timeframe, women held eight percent, 13 percent and 12 percent of seats. Formally speaking, the number of women has decreased compared to the communist period when the figure stood at over 20 percent (in 1985). At that time, women were considered 'tokens'—present, but with much less influence than the statistics might suggest. Usually, they did not represent the interests of women and for the most part, parliament simply 'rubber stamped' decisions made by Communist Party bodies.

## The Debate on Quotas as a 'Positive Discrimination' Mechanism

The debate on women's low representation in elected bodies began in the early 1990s. At the time, feminists and other women activists rejected the idea of introducing quotas, remembering how members of parliament were selected under the communist regime (although a formal quota system was not in place in Communist Poland, women and men were picked by party decision-makers). However, some parliamentarians and members of women's non-governmental organizations (NGOs) began to work on a law to grant men and women equal status in society in Poland.<sup>3</sup>

The proposed law has been changed several times (last time in June 2005), having been systematically rejected by members of the lower or higher chambers of parliament. The opponents are from the parliamentary opposition, consisting of male and female deputies of centre-right and right-wing parties. Parliamentary members of rightist parties point out, for

instance, that there is no need for a new bill when everything to do with the issue has been incorporated into the Constitution and criminal and civilian codes. To some deputies, furthermore, the bill appears to be oriented towards feminists and hence is unacceptable. Finally, they highlight the cost of implementing the law, particularly with regard to the creation of a new office and monitoring.<sup>4</sup> In the 1990s, women found it more difficult to secure placement on a candidate list (compared to men).<sup>5</sup>

The version of the bill submitted in 2002 included an article on the proportion of men and women in all elective bodies. It specified that, until 31 December 2003, the proportion of each sex should be at least 30 percent. Between 1 January 2004 and 31 December 2011 the proportion should be at least 40 percent. And from 1 January 2012 it should be at least 50 percent. The proportion of candidates of each sex on party lists should be 30 percent until 31 December 2003, and at least 40 percent thereafter. Names of men and women should alternate (i.e. man - woman - man or woman - man etc.) on the lists of candidates to equalise the chances of men and women to be elected, since experience shows that candidates at the top of lists have higher chances to be elected. If a body consists of less than four persons, men and women should both be represented. The parliamentarians who submitted the latest proposal of the bill stress that the bill satisfies European Union (EU) recommendations and should be introduced so as to bring Polish law into line with EU law.<sup>6</sup>

### Implementation of Quotas by some Political Parties

Some kind of 'positive discrimination' mechanism was implemented in 2001 before the parliamentary elections, despite of the above-mentioned lack of the legislation. Pressure Discussions among women NGO activists about the low level of representation of women in elected bodies and in positions where promotion is based on appointment and, about more frequent contact between Polish parliamentarians and West European politicians, culminated in changes. Under pressure from female party members, three political parties agreed to introduce a 30 percent quota: the two coalition partners—the Alliance of Democratic Left (SLD) and the Labour Union (UP), and also the centrist Union of Freedom. But they did not agree on the order in which women and men should be placed on candidate lists (despite the demands of several women in these parties), which would have given men and women an equal chance in subsequent elections.

Following the introduction of quotas by the aforementioned parties, the number of women in the lower and higher chambers of parliament increased to 20 percent and 23 percent respectively (in the last (2001) parliamentary elections). However, only two women became members of the government: Barbara Piwnik was appointed Minister of Justice and Łybacka was appointed Minister of Education (Ministry of National Education and Sports). Actually, only one woman, Izabela Jaruga-Nowacka, is in the government (beside of the Plenipotentiary for Equal Status of Men and Women).

Summarizing, the increased presence of women was due to different events that occurred and different initiatives that were launched between the parliamentary elections of 1997 and 2001:

- **Some political parties introduced a gender quota:** The SLD–UP coalition and the centrist Freedom Union accepted the proviso that neither sex should make up less than 30 percent of all candidates, and that individual constituency lists should be approved only when they satisfy this condition. Moreover, even right-wing parties, such as the League of Polish Families (LPR), were influenced by these changes. While they officially rejected quotas, they included more women on their candidate lists than in previous elections.<sup>7</sup>
- **The electoral law was changed:** Poland uses a proportional representation electoral system, with open lists. In 2001 the total number of constituencies was reduced, creating larger constituencies with a greater number of seats. The reduction in the number of constituencies was the result of a new national administrative structure coming into being. This change also led (incidentally) to an increased number of women being placed on candidate lists: the more candidates there were per constituency, the greater the chance that a woman would be included on a list.<sup>8</sup> Richard Matland identified this general relationship.<sup>9</sup>
- **Attitudes towards women in politics changed:** In 2001, 60 percent of women (compared to 50 percent in 1997) and 40 percent of men (compared to 28 percent in 1997) did not agree with the statement that 'men are better suited to politics than women'.<sup>10</sup>
- **The women's lobby became stronger:** This resulted in more pressure being placed on political parties and the wider public. Fifty organizations joined the

**Table 1: Women Candidates and Deputies, Lower Chamber of Parliament (Sejm), 2001**

Name of party or electoral coalition	Candidates**			Elected***			
	Number of districts in which women were on candidate lists	Women as a percentage of the total number of candidates	% of women in positions one to three on candidate lists	Total	% of total	Women	% of women
Alliance of Democratic Left (SLD)*	41	36.3	18.7	200	43.6	50	25.0
Polish Peasant Party (PSL)	41	14.6	6.5	42	9.1	0	0
Labour Union (UP)*	41	36.3	18.7	16	3.4	5	31.3
Civic Platform (PO)	41	16.8	15.4	65	14.1	13	20.0
Self Defence of the Polish Republic (SO)	39	20.3	13.0	53	11.5	9	17.0
Law and Justice (PiS)	40	17.9	12.2	44	9.6	6	13.6
League of Polish Families (LPR)	41	24.7	25	38	8.3	10	26.3
Social and Cultural Society of the German Minority in Silesia (MN)			16.7	2	0.4	-	-

Notes:

\* The SLD and UP ran as part of an electoral coalition.

\*\* Author's calculations.

\*\*\* See Inter-Parliamentary Union, "Women in National Parliaments", <http://www.ipu.org>.

Orientation of parties: SLD and UP (left); PO (centre-right); SO (populist); PiS and LPR (right); and PSL (Polish Peasant Party).

Pre-Electoral Coalition of Women—an open agreement between women's organizations and groups entered into a few months before the 2001 elections. Members emphasized the apolitical character of the coalition. Ideologically, the Pre-Electoral Coalition of Women (as well as other women's groups and feminist organizations) was located somewhere between the centre and the left. It enjoyed the support of the Women's Parliamentary Group. Women parliamentarians from all parties organized an action entitled 'Women run, women vote' to convince voters to support women candidates.

- **The electoral preferences of society changed:** In the 2001 election, the SLD–UP coalition obtained the highest number of votes (shift from right to left). This was important from the standpoint of women, since the Alliance of Democratic Left has, for a long time, been willing to take women into consideration with respect to its political plans and reforms.

The number of elected women has depended to a great extent on the number of women listed as candidates, where party gatekeepers have positioned them on the lists (those in positions one to three are known to have the best chance of election), and the attitudes of members of the general population in the different districts towards women in politics (Table 1)

In several regions, the percentage of women elected was higher than the percentage of women fielded as candidates by political parties. In regions where the (post-communist) SLD amassed more votes, more women were elected. In the 1990s, there was a significant increase in the number of women and men who voted for men and women, as opposed to voting only for men. In 2001, 46 percent of men, in comparison with 31 percent of women, voted exclusively for men. But 39 percent of men and 55 percent of women voted for men and women.<sup>11</sup>

### **Women's representation at the local level**

In the 1990s, women continued to be under-represented in local government bodies.<sup>12</sup> The number increased slightly from 11 percent in 1990, to 13.2 percent in 1994, to 15.7 percent in 1998. In comparison, in 1989, 22 percent of the members of local councils were women. Consequently, there was a reduction of the number of women in elective bodies at the beginning of the 1990s at both the national and local level.<sup>13</sup>

It is a truism to say that the number of women selected is directly related to the number of women placed on candidate lists, the places that they occupy, and the political advantages of their opposing can-

**Table 2: Candidates and Women Elected in the Local Government Election of 2002**

	Number of candidates	Number of women candidates	% of women among candidates	Number of councillors	Number of women councillors	% of women among councillors
Commune councils	232,753	60,151	25.84	39,978	7,233	18.09
Poviat councils	57,357	13,716	23.91	6,294	1,003	15.94
Voivodship Sejms	9,920	2,795	28.18	561	81	14.44
Commune administrators, mayors, city mayors	10,371	1,083	10.44	1,273	168	13.20

didates. Yet an examination of lists of candidates and those elected revealed that at the highest, voivodship level (16 administrative regions in Poland), there were relatively more women candidates; women were least represented in the Poviat Sejms (intermediate level) and in communes with no more than 20,000 inhabitants. The pyramid pattern emerged, however, as a result of the elections. Most women are to be found in commune councils; women are least represented in the Voivodship Sejms (see Table 2). Like before, the district councils (commune councils before the reform) in Warsaw have proved to be an exception: the number of women candidates and elected women is definitely higher (more than 30 percent).

A comparison of the lists of candidates and the lists of elected persons also underlined how important it is to hold a high position on the list. Women made up 24 percent of all candidates occupying the first and second spots on the list; the number of women in third place was slightly higher (26.2 percent). Most women occupied first position in communes with 20,000 or less inhabitants (24.8 percent). Warsaw was an exception, with as many as 29.9 percent of women candidates occupying the first position on the lists.

Over time, the behaviour of the electorate has changed. Being a male candidate in an election is less advantageous than it was in the years immediately following the political transformation. The number of men and women who vote for both women and men is increasing, and the number of voting only for men is decreasing. Changes in this regard are more significant with respect to men than to women. The number of people voting for men and women increased between 1994 and 2002 by around 20 percent (in the case of men) and by more than ten percent (in the case of women). Less than one percent of the electorate voted only for women in 2002, just like in previous local government elections.

Such shifts in electoral behaviour are consistent with a change in attitude towards the presence of

women in politics, as well as, more broadly, in public life.<sup>14</sup> When analyzing changes in the behaviour of the electorate, we also have to remember that the 'offer' has changed as well. In earlier elections, a specific party used not to include women on its lists much more frequently. As a result, the electorate was unable to vote for women, only being able to choose between men representing parties or local committees.

The electorates of the individual parties differ visibly in this regard. In some cases the behaviour of men and women is similar (*vis-à-vis* the SLD-UP and the PiS, for example) and in others it is noticeably different (*vis-à-vis* the LPR, the PO and the local committees, for instance).

As for the LPR electorate, most men voted for women and men; many more men than women opted to do so. A significant number of women and a very small number of men only supported men during the election. Like in the previous local government election 1998, in the case of local committees, the large number of women (compared to other electorates) voted for men and women. As for the PSL electorate, like before, a significant number of men voted only for men. The number of women who voted only for men was much lower.

Social class (based on the combined level of education and income) is a better variable with which to assess the behaviour of voters than education or income (analyzed separately). This indicator shows that: (1) the higher the social class, the more often women and men vote for representatives of both genders; (2) membership of a particular social class has more of an influence on the voting behaviour of women than that of men; (3) women belonging to higher classes (A and B) vote much more often for women and men than women belonging to classes C, D and E; (4) men belonging to class A (that is, those with the highest level of education and income) are more eager than other men to support women (voting for both men and women); and (5) women and

men belonging to classes A and B differ significantly, however, with regard to the level of support that they extend to women and men during an election—men are much less willing to vote for women.

These results show that the pattern of electoral behaviour and the attitudes of voters observed during previous elections (in the 1990s) has been changing.

### More Women Candidates?

Just like research carried out after the 2001 parliamentary election, analyses conducted following the local government election of 2002 revealed that, for most respondents (84 percent), the fact that some parties applied quotas (according to which women were to make up at least 30 percent of all candidates on their lists) was not important. For five percent of respondents, this was a reason to vote for a particular party; for one percent it was a reason not to vote for it.<sup>15</sup>

According to 23 percent of men and 38 percent of women, there were not enough women candidates. According to 71 percent of men and 58 percent of women, there were enough women. And according to four percent of men and one percent of women, there were too many women.

Those who said that there were not enough women were people with a university education, lower income respondents, who disagree with the opinion that ‘men are better suited to politics than women’, and those who have been in favour of Poland’s accession to the European Union.

Differences between men and women vis-à-vis the number of women candidates are similar in all age brackets (except for persons between 30 and 39 years).

In social class A, differences in opinion between women and men were shocking. This showed once again that male decision-makers are not enthusiastic supporters of increasing the number of women in politics, at the local level, or the national level.

### Conclusion

Women want to enter the world of politics and they are increasingly encouraged to run, although support for them is not evenly distributed among members of Polish society. Some voters believe that women are better suited than men to solving problems in many spheres of life; in other areas, though, they do not believe that there is much of a difference. The greatest problem is still the unwillingness of parties to include women on their lists of candidates. It is worth noting that, whenever we deal with less petrified structures, that is, the local ad hoc committees and not parties,

there are more women among the candidates. Therefore, it seems quite reasonable to demand the introduction of legal regulations, without which it seems impossible to increase significantly the number of women decision-makers—as evidenced by the experiences of other countries.

The introduction of a quota-based system by the SLD–UP and the Freedom Union during the local government election of 2002 did not bring about similar results to the parliamentary election in 2001. This undoubtedly shows that, in the case of local government elections, other mechanisms play a part and that objectives are different—such an election is about solving everyday problems. There are very specific influences and very concrete forms of power which can be executed in local communities. Moreover, the women’s lobby may have had more impact at the national level than in the numerous constituencies, where its presence may have been very weak or even non-existent.

### Endnotes

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## Lobbying for Quotas: International and Regional Cooperation

### **Overview of the Session**

This session focused on quota discourses and how international and regional associations can be important in promoting gender equality and lobbying for quotas. It examined the work of Socialist International Women (SIW) and the activities of the CEE Network for Gender Issues in encouraging the adoption of quotas in political parties. It also looked at the Stability Pact, an agreement between countries in Southeast Europe, and the part it has played in the push for gender equality in the region.

### **Socialist International Women**

Ms. Karolina Leaković examined the activities of the SIW, an international association of women's organizations connected to the Socialist, Social-Democratic and Labour Parties affiliated to Socialist International. She stressed the long-term commitment of the organization to the values of gender-balanced representation in political parties and decision-making bodies. The SIW strongly favours the promotion and implementation of quota mechanisms within its member organizations.

The SIW has been effective in applying pressure to ensure that women's issues are put on the international agenda. The organization is very active in international fora, such as the United Nations (UN) and the Party of European Socialists. In addition, it has adopted a series of instrumental resolutions and statements stressing the need for quota measures. For instance, the 1994 SIW Bureau Meeting in Budapest adopted the 'Implementing a Gender Perspective in Public Policies' resolution. The document urged all political parties to adopt the SIW quota proposal and to strengthen their commitment to gender equality. The 1998 Bureau Meeting in Oslo confirmed the organization's commitment to gender equality in the 'Women and Power-Sharing: Leadership and Strategies' declaration. The latter called for affirmative action to: promote women in national governments and international institutions; ensure gender-bal-

anced party structures and electoral lists; and make sure that, in dealing with the media, gender issues are on the public agenda.

The SIW is a useful international mechanism to encourage political parties around the world to implement quotas. Given its long history, and in light of many new developments, a certain amount of re-tailoring of its institutional capacity is necessary to allow it to reach out to political parties worldwide and give them the opportunity to share their experiences.

### **CEE Network for Gender Issues**

Ms. Daša Šilović provided an overview of the activities of the CEE Network with regard to women's political participation. She highlighted the challenges that women faced during the transition in Eastern Europe and the role that international instruments played in promoting the women's agenda. With the fall of the Berlin Wall, women participated equally as citizens in the mass demonstrations, but, when new parties and democratic governments were established, they found themselves excluded from positions of power. The newly created CEE Network decided to help women in the region to prepare for public life and to work for change through political channels. International instruments proved strong allies in this process.

"International instruments have made a big difference because by introducing them the discussion around the issue of equality is also introduced. International instruments are not binding but they are instrumental in pushing the agenda forward and giving women on the ground the opportunity for international support and a tool they can bring home".

The 'alliance' between international instruments and women's representation dates back to the early 1920s when women's international organizations working with the League of Nations initiated the discussion on quotas. The long process to advance the gender equality agenda culminated in the adoption

Since the very dynamic period in the 1990s, when many organizations applied for membership, all new SIW members have been required to have a 30 percent gender quota. Old members are not explicitly obliged to adopt the quota measures and the SIW does not utilize enforcement or sanction mechanisms. Yet, existing members are also encouraged to reconsider their party rules and structures and to work towards gender balance. More than 40 SIW member organizations have introduced the quota, ranging from 20–50 percent.

in 1979 of CEDAW by the UN General Assembly. Šilović emphasized that CEDAW has become almost a ‘household’ name on the ground. The 1995 Beijing Platform for Action and its Beijing+10 review are other examples of international instruments that advocacy networks actively use to move the gender equality agenda forward.

Šilović noted that significant progress has been made in accumulating experience for women in public life. Quotas have been particularly valuable in increasing women’s visibility in decision-making bodies. Advocacy work has helped to introduce the gender discourse and overcome women’s reluctance to participate in public life and reach out to political parties. Women’s groups inside and outside of the parties have been instrumental in ensuring the inclusion of gender issues in electoral manifestos. Training activities, such as the ‘Women Can Do It’ modules, have enhanced women’s public capacity and ability to offer their expertise. The efforts of the GTF in the Balkans have led to the instigation of electoral reforms. Attempts to forge political partnerships have increasingly resulted in greater commitments among party leaderships. For instance, gender equality is one of the six action priorities of the Party of European Socialists.

### ***The Gender Task Force of the Stability Pact***

Ms. Sonja Lokar addressed the question of how women from 13 countries in Southeast Europe learned to use the Stability Pact as an international instrument in order to gain more political power. The Stability Pact, an ad hoc intergovernmental agreement, was established in 1999 with the purpose of assisting reconstruction efforts in Southeast Europe. Women in the CEE Network decided that it provided a window of opportunity to engage international actors in the region’s gender equality agenda. At the commencement of the process, the leaders of the UN and the OSCE missions in BiH were very supportive of the agenda. The CEE Network quickly organized a petition to include women in the process, signed by 150 organizations, and demanded a formal place for women at the table where the region’s future was to be discussed.

The Stability Pact leadership was taken by surprise. Initially, it agreed to the request and promised to set up the Gender Task Force (GTF). Yet, when the formal Stability Pact institutions were created, the GTF seemed to have been forgotten. It was necessary, therefore, to involve Western Social-Democratic women’s groups in an informal campaign to lobby for the establishment of the GTF. Eventually, the Stability Pact Secretariat granted its formal approval for the formation of the GTF as a regional gender equality institution.

Once established, the GTF faced the challenge of working in practice. Together with the CEE Network, an action plan was developed, which included gender mainstreaming. Yet, as Lokar emphasized, it was very hard to aim for mainstreaming when no streams existed. Throughout the region, insensitive governments, chaotic NGO communities, media hostility and a very low level of women’s representation in key

offices impeded work on gender equality. Thus, the initial struggle was not so much focused on the adoption of quotas, but rather on creating the basis for future work by bringing together and training women from political parties and NGOs. As part of the ‘Women Can Do It’ programme, some 16,000 women were trained in small group seminars. In addition to training, the GTF participated actively in networking, strategy-building, planning electoral campaigns, preparing equal opportunity legislation and pressuring political parties to make space for women. The quota issue became a recurrent demand of women across the region.

The GTF has made some notable progress. The successes were made possible by years of stable financial support from donors and strong regional cooperation. Issue coalitions on gender equality brought together NGOs, national institutions, international organizations and media entities. They continuously used the ‘sandwich strategy’, top-bottom (from international actors) and bottom-up (from grassroots organizations), to put pressure on national political establishments.

The most important future challenge concerns sustainability. There is a real danger that the inter-

The diverse experiences of women in Eastern Europe indicate that the process to bring about change is incremental and far from complete. The way to achieve continuous progress is by sustaining both upstream pressure and downstream support.

national community will disengage from the gender equality process in the region, withdraw its resources and abandon its focus. The GTF's very successes are used to justify the extrication of international donors and to create the illusion that all of the work has been completed. Lokar concluded that it is vital to persuade international actors of the value of their future support, find new sustainable donors and enhance regional strategic partnerships.

### ***Discussions from the floor***

The discussion concentrated on challenges to encouraging and sustaining a gender equality agenda and on promotional strategies. The process to achieve gender equality is typically very slow and incremental; several factors hinder it, such as the financing of gender equality programmes and initiatives. GTF activities, for instance, are affected by the fact that the Stability Pact has never had a permanent financing mechanism, but instead is based on a series of bilateral agreements. An additional problem pertains to the fact that, although the GTF was planned regionally, it has been implemented nationally and locally. The CEE Network has enjoyed a stable but limited supply of resources, and it funds all of its activities separately to avoid major donor-driven crises.

The issue of sustainability was linked to the need to build internal party democracy. It is necessary to support 'women in power' strategies in parallel with internal party democracy campaigns. Making political parties more internally transparent and responsible to their members would open up further the political participatory channel. Women will be able to get to the heart of the decision-making structures and avoid being regarded as 'token representatives' only when the correlation between internal party democracy and participation is made. A case in point is the 'Women Can Do It' programme in Croatia: women learn to work for democratic reforms in their own political parties, including candidate nomination procedures and funding practices. In addition, it was noted that the SIW actively encourages all of its party members to examine their internal structures and to replace discriminatory practices. The SIW focuses on the establishment of women's groups within political parties as an instrument that can push for modifications to internal party structures.

Participants highlighted some other variables that

affect progress towards increased women's representation and discussed the value of inter-regional cooperation and experience-sharing. Political parties that embrace gender quotas (such as Nordic parties) might work with their sister parties in Eastern Europe to highlight the benefits of women's representation and participation in the decision-making field. One participant suggested that political parties in Eastern Europe could be persuaded of the value of particular policies when they are linked to the EU enlargement process. Existing and older members of international and regional institutions (Socialist International and the EU) should not, however, be exempt from meeting the standards demanded of newer members. Participants agreed that there is a greater need to frame the debate on women's political participation in terms of the quality of democracy and democracy promotion.



Socialist International Women (SIW) is an international organization that represents the women's organizations of the socialist, social-democratic and labour parties affiliated to the Socialist International (SI). The objectives of the SIW are: to strengthen relations between its members; to encourage action programmes to overcome any discrimination in society, including any inequality between men and women, and to work for human rights in general, as well as development and peace; to promote understanding among women of the aims of democratic socialism; and to facilitate relations between its members and other socialist-oriented women's groups that are not part of the SIW, but which desire cooperation.

Socialist International Women is a non-governmental organization (NGO) that enjoys consultative status at the United Nations Economic and Social Council and at the Council of Europe. This case study provides an overview of SIW and its position regarding quotas for women in political parties.

## Background to SIW

The SIW dates back to 1907, when 58 delegates from European and other countries met at the first International Socialist Women's Conference in Stuttgart, Germany, and decided to establish an international secretariat. (Clara Zetkin was appointed Secretary). The conference adopted a resolution on the enfranchisement of women, which was to become the starting point for an untiring struggle for women's political rights.

The second conference, which took place in Copenhagen, Denmark, in 1910, adopted a resolution to set one day a year aside as International Women's Day and on that day to agitate for women's suffrage and the political emancipation of women.

The women's movement was restructured after the end of the First World War in 1918. The organization was quite active until the start of the Second World War in 1939. In 1955, the International Council of Social Democratic Women was founded, following a series of international women's conferences demanding the re-launch of the movement. The name of the organization was changed to Socialist International Women in 1978.

Since 1978, the SIW has promoted women's rights

effectively, focussing on the political, economic and social empowerment of women. As the organization of socialist, social-democratic and labour women's organizations, the SIW has been especially involved in the internal democratization of these parties, pressing for the adoption of the gender quota system as a temporary special measure to ensure higher representation of women, both within the memberships of these parties and within their decision-making bodies.

## SIW on Gender Quotas

The SIW has concentrated on the incorporation of the gender quota into party statutes and other regulative instruments that govern the internal life of a party. This can be seen in SIW documents and statements that deal with the quota. Two of these documents are:

### **1. 'Women and Power-Sharing: Leadership and Strategies'**

#### ***SIW Bureau Meeting, 15–16 May 1998, Oslo, Norway***

This declaration calls for affirmative action to promote the participation of women in government and party structures.

'From the point of view of socialist, social democratic and labour women, several aspects of gender politics must be addressed in order for women to achieve equality. Measures must be implemented to ensure that women are represented at all levels of government and party structure. Affirmative action must be taken to promote women within these institutions, for example:

- the preparation of more gender-balanced lists of candidates for elections of any kind;
- the assurance of gender-balanced representation in party structures;
- the promotion of women to leadership positions, such as ministries and executive positions in international institutions; [and]
- the close scrutiny of the media to ensure that women's issues are put on the public agenda and that women in public positions are well represented'.

## 2. 'Implementing a Gender Perspective in Public Policies'

### **SIW Bureau Meeting, 29–30 November 1994, Budapest, Hungary**

At this meeting, the SIW Bureau concluded that, 'in order to achieve these objectives it is a necessary precondition to enhance the contribution made by women, increasing their number and guaranteeing their effective presence in decision-making positions, implementing specific measures of affirmative action'. The SIW welcomed plans to achieve equality and the steps that had been taken in this regard in many countries by 1994. Social-democratic and socialist women recognized and supported 'gender mainstreaming' as 'an additional approach to policies of positive action and an instrument not only towards promoting equality but also towards making the female vision of life a fundamental part of governance'.

The SIW called for enhanced cooperation and coordination between different sectors and new political players, including NGOs. It also underlined that governments should establish an internal structure responsible for following up on and appraising the gender dimension of public policies at the national and local levels. This structure must exist within each government department or at the cross-ministerial level. Finally, the SIW urged all of the members of the Socialist International to adopt the proposals set out in 'Implementing a Gender Perspective in Public Policies', strengthening their commitment to a 'future of solidarity incorporating greater equality and fairness between the sexes'.

### **Three quota models**

By adopting declarations, resolutions and recommendations, the SIW has tried to put pressure on SI member parties. The internal democratization of political parties remains open to question, and processes of fair and open dialogue at all levels of the party organization are closely connected to women's participation in decision-making bodies. There is still much to be done, however, to improve the position of women members of political parties. Not all members have equal access to information, not everybody participates in decision-making and policy-making processes, and many women continue to be excluded from party activities.

Although most social-democratic, socialist and labour parties have incorporated gender quotas into their internal statutes, it is not easy to implement these regulations at all levels. It is also the case, furthermore, that, if the quota is not respected, in most

cases, no one can be held to account. (I am not aware of any local party organization being sanctioned for not respecting the quota rule.) There are no strong mechanisms to monitor implementation of the gender quota in everyday political life and it seems that there is no political will to develop such instruments. Today, for the most part, there are only the reports or recommendations that are submitted to local party structures.

One can discern three models of quotas within political parties: (1) some parties have applied the quota rule to candidate lists and not to party structures, (2) some parties have applied the quota rule to party structures only and (3) a small number of parties have applied it to both party structures and candidate lists. When analyzing these three models, it is obvious that they demonstrate different commitments to the promotion of gender equality, both with respect to party positions and to positions, for example, in local and national councils and in government. When a party only applies a quota to candidate lists, this commitment to gender-balanced representation may not be connected to its internal values, but rather to a provision of electoral law or to an obligation that has been forced on a country by 'the international community'. This is a common scenario in post-conflict societies, where supranational institutions and mechanisms are engaged in 'establishing the rule of law'. While it is certainly a helpful tool, if political parties are not strongly committed to ensuring gender-balanced representation within their own internal structures, then it is not one that social-democrats are in favour of.

### **Conclusion**

Parties that have incorporated quotas into their statutes—mostly socialist, social-democratic and labour parties—have encouraged other political actors to follow suit, or at least to consider quotas. Progress in promoting temporary special measures like quotas has been made by centre-left and leftist parties throughout the world. All of the three models mentioned above can be found among socialist, social-democratic and labour parties.

The SIW and the SI have been encouraging all of their members to incorporate the quota rule into their statutes. Whether they have chosen to do so has been an important factor in determining their membership status both in the SIW and in the SI.

Although no special steps have been taken to monitor implementation of gender quotas at all levels of political parties, over the past couple of decades, the

percentage of women in our parties has increased significantly. Would this have been the case if the quota had not been introduced? Given the negative experiences of those parties that do not support special measures in the same way as socialist, social-democratic and labour parties, we believe that the answer to this question is no. At least, the process to empower women politically would have taken much longer and would have yielded less positive results.

A gender quota grants the under-represented sex the opportunity to make its voice heard. It is a response to the fact that access to decision-making positions is dependent on the political will of those who are more powerful.

Ultimately it comes down to basic rights: the right of any human being to be treated equally. For if one is not given a chance to decide for one's self, what is democracy? For all of these reasons, the promotion and the implementation of gender quotas in the political sphere are still very important tasks for the SIW. We certainly have much more to do.



# Lobbying for Quotas: The Experience of the CEE Network for Gender Issues

DAŠA ŠAŠIĆ ŠILOVIĆ  
CHAIR OF CEE NETWORK FOR GENDER ISSUES

***“All human beings are born free and equal in dignity and rights”***

**United Nations Universal Declaration of Human Rights, 1948 (Article 1)**

## **The Historical and International Perspective**

It is all in the balance of power. Human relations are not a given. Relationships between men and women are a work in progress. For there to be progress, a partnership must be established that is based on equality.

In order to understand progress, or the lack thereof, with regard to gender equality, one needs to reflect on lessons learnt. The struggle for equality—that is, human rights—gained momentum after the French Revolution. It is also the product of the industrial revolution of the nineteenth century. The establishment of trade unions gave rise to the emergence of the women’s movement. Women activists demanded the right to vote, the right to work and the same working conditions as men, as well as the abolition of slavery, child labour and discrimination. These are the issues that the women’s movement brought to the attention of the International Labour Organization (ILO), the League of Nations and the United Nations (UN) itself.

Women like Klara Zetkin and Rosa Luxembourg not only led the workers’ movement but they introduced it to the notion of equality between the sexes. They ‘mainstreamed’ it, as one would say today. The CEE Network for Gender Issues, established in 1993, draws on this heritage.

The founding of the League of Nations in 1919 marked the beginning of organized and institutionalized inter-governmental collaboration to achieve supra-national goals (peace and security). Women’s organizations got involved not only to promote peace following the end of the First World War, but also because they believed that the advancement of women could not be achieved at the national level without dedicated government policies and democracy. The creation of international women’s networks was seen as a prerequisite for the achievement of these goals.

Representatives of women’s organizations present at the 1919 Paris Peace Conference, where the League of Nations and the ILO were established, made concrete proposals to the Covenant of the League of Nations. As a result, the latter declared that, inter alia, governments should make sure that all positions within the League of Nations and its Secretariat are open to men and women on an equal basis. They stopped short of calling for positive action, or the introduction of a quota. In 1937 the League of Nations created a Committee of Experts on the Legal Status of Women—which, in a way, was the precursor of what was to become the UN Commission on the Status of Women—which undertook to follow up on this agenda. Article 8 of the UN Charter states: ‘The UN shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs’. This was, indeed, very little progress since the creation of the League of Nations.

Today, 85 years since the establishment of the League of Nations and almost 60 years since the creation of the UN, the overall rate of participation of women in the UN Secretariat, and in many agencies and programmes, does not exceed 40 percent—and is much lower for senior posts. The first woman to become Assistant Secretary-General of the United Nations was Helvi Sipilä of Finland, in 1972. Sipilä brought about a significant change in political activism when she lobbied governments to include women in their delegations. As a consequence a critical mass of women delegates began to emerge.

The increase in women staff members at the UN is the result of international conferences on women’s issues and a heightened sense of awareness following the Fourth International Women’s Conference in Beijing, China, in September 1995. Still, progress is tremendously slow, and there may be a new backlash looming as a result of adverse world developments. New momentum is required to reinvigorate the struggle for gender equality; the ten-year anniversary of the Beijing conference may provide an opportunity to push the agenda forward. International conventions, treaties and conferences have been instrumental in putting pressure on actors at the international and national levels.

## Central and Eastern Europe: Backlash in the 1990s

In Central and Eastern Europe, as long ago as the mid-twentieth century—that is, during the period of communist rule—equal rights and status were guaranteed for all. These rights were enshrined in national Constitutions. Legal provisions concerning equality were introduced and focussed on different social, economic and public sectors. Officially, there was no discrimination. Hidden forms of discrimination, however, thrived.

The communist regimes emphasized, in particular, social and economic rights, such as equality with respect to employment opportunities and education. In the political sphere, a quota for women, on average, 30 percent, was introduced. But quotas and equal rights and opportunities also require equal outcomes and appropriate conditions for implementation. Many women members of political leaderships during the communist era were seen by other women as ‘token women’, subservient in a male-dominated political climate and inadequately militant on the ‘women’s issue’. In many respects, this has led to misconceptions about the quota in Central and Eastern Europe. Initially the CEE Network had to dispel these false impressions when pressing for the introduction of the quota.

What really hindered the meaningful participation of women in political life, and, to some extent, their public activism, though, were cultural, psychological inhibitions with deep connections to patriarchal society. Even if goodwill did exist among men in the political leaderships, their perceptions of women had changed very little: women were seen as care-providers and home-makers. ‘They are our flowers’, according to a prominent Central European politician (addressing an assembly of the CEE Network). At a meeting in Belarus, an academic said: ‘they are our mothers and they carry with them the burden of reproducing our society, they are the bastion of a nation’.

### ***The cause, the issues and how it started***

Aware of the key issues confronting Central and Eastern European women in the 1990s, a number of women and men,<sup>1</sup> political activists in the region, set up the CEE Network for Gender Issues. It sprung from the realization that, in a male-dominated society, women, who were professionally educated and had gained recognition, were going to be the losers in the transition and that the key gains made in the communist era, particularly in the so-

cial and economic spheres, were going to be eradicated.

The liberal market-economy model was going to affect sectors where women were most active and the transition was going to mean job losses and, with them, a cut in benefits. In this region, gender inequalities are also staunchly embedded in the private sphere of patriarchal dominance and in the social sphere of patriarchal culture as reflected in a general lack of access to politics, lower pay for equal work, and women’s responsibility for household management and reproductive labour. Unless women were granted a voice in the transition process it was going to be difficult to repair the damage later. The rise of nationalist and conservative ideologies, often dominated by the church, risked pushing women back to the three K’s: küche, kinder and kirche (kitchen, children, church).

The activists who set up the CEE Network realized that it was vital to get women into the public arena and to create the conditions that would allow them to participate in political life. This was a daunting task at the beginning of the 1990s, a period characterized, for example, by disorientation, disillusion, unemployment and social security cuts. While feminist organizations lobbied for women’s individual rights they did not seek to influence broader societal dialogue on the status of women. Equally, confronted with hardships related to the transition, women returned to the home and assumed their traditional roles, trying to cope with the new challenges and with little time for private undertakings. They withdrew from political life. The recourse was to break the mould and seek to change the political discourse. What better than through political parties.

The chance arose in 1993 with the formation of the European Forum for Democracy and Solidarity—an alliance of socialist and social-democratic-oriented European foundations close to the Party of European Socialists (PES). As a result, the CEE Network chose not to become an independent NGO, but, rather, decided to work within the European Forum and to support gender mainstreaming in its activities. It also concentrated on achieving change within individual parties through awareness-raising, discussions on positive measures and initiatives to strengthen the capacity of women’s political party groups and individual women members of party leaderships. To ensure cross-border fertilization and support through joint activities, the CEE Network was created to work across the CEE region.

The European Forum provided the CEE Network with a political platform, an outreach capability and the means to influence developments at the highest political level, with adequate backing from a strong

**Table 1: Percentage Of Women in Parliament and in Government in Particular Countries of Central and Eastern Europe**

Country	Year right to vote granted to women	Highest % of women members of parliament (MPs), 1974–1985	% women MPs, 1990	% women MPs, 1992–1994	% women MPs, 1996–1998	% women MPs, 2001	% women ministers, 2001
Albania	1920	33.2 (1974)	3.6	5.7	7.1	6.5	16.7
Bulgaria	1944	21.8 (1981)	12.9	13.3	10.8	28.0	-
Romania	1946	34.4 (1985)	3.6	4.1	7.3	11.6	20.0
Macedonia	1945	-	-	-	4.0	6.67	10.4
Kosovo	1945	-	-	-	-	30.0	-
Serbia	1945	-	3.0	-	5.0	12.0	-
Montenegro	1945	-	-	-	3.0	10.0	0
Bosnia and Herzegovina	1945	23 (1982)	5.0	3.0	26.0	18.0	-
Croatia	1945	17 (1982)	4.4	5.8	7.8	20.5	8.33
Slovenia	1943-1946	26.0 (1982)	11.0	14.0	7.8	13.3	20.0
Hungary	1958	30.1 (1980)	7.3	11.4	8.3	8.55	6.25
<b>Average</b>		<b>26.5</b>	<b>6.35</b>	<b>8.19</b>	<b>8.7</b>	<b>15.0</b>	<b>13.6</b>

European caucus. The CEE Network decided to be extremely focussed in terms of its topics of interest and its constituency, concentrating on: women in politics and political leaderships; women members of minorities (as an issue concerning democracy and equality); reproductive rights (as issues associated with equality and the human rights of women); the social and economic transition and its impact on women's rights; and EU accession and gender equality.

The CEE Network set out the following ambitious agenda:

- 50 percent power-sharing, via the **quota**;
- a **change in political values**—peace and respect for all human rights;
- a **change in political priorities**—job creation, care for victims of war and violence, care for children and the elderly and sustainable development;
- a **change in the political culture and methods of political work**—consensus-building, decentralization and power-sharing, inclusive and participatory democracy, and social justice and gender equality; and
- supportive national and regional institutions.

Research, advocacy and direct activism involving male and female members of party leaderships produced tangible results. The most striking are the quota system and the number of women in parliament and in the political leaderships of socialist and social-democratic parties.

### Keys to Success

Success rested on the generation of political will to change power relations and to establish gender equality. To do this it was necessary to take a number of steps.

### **Political platforms and party constitutions**

It was crucial to penetrate political decision-making structures in order to ensure that gender equality is embedded in party documents, as the basis for promoting it at the parliamentary level and at more general levels nationally. Equally, it was necessary to introduce measures and to campaign to make sure that women are included in appropriate numbers on electoral platforms and in electoral agreements. This was a step-by-step process—introduction of parity in political leaderships; empowerment of women's organizations and individual women politicians; negotiations

***The CEE Network identified its key successes in 2003:***

1. More women in the political structures and on the electoral lists of socialist and social-democratic parties—except the Albanian Socialist Party.
2. Promotion of the quota principle—adopted by all parties, except the Albanian Socialist Party.
3. Identification of emerging issues—challenges to gender equality in the EU enlargement process as a result of a conservative backlash.
4. Greater support for women's groups within socialist and social-democratic parties and allied NGOs in the region vis-à-vis political decision-making through “Women Can Do It I, II and III” training at the local level in all countries of the region. Women, members of socialist and social-democratic parties from 73 cities were included.
5. Identification of priorities and elements of joint activities for the implementation of the EU Gender Equality and Gender Equal Opportunity Policy in a broader European context—SP/SDP Manifesto on Gender Equality. For instance: equal political representation of women; separation of public schools and churches; feminization of poverty and women's employment issues; abortion and prevention of reproductive health issues and violence against women. All workshops and conferences brought together women members of socialist and social-democratic parties from EU member states and candidate countries.
6. Media campaigns to achieve gender equality in the region and preparation for the 2004 EU elections.

on establishing electoral platforms and lists; lobbying for the zip system; and post-electoral rapid action to ensure that gender equality remains on the agenda, especially within parties that come to power.

***Introduction of quotas***

‘If quotas can be a useful means to make up for the lack of representation of a certain category, it is important to recall the fundamental conceptual difference with parity. Whereas quotas can be perceived as a “ceiling” used to protect the rights of a minority and ensure its participation in the decision-making ... Parity goes a step further. Parity concerns our societies as whole and not just women. It is also about more than just participation. It is about power sharing and participation on an equal basis (50/50) or from 40/60 to 60/40. In other words, Parity is the claim that men and women must be equally represented in decision-making positions whereas quotas are only a means to achieve fair representation’.

European Women's Lobby  
<http://www.womenlobby.org>

It was necessary to translate party declarations and commitments on gender equality into practice. This was done through lobbying for, and the introduction of, affirmative/positive action. The quota system served as a tool with which to put political will into practice and as an interim measure to foster equality, albeit formally. The understanding was that it would also target hidden discrimination, which more often than not is central to the exclusion of women from public life.

Today, the existence of the quota is a precondition for socialist and social-democratic parties to become members of the Socialist International (the worldwide organization of social democratic, socialist and labour parties which currently brings together 166 political parties and organizations from all continents). This has helped significantly, since it has provided strong ‘political’ backing for the demand for parity. However, opposition to the quota had a gender dimension. While in general men were reluctant to relinquish their hold on power and to give up their privileged positions, some women claimed that the quota was ‘humiliating’, insisting that they should be elected on merit and underscoring the danger that ‘token women’ will neglect gender issues when elected.

The CEE Network advocated for the quota in order to achieve:

- parity in political leaderships at all levels;
- parity in political instruments, as a result of more women in leadership positions;
- parity with respect to candidate lists; and
- post-electoral parity (once the party comes to power) in the executive and legislative branches.

The success of the European Forum and the CEE Network is evidenced by the rise in women in politics, more women in political party structures, stronger women's party organizations, and functioning party quotas. The following are just a few examples.

- The Hungarian 'yellow scarf' movement campaigned tirelessly on behalf of women candidates and socialist and social-democratic ideals in the last 2003 elections, resulting in a woman being appointed speaker of parliament.
- A shadow cabinet was set up by social-democratic women in the Czech Republic after their party leaders did not respect gender equality in the composition of the Cabinet.
- Women candidates captured over 20 percent of seats in parliament in the 2000 elections. A woman was also appointed minister of defence (Croatia).
- Serbian opposition leaders signed a quota for women in 2000. The agreement stated: 'We commit ourselves to do our best to put on our party lists for the forthcoming Republican elections in Serbia, on eligible places, a minimum of 30% of women candidates. We also promise that in the new Serbian Parliament we will support the change of electoral legislation containing active measures for gradual inclusion of the gender balance (parity) in the competition for all elected and appointed political offices and civil servants' posts in Serbia'. By 8 December 2000, 14 of Serbia's 18 democratic opposition parties had signed the agreement; five of them respected it. The proportion of elected women in the Serbian parliament increased from five to ten percent. Similar pre-electoral quota agreements were signed in Macedonia in 2000 and in Montenegro in 2001. Both had a similar effect.

### ***Advocacy, capacity-building and tools***

In 1995, the CEE Network entered into an agreement with the Norwegian Labour Party to translate its training manual entitled *Women Can Do It* into all Central and Eastern European languages and to train women's

groups. Training focuses on building up the capacity of women to allow them to participate in public life. The CEE Network organized training courses for political parties and NGOs, producing immediate results.

The CEE Network was instrumental in the establishment of the OSCE Gender Task Force, which has produced second and third editions of *Women Can Do It for Southeast Europe*. The CEE Network still organizes training courses for women in the Baltic States and Central Europe.

### ***Partnerships***

The CEE Network established a broader constituency by reaching out to women in other political parties and to the NGOs. A concrete example at the sub-regional level is the aforementioned OSCE Gender Task Force. Nationally, partnerships have been forged with women leaders from different political parties and NGOs. A good example is the meeting with women from political parties, trade unions and NGOs that took place in Serbia/Vojvodina prior to the January 2004 elections to assess progress in getting women on to electoral lists and to formulate a joint strategy for the polls.

The support that the CEE Network received from men and women in the European Forum and the PES was invaluable, which in turn influenced party leaderships in the countries of Central and Eastern Europe, with a level of collegiality being established. The CEE Network is a member of the Steering Committee of the European Forum and participates in the work of the Party of European Socialists' Women's Standing Committee. In this way it enjoys political leverage and can engage in outreach. Too many NGOs remain within a small circle, preaching to the converted. The CEE Network tries to work upstream and conveys key messages on gender equality to high level decision-makers.

### ***Conclusion***

Progress has been made since the collapse of Communism and women are assuming their rightful place in society and public life. This is due to a well designed and targeted political strategy, as well as to advocacy, capacity-building and the forming of partnerships. International instruments, especially those adopted by the EU and the Council of Europe, have been instrumental in moving the equality agenda forward. The next wave of work will involve pushing the agenda further and addressing the imbalances revealed in the table below. To achieve the 50/50 target may take another decade.

## Endnote

- 1 The CEE Network has depended on the involvement of women and men like Lena Ag, Marta Szigeti Bonifert, Bo Toresson, Conny Fredriksson, Maria-Pia Di Masco, Sonja Lokar, Zita Gurmai, Svetlana Raulinaitiene, Alena Chudikova, Marianna Knothe, Anita Gradin, Herta Dobler-Gemlin, Marlène Haas, Vojko Venisnik, Laszlo Kovacz, Lena Hjelm-Vallin, Axel Queval, Lisl Kauer, Jan Mairnus-Wiersm, Lyssie Grüner, Pia Locatelli, Anna Karamanou. Daša Šašić Šilović has chaired the CEE Network since its establishment.

## Introducing Quotas: Discourses and Lobbying Strategies Used by the Women's Movement

### Overview of the Session

This session focused on quota discourses and some of the strategies that the women's movement has used to lobby for quotas. It assessed how quotas came to be seen as important instruments to increase the representation of women and how the women's movement has mobilised around the issue of quotas and electoral politics. Examples were drawn from Estonia, Lithuania and Slovenia.

### Estonia

Ms. Anu Laas provided an overview of the debate on quotas and women's participation in Estonia. Estonia is a new EU member and women in the country are hopeful that the policies and values of the union will have a positive effect and encourage gender equality policies.

Estonia, with 200 women's organizations, has a relatively well-developed women's movement. In political life, women make up more than 50 percent of party memberships. The debate on quotas has been continuing for several years. In 1998, a roundtable for women in political parties was established, but since then the initiative has lost a considerable amount of ground and any attempts to advocate for legislated quotas have failed. The Gender Equality Act was enacted in May 2004 without a quota provision, although quotas appeared in earlier versions of the legislation.

Research conducted by Laas shows that, while the number of women candidates in local elections has increased, this has not significantly altered the proportion of women elected. Women often cite the 'desire to participate in local decision-making' and 'social responsibility' as reasons for running at the local level, being more focused than men on 'here and now' issues. Women candidates state that 'reconciling many roles' and 'difficulties to get [sic] a voice' are the main obstacles to their participation. Developing internal party democracy is a growing concern for women candidates.

Laas highlighted examples of concepts pertaining to gender equality. Many women are unaware of what constitutes discrimination. Frequently, demands for gender equality are seen as 'impoliteness

to men'. A common assertion, furthermore, is that change should occur in a natural and spontaneous manner. An additional source of misunderstanding stems from the difficulty of translating concepts, such as 'gender mainstreaming', into the local language.

### Lithuania

Ms. Meilute Taljunaite provided an overview of women's representation in Lithuania and the debates on the introduction of quotas. She opened by stressing that, since women's representation was stable during Soviet times (around 35 percent in Lithuania), most people believe that gender equality existed in practice. Yet, the undemocratic decision-making bodies of the era and the stratification principle (inclusion of women in public life as workers and farmers) challenge the perception. Only those statistics on women's representation compiled since the restoration of independence are valid and meaningful. No clear trend in terms of women's representation can be discerned from the numbers.

In Lithuania, there has been significant resistance to the adoption of legal quotas, and a proposal to incorporate quotas into the electoral law was dropped from the parliamentary agenda prior to discussion. Consequently, the focus is primarily on women's nominations in political parties. The only clear example of party quotas is provided by the Social-Democratic Party, which uses a 33 percent quota for either sex in elected bodies and has used electoral lists since the mid-1990s. All parties in national elections try to place at least three women in the top ten positions on the list. For the first European Parliament election, the tendency was to have one woman among every five candidates. The only exception is the Labour Party, which placed three women among its five European Parliament candidates. The party did not demonstrate the same level of support for women in the national election, though.

Taljunaite noted that political parties are likely to use different nomination strategies for local, national and European elections. In addition, weaker parties tend to have more women on their lists. At the same time, women are often blamed for the weakness of the party and its electoral defeats.

Taljunaite concluded that quotas are a way of

It is important to motivate women at the grassroots level, democratise political parties, strengthen gender lobbying and generate media attention. Women have a huge amount of unused potential that could greatly benefit Estonia's democracy and society.

increasing women's participation in politics. Yet, in Lithuania, different barriers to the implementation of quotas exist. At the national level, despite processes to ensure harmonization with EU equality regulations, there is no legislative basis for quotas. At the civil society level, a lack of solidarity among women's organizations and a shortage of finance hinder gender equality initiatives. Finally, additional impediments are connected to the strength of cultural stereotypes and the difficulties associated with translating 'gender' and 'gender balance' into local languages.

### **Slovenia**

Ms. Sonja Lokar outlined the quota dynamics in Slovenia. As in other countries in the region, Slovenia saw a significant decrease in women's representation immediately after the change of political regime in the 1990s. In the former Yugoslavia, there was an informal agreement within the political establishment to have at least 30 percent of women on candidate lists; in Slovenia, it was respected to a certain extent. In the mid-1980s, 26 percent of women held seats in parliament. Yet, the percentage dropped significantly from 1990. Four parliamentary parties in 2000 and two in 2004 did not elect a single female legislator at the national level. A similar pattern of low representation of women is evident in Slovenia at the local level.

Given the low level of women's representation and erratic compliance with party quotas, efforts have been made to enact gender equality measures under the national electoral law. Seven failed attempts were made in the 1990s. Lokar identified partisan competition between women from different left-wing parties as the major reason for the failures.

"We wanted to have legal quotas as a party success and we did not resort to coalition-building". The lack of success in the 1990s prompted a change of strategy. In 2001, the Coalition for Parity was established, bringing together men and women from different spheres of public life to work for gender equality. The initia-

tive cuts across party lines and involves cooperation among many MPs. Support is greater among left-wing politicians and women. Yet, not all women in left-wing parties support quotas. It is noteworthy that, in Slovenia, women MPs prefer to avoid the word 'quota' and instead use 'special measures'. A minority of Slovenian MPs would like to move along a slower track, seeking to improve first women's positions in the labour market and to advance family-related legislation. The Coalition for Parity has also actively lobbied for a constitutional amendment, which would see the insertion of a 'positive measures' provision in Article 44. Its biggest success is associated with the adoption of the 40 percent gender quota for the European Parliament elections. In 2004, three of Slovenia's seven elected MEPs were women (42 percent).

### **Discussions from the floor**

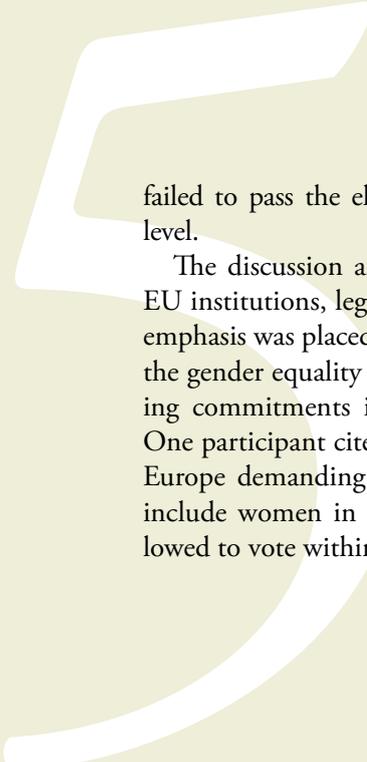
Much of the discussion focused on political party instability in Eastern Europe and differences among the parties with regard to commitments to gender equality. In Estonia, parties do not use quotas and rely on pre-electoral decisions and coalitions for list arrangements.

The Social-Democratic Party has traditionally elected the most women. The Centre Party, which often wins elections but never governs, as it refuses to form a coalition, also has a good record of promoting women candidacies. In Lithuania, unstable parliamentary coalitions are common and political parties have chameleonic tendencies. Although most political parties in Lithuania dedicate some space to gender issues in their manifestos, politicians use publicity opportunities mostly to talk about socio-economic problems rather than questions related to women's empowerment. In Slovenia, cross-party policy coalitions have enjoyed success on matters of family leave, abortion and childcare. Slovenia has a long

tradition of trying to establish a women's party with all-women party lists. Notwithstanding some partial triumphs at the local level, women's parties have twice

Internal quotas are used by two left-wing political parties in Slovenia. In 1990, the United List of Social-Democrats introduced a 'soft' quota. In 1996, the party included a 40 percent quota provision in its Statute. According to the electoral law, parties are obligated to follow their own statutory provisions.

In 1992, the Liberal-Democratic Party also opted for a 'loose' quota. In 2000, the party specified an obligatory 25 percent quota and stipulated that it would increase it by three percent in each future election. The promise was respected in the 2004 elections. However, the overall record of compliance with party quotas has been mixed.



failed to pass the electoral threshold at the national level.

The discussion also addressed the importance of EU institutions, legislation and directives. Particular emphasis was placed on the enlargement process and the gender equality requirements of politically binding commitments imposed on new EU members. One participant cited the example of the Council of Europe demanding that the Slovenian government include women in its delegation in order to be allowed to vote within the Council's bodies.



# To Suspect or Respect? Quota Discourse in Estonia

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The aim of this paper is to study the political activism of women in Estonia and attitudes towards gender quotas. An overview of the different discourses used to lobby for quotas is provided, and the reasons for rejecting quotas in the Gender Equality Act of May 2004 are analyzed. As background, there are summaries of women's political representation, the obstacles to women's political participation and the evolution of the women's movement.<sup>1</sup>

## **Women's Representation in Estonia**

Being an EU member state grants Estonia the opportunity to participate in European Union politics. Since Estonia is a small country, it holds only six seats in the European Parliament. Of its six Members of the European Parliament (MEPs), two are women (Siiri Oviir and Marianne Mikko). Does this mean that women hold one-third of the decision-making positions in Estonia? Unfortunately, women's representation at the national level is much less than 33 percent. Barbi Pilvre notes that women who make it to the top in Estonian politics are just the 'exception' it is not the result of the systematic promotion of gender equality.<sup>2</sup>

## ***The evolution of women's political participation in Estonia***

Women were granted political rights in 1920, when the first Estonian Constitution was adopted. Estonia enjoyed short periods of independent statehood between 1918 and 1940. In 1991, it reacquired its independence from the Soviet Union.

The 1992 Constitution declares that Estonia is an independent and free democratic republic, wherein supreme power is vested in the people. Citizens exercise this right by electing the Riigikogu or by participating in referenda. As the Riigikogu decides on whether to implement a reform and is the sole body that is directly elected by the people it can be considered as the central point of the Estonian political system. The Riigikogu is a unicameral structure. Its 101 members are elected in free elections, by secret ballot, using the system of proportional representation, with open lists, in multi-member districts.

According to surveys on participation in politics<sup>3</sup>, the open list feature of the Estonian electoral system

implies that only women who are among the first ten or 20 candidates on a list are likely to be elected. In 2004, women in the Riigikogu comprised 19 percent of all Members of Parliament (MPs), and 28 percent of all councillors in local government (see figures 1 and 2). While the proportion of women in the Riigikogu is modest, the figure has increased from seven percent in 1990 to 19 percent. The percentage of women in local councils has also slowly increased, although there was no rise between 1999 and 2002.

In local elections candidates are nominated by parties, party coalitions and Estonian citizens with the right to vote. Unlike in the Riigikogu elections, independent candidates are allowed to unite and participate using a common candidate list. The latter, allowing for the participation of people from outside political parties, has been a matter of debate in recent years. Independent candidates do not promote solid political identification, producing a less stable political party system.

It is also rare for women to hold top positions in other areas. Pilvre argues that women can acquire high positions in mature organizations with a strong organizational culture and clear procedures and routines (such as Statoil).<sup>4</sup> However, one does not find women at the top of highly dynamic organizations, where the 'playground' is bigger and where decisions are more innovative and involve a higher degree of risk.

## ***Political participation in Estonia today***

In Estonia today, both women and men have little interest in politics: three-quarters of the people aged between 18 and 74 do not belong to any organization. Low social capital is a problem for modern society. Participation in political parties is also low; in 2002, it did not exceed four percent of the total population. Survey data show that active participation in politics is still low, but interest in politics has slightly increased. According to Estonian data from the European Social Survey (2004, Round II)<sup>5</sup> only 2.5 percent say that they are members of a political party, and 51 percent voted in last elections. In 2004, 36 percent said that they were interested or very interested in politics.

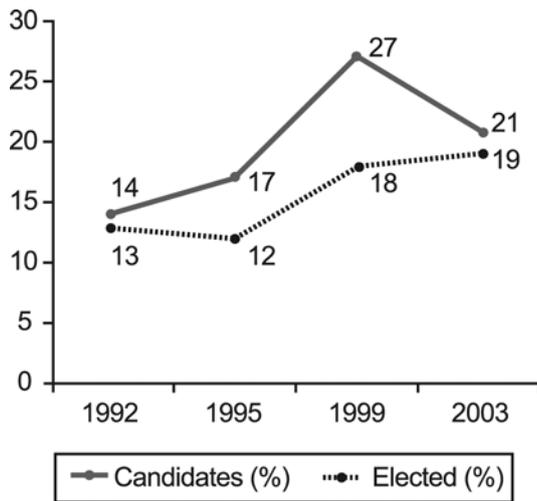


Figure 1. Proportion of women candidates in Riigikogu elections and MPs, 1992–2003

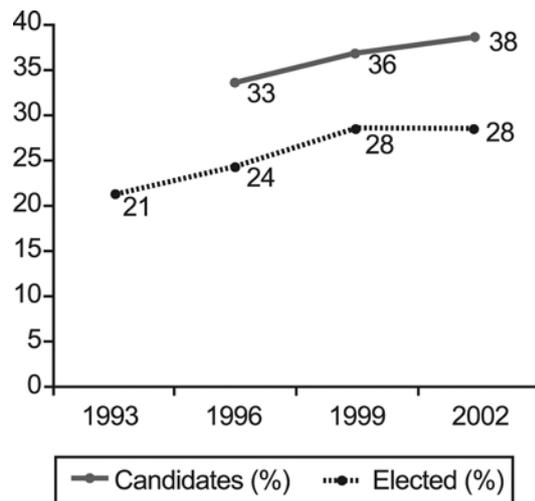


Figure 2. Proportion of women candidates in local elections and councillors, 1993–2002

Men were more interested in politics in all age groups and 61 percent indicated that they were closer to some political party ideas. In 1999, 43 percent of men and 58 percent of women agreed that politics is too complex to understand. Three-quarters of women over 65 agreed with this statement. In 2004, 38 percent of men and 43 percent women agreed that politics is regularly or occasionally too complicated to understand, among them every third man and almost 60 percent women over 65 agreed with this statement.

In the late 1990s, senior women (over 65) were even more visible in the media with respect to political action than younger women.<sup>6</sup> Between 2003–2004, some female politicians were involved in Estonian politics who served as role models for women under 30. For example, Katrin Saks (the Social Democratic Party), who was has Minister of Ethnic Affairs between 1999 to 2000, is the author of many articles in the national press and has appeared on many TV

programmes. Kadri Must, the Secretary General of the Estonian Centre Party, has given well-received speeches and participated in political debates with well known male politicians. Laine Jänes, Mayor of Tartu, is a member of board of the Reform Party. She has successfully combined a professional career in music and politics.

Tarkmeel has studied the reasons why people seek election to local councils.<sup>7</sup> She discovered that the main motivations were a desire to participate in local decision-making and a ‘feeling of social responsibility’. In Estonia, members of the elite (MPs, local government councillors) generally perceive democracy to mean freedom of speech—a similar understanding exists among ordinary people. Other factors highlighted by Tarkmeel include the principle of equality, respect for one another and freedom to act in different areas of life.

Estonian psychologist Aleksander Pulver has identified three primary reasons why women enter the field of politics.<sup>8</sup> These are: a desire for power and validation;

**Table 1: Interest in Politics by Gender and Age Group, 2004**

	Men				Women			
	15-24 years %	25-39 years %	40-64 years %	65+ years %	15-24 years %	25-39 years %	40-64 years %	65+ years %
Very interested	1.9	3.4	7.5	14.0	4.9	3.4	4.9	6.7
Quite interested	24.1	31.8	39.7	41.8	22.0	24.6	30.2	30.9
Hardly interested	53.0	52.5	42.8	34.0	53.9	57.7	47.0	35.2
Not at all interested	21.0	12.3	10.0	10.2	19.2	14.3	17.9	27.2
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

financial rewards (the higher salaries paid to MPs and future social benefits); and a desire for personal accomplishment mixed with altruism.

### **Barriers facing women**

Survey data reveal that the main reason why women choose not to participate in politics is their lack of confidence.<sup>9</sup> Women fear being labelled, being caught in the 'media fire' or giving 'wrong' answers in public debates.

As a consequence of the socialist history of Estonian society, there is great confusion with regard to expectations of both genders.<sup>10</sup> One interviewee pointed out that, 'after re-gaining independence, there was too large a step back towards a traditional arrangement of the society'.<sup>11</sup> In addition, women were expected to become more feminine; jobs were split into women's jobs and men's jobs—at every level it was emphasized that differences existed between the genders.

The survey data obtained by Biin show that women are neither highly motivated nor confident enough to aspire for higher office. The lack of confidence and motivation among female politicians was repeatedly highlighted in interviews.<sup>12</sup>

In earlier work I assessed the reasons for women's passivity and low representation in decision-making structures in the areas of politics and the economy.<sup>13</sup> At the top of the list of constraints is the belief that women should be responsible for the private sphere (household and family). In second place are economic limitations. Having to work long hours for little or no pay is a major barrier for many women. Survey data from 2004 show a slight trend toward more egalitarian attitudes in connection with household and caring tasks, but women's overwhelming responsibility for family and care work is strongly supported by older respondents and non-Estonians. Younger generations often prefer not to take a position on gendered arenas. High motivation to have a career is expressed by mothers of many children as well as single women.<sup>14</sup>

The time needed for social activism and party work competes with the time needed to fulfil family duties. To participate in politics and engage in voluntary work requires that one attend many meetings. These meetings frequently take place in the evening when women have to be with their families. If family relations and life are highly demanding, then women cannot make public life a priority.

Another important constraint centres on women's fear that they will be unable to initiate change and influence decision-making. Women said that they often felt that they did not count or that they were not heard. They think, therefore, that it is wise to maintain some

distance from politics. Unfortunately, these women underestimate the value of networking and dialogue. Capacity-building strategies to ensure success in elections and favourable results in decision-making bodies (such as councils) should be targeted at women.

An additional barrier is that women do not automatically vote for women. Despite almost a decade of campaigning to encourage women to vote for women, this idea is not yet fully accepted. Laas and Lamesoo noted that, in every interview, the point was made that women do not tend to vote for women.<sup>15</sup> When a woman tries to speak out on behalf of other women and to encourage them to vote for women, she is called a 'feminist', which has negative connotations in the eyes of both men and women. Hence, even women who are highly respected tend not to speak out on women's issues.

### **The Women's Movement**

The women's movement in Estonia has not been popular in the past 15 years. It is in quite a fragmented state and regional disparities exist with respect to scale and level of activism. In the late 1980s and at the beginning of the 1990s, women's organizations focused on problems concerning violence in Soviet army, alternative education, reproductive health, home economics and setting up a business.

Between 1995 and 2000, many women became involved in community projects and numerous international projects were initiated. Projects grew in size and women started to create networks. Women's interests in economic issues increased, resulting in changes in society. Job losses led to a need for business training for women.

From 2001–2004, women's NGOs garnered more knowledge of equal opportunities and women's rights. The women's movement became more interested in politics than it had been in the 1990s. Women signed a shadow report presented to the United Nations Committee on the Elimination of All Forms of Discrimination against Women (CEDAW). In autumn 2002, 60 Estonian women's NGOs signed a letter of support for the Gender Equality Bill. In 2003, a number of women's NGOs campaigned for paid mother's/parent's wage for one year after childbirth.

Advocacy, which often relies on cooperation among NGOs, is quite a new area of work for Estonian NGOs. In this new democracy, women's NGOs do not have the experience of cooperation or enough awareness about societal power structures. Many activities are ineffective on a larger scale due to misunderstanding about the real causes of problems.

Estonian women have extremely varied opinions

about the women's movement and activism. Some women in top positions support a professional career and see voluntary work as a waste of time and energy. Women at the top are sure that they have attained a high position because of their knowledge and competence. Some agree that women should have to provide more proof of their capabilities. Many women at the top, though, do not support quotas for women, although they do agree that quotas lead to a change in power relations.

Women who are engaged in gender equality activities believe that the most important gender equality policies are linked to the labour market: the principle of equal pay for equal work and equal career opportunities.

Women agree that inequality has resulted in economic difficulties, social deprivation and health problems for men and women, but many people consider the promotion of gender equality to be a women's issue or an issue to be dealt with only by women's NGOs. In Estonia, there was only one women's NGO that exclusively promotes gender equality.<sup>16</sup> It is unreasonable to expect that one single organization can effectively affect change of the many policies required to promote gender equality.

Accession to the EU represented a major advance in Estonia's history. Women are both happy and fearful about the move. In general, views on the EU are more positive than negative; people hope that membership will bring European values to Estonia, as well as 'European'-style social policy and other policies.<sup>17</sup>

### Promoting Gender Equality

Equality and gender equality issues are new concepts for ordinary people and decision-makers in Estonia. Estonians have assumed traditional gender roles and are still suspicious of new ideas, and even opposed to gender equality discussions. Despite traditional attitudes, Estonia signed up to many United Nations (UN) conventions on gaining independence in 1991, and has made its national legislation consistent with the provisions of the EU equality *acquis*. Following independence, new laws were prepared and existing laws amended.

Equality between men and women is a basic democratic principle underpinned by the 1999 EU Treaty of Amsterdam. Its incorporation into all policies is no longer an option, but an obligation. In May 2004, the Estonian Gender Equality Act entered into force. Subsequently, the promotion of gender equality and gender mainstreaming has been stressed in national legislation (Gender Equality Act, sections 9–11). However, the term 'gender mainstreaming'<sup>18</sup> is not employed in the legislation.

In December 1996, the Bureau of Equality was es-

tablished in the Ministry of Social Affairs. In 2004, following the adoption of the Gender Equality Act, the bureau was renamed the Gender Equality Department. According to the head of the department, Ülle-Marike Papp,<sup>19</sup> the main responsibility of the department is to coordinate integration of the gender equality perspective into socio-political development.

At the beginning of 2005, the Gender Equality Act has still not been implemented and a national gender equality strategy remains absent. Accompanying governmental regulations have not been adopted and a Gender Equality Commissioner<sup>20</sup> has not yet been appointed. The latter, an impartial expert, will independently monitor compliance with the act and perform other functions specified in law. The Commissioner will provide opinions to persons who suffer discrimination and to those who have a legitimate interest in monitoring compliance with the requirements demanding equal treatment. The Commissioner will also examine the effect of equality legislation on men and women in society and submit proposals to the central government and its agencies and to local governments and their agencies for amendments to the legislation.

### Gender Quotas in Estonia

Legislated gender quotas do not exist in Estonia. Although different versions of the Gender Equality Act were debated in the Riigikogu for almost four years, quotas have not been a serious issue in parliamentary debates. Only the preliminary version of the Gender Equality Bill (2002–2004) included quotas and the Gender Equality Act (May 2004) rejected them as an instrument for change. Although quotas were not included in the legislation, MPs found themselves clashing over several aspects of the Act, including three articles, which generated considerable excitement among MPs: (1) Committees and councils, *inter alia*, formed by local or government offices should recruit women and men on as equal a basis as possible; (2) Employers should recruit members of both sexes; (3) Employers should recruit both women and men as equally as possible.<sup>21</sup>

### Attitudes towards quotas

Women at the national and local (community) levels differ in terms of their opinions on quotas. Women who are active at the national level and are active party members tend to be more positive with regard to the introduction of quotas than women who are active at the local level or those who are involved in women's organizations.

In general, it seems that women give little thought

to quotas and do not understand them. Women have often said that they do not know about quotas, that they may exacerbate inequality, that they may be unfair, and that they may not have positive effects.

### ***Quotas ignore democracy and increase inequality: Parallels with the Soviet era***

Those opposed to quotas argue that they ignore democracy and increase inequality. Parallels have been drawn with the Soviet era, when quotas existed for women deputies in the Supreme Soviet (the highest legislative body in the Soviet Union) and the Soviet Women's Committee. In reality, there were not any women in leading positions in the Communist Party or the Supreme Soviet. Since Soviet-era quotas were further complicated by issues of class, patronage and manipulations of the Communist Party, their effectiveness as mechanisms of inclusion and equality was completely discredited.

A well-known journalist, Pilvre, said that: 'I'm particularly negative about gender quotas. I think quotas are not a sign of democracy ... I remember Soviet times when we had quotas in entering the university'.

### ***A quota woman has no respect and is unheard***

The quota issue has been discussed for many years in Estonia. Two key points have emerged from these debates. One interviewee from the 'Enlargement, Gender and Governance' (EGG) project<sup>22</sup> summarised the positive and negative effects of quotas by using (overused) Scandinavian examples. On the one hand, some people see quotas as a very positive measure—a greater proportion of women can gain access to decision-making. On the other hand, Danish and Swedish women who have been elected under the quota system have reported that 'some distinction' is made between 'quota members' and 'non-quota members'.

Interviewees suspected that a 'quota member' would not gain the respect of others in Estonia:

'If somebody is not accepted and quotas open a door of membership, we can be sure that such [a] person will never be heard by others. I cannot believe that membership gives acceptance. I do not believe that such [an] artificial measure can function and give positive results'.

Some Respondents also criticised quotas as a policy being imposed as a requirement for membership into the European Union. It was felt that a number of unqualified employees would be hired under new EU directives simply because of their sex.

### ***Lobbying for quotas***

Estonian women have not been effective in lobbying for gender equality. The media, though, made some attempts to speak out in 1993–1994 on behalf of women—not only famous foreign women, but also Estonian women. It will be a great success when the Estonian media speaks out on women's legal rights and employment and health problems; awareness makes effective lobbying possible.

Some of the research has drawn attention to more radical voices. A Report from the project "Mass Media in (Re) Distribution of Power"<sup>23</sup> has pointed out that radical women politicians are of the opinion that election laws do not need changing, but instead the statutes pertaining to political parties need changing. Gender quotas should be applied to all elected positions, including the election of party leaders. Such changes would be difficult to accept by many Estonian feminists and mainstream women politicians, not to mention the electorate at large.<sup>24</sup>

'Even among women that dare to call themselves feminists—and there aren't many—are those that oppose quotas'.<sup>25</sup>

### ***Conclusion***

The main challenge in introducing quotas is changing societal values. One female politician said:

'As a woman, I feel that the problems women face in politics are with equality issues. And my joining the women's movement was a conscious choice. I saw in women a huge unused potential for promoting Estonian democracy'.

The variety of research conducted in Estonia shows that work with grassroots women and, at the same time, democratization of political parties is important. It has also been suggested that the media has a vital role to play in educating citizens about the process of democratisation and gender equality. The media project, conducted by partners from Denmark, Estonia and Latvia, produced several recommendations for the advancement of gender equality in politics and the media. The Media were seen as vehicles for raising awareness about gender equality and promotion methods (i.e. quotas), and as forums for debating rigid gender roles. Training for politicians, journalists, and specialists from advertising agencies was said to be important, as well as initiating a forum for media ethics. The project recommended drawing to the attention of 'the Parliament and the parties that inclusion of gender quotas in the statute on political parties would be a radical and effective step in the direction of actual gender equality in the

parties, elected offices, and in politics and Estonia as a whole. Political parties are the key institution in effecting gender equality, but they do not acknowledge their role.<sup>26</sup>

When one male Dean from the University of Tartu read an article about female scientists in Estonia I wrote,<sup>27</sup> he was surprised and asked: 'Is the position of women in science really so dramatic as it is written here?' By contrast, a female Dean said after competing for the post of Rector: 'I was sure that I can reach everywhere, but I have really experience[d] a glass ceiling ... [A]fter participating in the Enwise conference in Tallinn<sup>28</sup> I am certainly for gender quotas and if there is a need, I can say it loudly'.

## Endnotes

1 The data presented in this paper are derived from a variety of sources including:

- a) Estonian parliamentary debates on the draft Gender Equality Bill that took place in 2002–2004.
- b) Data obtained from interviews carried out as part of the European Union (EU) 5 Framework Program project entitled 'Enlargement, Gender and Governance' (EGG). Interviews were held with six women politicians, organization leaders and state officials, seven women and men who are members of the inter-ministerial committee responsible for improving gender equality, 18 women who are councillors or members of women's organization, and six civil servants. The interviews were conducted in 2003–2005 and lasted for approximately one hour. Interviewees were asked about cooperation with non-governmental organizations (NGOs) and the government, as well as about campaigns and issues in which women have been actively involved.

Interview data, valuable information derived from the answers provided in 2003 by 92 female scientists to a set of structured questions. Laas, A. 2004. 'Women in Science About Themselves'. *Innovaatika* 38 (71), 9: 2004. Archimedes Foundation, p. 3-7.

- c) The work of Helen Biin in an unpublished thesis written at the Central European University. Biin, H. 2004. *Women's Presence in Estonian Parliament: The Influence of Political Parties*. Thesis produced for the degree of Master of Arts in Gender Studies. Budapest: Department of Gender Studies, Central Euro-

pean University

- d) The EGG project data and the surveys by Biin and Laas offer some insight on attitudes towards quotas at the local and national levels and in academia.
- 2 Pilvre, B. 2003. 'Juhuslikud naised' (Random women). *Eesti Ekspress*. 10 April 2003.
- 3 Raitviir, T. 2000. *Participation in Politics. Towards a Balanced Society. Women and Men in Estonia*. Tallinn: Open Society Institute. pp. 58–65.
- 4 Pilvre. op. cit.
- 5 European Social Survey (ESS) is designed to chart and explain the interaction between Europe's changing institutions and the attitudes, beliefs and behaviour patterns of its diverse populations. Now in its third round, the survey covers over 20 nations. Estonia participated in the Round II in 2004 (N=1989)
- 6 Laas, A. 2000. *Eesti naised uuel aastatuhandel. Uuringu aruanne* (Project: Women in Estonia in a New Millennium). Unpublished study report.
- 7 Tarkmeel, A. 1998. *Eesti kohalik poliitiline eliit. Bakalaureusetöö. Tartu Ülikool* (Local Political Elite in Estonia). Unpublished dissertation for the degree of Masters of Arts in Sociology. Tartu: Department of Sociology, University of Tartu.
- 8 Ministry of Social Affairs of the Republic of Estonia. 2004. *Research on Governance: Women and Men Politicians' Equality*. Tallinn: Ministry of Social Affairs. Compiled by Tiina Raitviir [http://www.medijuprojekts.lv/uploaded\\_files/3\\_Estonia\\_ResReport\\_governance\\_ENG.pdf](http://www.medijuprojekts.lv/uploaded_files/3_Estonia_ResReport_governance_ENG.pdf).
- 9 Laas, A, and K. Lamesoo. 2005. 'Identifying Barriers'. Work Package 5. EGG project, Tartu. Unpublished document.
- 10 Ibid.
- 11 Ibid, p. 5.
- 12 Biin. op. cit. p. 54.
- 13 Laas. 2000. op. cit.
- 14 Estonian data from the European Social Survey (ESS), N=1989
- 15 Laas and Lamesoo. op. cit.
- 16 MTÜ Võrdõiguslikkuse Noorteühing [NPO Young People for Equality] was established in 2003, was closed by members themselves in 2004 due to lack of time for voluntary work. This NPO got media attention and was visible in society. The Estonian Women's Studies and

Resource Centre (ENUT) is project based and their activism is dependent on activism of the women's NGOs. The latter ones are good in social projects, but promotion of gender equality is not a priority (it is often ignored or not welcome by unpopularity)

- 17 Interview data from the EGG project
- 18 'Gender mainstreaming' has 'official' translation into Estonian as 'soolise võrdõiguslikkuse süvalaiendamine' is quite confusing
- 19 Kadi Viik has become the head of the department in 2005
- 20 Est 'soolise võrdõiguslikkuse volinik'. <http://www.legaltext.ee/>
- 21 Gender Equality Act, entered into force 1 May 2004, (§ 9, p. 4), (§ 11, p. 1), (§ 11, p 2)
- 22 Op. cit.
- 23 'Mass Media in (Re)Distribution of Power', one of projects under the Community Framework Strategy on Gender Equality (2001-2005). Published by the Ministry of Social Affairs of the Republic of Estonia. 2004. *Research on Governance: Women and Men Politicians' Equality*. Tallinn: Ministry of Social Affairs. Compiled by Tiina Raitviir, [http://www.medijuprojekts.lv/uploaded\\_files/3\\_Estonia\\_ResReport\\_governance\\_ENG.pdf](http://www.medijuprojekts.lv/uploaded_files/3_Estonia_ResReport_governance_ENG.pdf)
- 24 Ibid., pp 38-39.
- 25 Ibid. p. 37.
- 26 Ibid. p. 39.
- 27 Laas, A. 2004. Women in Science About Themselves. *Innovaatika* 38 (71), 9: 2004. Archimedes Foundation, p 3-7
- 28 Enwise Valorisation Conference: 'Enlarging Europe with/for Women Scientists'. Tallinn, Estonia. 9–10 September 2004.



# The Women's Movement in Lithuania: Discourses and Lobbying Strategies

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## Introduction

Like other countries in Europe, the participation of women in politics in Lithuania has ebbed and flowed. In Soviet times, more than 35 percent of all deputies in the former Supreme Soviet of the Lithuanian Soviet Socialist Republic (SSR) were women. However, this institution had no real power and there were very few women in other administrative structures like the supreme bodies of the Communist Party or the Council of Ministers.

Like many other countries in the former Soviet block, women's representation dropped in the first post-communist multi-party elections. In Lithuania, quotas were partially lifted in the 1989 parliamentary elections, and consequently, the proportion of women deputies fell from 36 percent (in 1984) to 16 percent in 1990. Since then, women's representation has continued to climb, with 21 percent female members of parliament in 2004. This case study examines the political participation of women, gender quotas and the women's movement.

## The Electoral System

The first democratic parliamentary elections, in 1990, employed electoral rules inherited from the Soviet era, that is, the majority/plurality formula, combined with an element of competition achieved through the liberalization of nomination procedures. Political organizations, social movements and community entities had the right to nominate electoral candidates; the number of candidates was unlimited.

The new Seimas Election Law, passed on 9 July 1992, introduced a mixed voting system for parliamentary elections in Lithuania. Seventy-one deputies are elected by direct vote in single-member constituencies based on the number of inhabitants and administrative-territorial divisions, while 70 deputies are elected via party lists (multi-member constituencies).

The Election Law was amended on 16 March and 27 June 1996. The nomination procedures remained virtually unchanged, except that political movements lost the right to put forward candidates for election in the single-member and multi-member electoral districts. More substantial changes were made with regard to seat allocation in multi-member districts. The electoral thresh-

old was divided into two parts: five percent for single parties; and seven percent for party coalitions.

Local and parliamentary elections were held in Lithuania in 2000, in March and October respectively. In the 2000 polls, open lists were introduced for the first time, meaning that people could vote not only for a party, but also for the candidates they most liked and trusted, with the possibility of changing the ranking of candidates on party lists. Prior to the elections, a few attempts were made to alter the significance of the rankings, but they were unsuccessful.

## Electoral Quotas for Women

The laws of the Republic of Lithuania do not provide for quotas for women on election lists or in the administration system. At present only one political party, the Lithuanian Social Democratic Party, has introduced a quota, stipulating that no more than two-thirds of persons of any sex can be on its election list and or elected to its internal bodies. The 33 percent quota has been in effect since the mid-1990s.

In accordance with the Lithuanian Women's Advancement Programme, efforts will continue to be made to achieve a gender balance with respect to the election lists of parties and to ensure that representatives of one sex do not make up more than two-thirds of all commissions and committees formed by the government.

In spring 2004, Lithuanian parliamentarian Birute Vesaitė unsuccessfully attempted to put the matter of quotas for women on to the agenda of the Seimas with the aim of changing the Election Law or even the Constitution. The introduction or question of quotas has not been attempted since the spring of 2004.

The National Programme for Equal Opportunities for Women and Men (2003–2004) is fully oriented towards implementing a gender mainstreaming strategy. It encompasses new guidelines established in European Union (EU) directives, as well as in other international instruments. Government departments are the main implementing agents, and the Commission of Women's and Men's Equal Opportunities is the primary coordinator. The programme includes a separate Chapter on Policy and Decision-making. Local- (municipal) and governmental-level measures are discussed. Quotas are not mentioned at all.

**Table 1: Women's Participation in the Lithuanian Parliament (Seimas)**

Soviet period				Since independence was restored									
1980		1985		1990		1992		1996		2000		2004	
W	M	W	M	W	M	W	M	W	M	W	M	W	M
125	225	125	225	14	126	10	131	25	114	15	126	31	110
36%	64%	36%	64%	10%	90%	7%	93%	18%	82%	11%	89%	22%	78%
N=350		N=350		N=140		N=141		N=139		N=141		N=141	

Sources: Šeduikienė J. (2000), Women in the Parliament of Lithuania, *Woman's World*, 2000, No. 3-4. Women and Men in the Baltic Countries (2002). Vilnius: Lithuanian Statistical department, p. 61.

## The Representation of Women in Politics

Table 1 illustrates the changes in the position of women in politics since 1980. Twenty-five women (18 per cent) were elected to the eighth Seimas in 1996 and 29 women (21 per cent) in 2004.

Women have also played an active part in local municipal elections. In 1995, the lists of nominees for election to municipalities comprised 24.3 per cent of women; 19.42 per cent were elected. In 1997, the list of nominees for election to municipalities consisted of 30 per cent of women; 22 per cent was elected. Of the candidates in the local elections that took place on 19 March 2000, 38.5 per cent women; 17.6 per cent was elected. It is obvious that women's organizations have done a lot to encourage women to seek leadership posts. Until the local elections on 19 March 2000, there were only two women were among 56 Mayors of Lithuanian municipalities.

### Quotas in practice

Parties have different attitudes and strategies towards women's representation—there is no direct correlation between a party's success and the number of women candidates on its lists. A common perception is that parties that have a bigger representation of women are 'weaker' at the polls—the more women, the weaker party'. In the 2004 election, the only party to have introduced a quota, the Lithuanian Social Democratic Party, was split into two coalitions: the Coalition of Algirdas Brazauskas and Artūras Paulauskas 'Working for Lithuania'; and the Lithuanian Social Democratic Union. The latter (the Lithuanian Social Democratic Union), included the principle of women's quotas (32 per cent of party candidates were women), but did not win any seats.

Table 2 illustrates that the strategies of parties, which placed women among the first ten places on electoral lists, are very similar. Usually the lists of

these parties comprise two or three women among the top ten candidates.

Lithuanian women were more successful in ensuring representation in the first elections to the European Parliament in June 2004: five women were among the 13 individuals elected to the body (38.5 per cent). The names of five candidates were printed on voting bulletins. Only the Labour Party put forward three women candidates. There were a few parties, including the Liberal and Centre Union that did not include any women among their five candidates.

One can sum up the situation by saying that different parties have used different strategies towards women's representation in different elections (national, municipal and European).

Table 3 shows how many women were elected by the different electoral formulae, either through the party lists, or directly elected in the single-member districts, since 1992. While more women are typically elected through political party lists, it is apparent that women are able, and have won, seats in single member districts. The introduction of open lists in 2000 has positively affected women in a significant way. While open list voting means that some women candidates were displaced upwards or downwards on the party lists, there were some positive results. For example:

- In June 2004, Ms. Laima-Liucija Andrikiene was elected as one of two representatives of her party to the European Parliament after she moved from fifth position on the list of the Homeland Union to second.
- Ms. N. Steibliene was re-elected to the new Seimas in October 2004 after she moved from forty-eighth to fifteenth on the candidate list of the Coalition of Algirdas Brazauskas and Artūras Paulauskas 'Working for Lithuania'.

**Table 2: Women on Candidate Lists vs. Women Elected to the Seimas, 2004**

Name of Political Party/Coalition	Total candidates on lists	Women on the lists (%)	No. of women among the first ten candidates	Total Number of mandates (W = mandates won by women)
Labour Party	141	18.4	3	39 (W=8)
Coalition of Algirdas Brazauskas and Artūras Paulauskas 'Working for Lithuania'	140	26.4	3	31 (W=6)
Homeland Union (Conservatives, Political Prisoners and Deportees, Christian Democrats)	96	20.8	3	25 (W=5)
Liberal and Centre Union	141	17.7	2	18 (W=2)
Coalition of Rolandas Paksas 'For the Order and Justice'	139	12.9	2	11 (W=2)
Union of Farmers' Party and New Democracy Party	116	37.1	3	10 (W=3)
Electoral Action of Lithuanian Poles	128	32.8	2	2 (W=1)
Independent candidates				5 (W=2)
Christian Conservative Social Union	39	20.5	2	-
Lithuanian Christian Democrats	73	26.0	2	-
National Centre Party	37	35.1	1	-
Republican Party	28	25.0	2	-
Lithuanian Social Democratic Union	31	32.3	4	-
Lithuanian Freedom Union	29	55.2	4	-
National Party 'Lithuania's Way'	24	41.7	3	-
Lithuanian National Union	31	19.4	2	-
				141 (W=29)

W=women

\* Source: Krupavičius A. and I. Matonytė. 2001. 'Women's Political Recruitment and Representation in Lithuania'. *Viešosios politikos studijos*. No. 1/1. Kaunas: Public Policy Research Centre. p. 14.

## Initiatives by Non-Governmental Organizations

The Lithuanian National Women's Forum (Board) was re-established only at the end of April 2003, serving as the consultative board of the parliament. Today it plays rather an important role in coordinating and initiating various actions involving non-governmental organizations (NGOs), parliament and government.

In February 2004, the 'Vision of Development of Egalitarian Society in Lithuania Until 2014' (prepared by volunteers Ina Dagitė, Esmeralda Kuliešytė, Giedrė Purvaneckienė, Ramunė Trakymienė and Vilija Vasiliauskienė) was adopted. The same group of volunteers is currently preparing a strategy to encourage cooperation between NGOs and governmental structures.

A Ministry of Equal Opportunities for Women and Men is mentioned at the end of the Vision docu-

ment. Also mentioned is an Ombudsman for Women and Men, separate from the Ombudsman for Equal Opportunities. 'One of the main spheres of its activities is the improvement of women's status in society and receiving gender statistics from the employers. All employers will account for statistical indicators about women's progress in their annual reports'.<sup>1</sup>

The number of women's organizations has increased significantly; they have also become more powerful. As of October 2004, 63 women's organizations are active in Lithuania. Women's organizations played a key part in the drafting of the Law on Equal Opportunities for Men and Women. They can be divided into two groups: women's groups within political parties; and public women's organizations. Five of the biggest political parties in Lithuania have women's groups: Lithuanian Centre Union's Women's Section; Lithuanian Democratic Women's Group (within the

**Table 3: Women Elected by Electoral Formulae Type**

Electoral Formula	1992*		1996*		2000*		2004	
	No.	W%	No.	W%	No.	W%	No.	W%
Party lists (Multi-member electoral districts)	5	7.1	14	20	9	12.8	16	22.9
Single-member electoral district	5	7	11	16.2	6	8.4	13	18.3
<b>Total</b>	<b>10</b>	<b>7</b>	<b>25</b>	<b>18</b>	<b>15</b>	<b>11</b>	<b>29</b>	<b>20.1</b>

W=women

\* Source: Krupavičius A. and I. Matonytė. 2001. 'Women's Political Recruitment and Representation in Lithuania'. *Viešosios politikos studijos*. No. 1/1. Kaunas: Public Policy Research Centre. p. 14.

Lithuanian Social Democratic Party); Lithuanian Social Democratic Women's Union; Union of Women Conservatives (Homeland Union–Lithuanian Conservatives); and the Women's Section of the Lithuanian Christian Democratic Party.

Many of the NGOs were established as interest groups. According to the Directory of Women's Organizations of Lithuania, in 2000, 20 NGOs cited policy and decision-making as their primary area of concern. The size of the membership of Lithuanian women's organizations varies greatly, ranging between nine and 10,000.

Public women's organizations are very diverse. Seventeen are active at the national level, while a number of others operate at the regional or city levels, or within other organizations (such as women's study centres in universities). Some of these organizations have set a very clear goal of equal rights and opportunities; others are focussed on assisting women or uniting women on the basis, for example, of profession, religion and nationality. Cooperation among women's organizations is strong, as exemplified by the relationships among elected women, NGO's and the Department of Lithuanian Statistics. In addition to Lithuanian organizations, ten international women's organizations have stepped up their activities (for instance, Soroptimists and Zonta).

The Women's Issues Information Centre, supported by the United Nations Development Programme (UNDP), is among the strongest of the women's organizations in Lithuania. It collaborates closely with the Prime Minister's Office. The centre assists other women's organizations in trying to find solutions to critical problems and coordinates common initiatives. It initiates projects that seek to address women's issues, organizes conferences, seminars, workshops and training courses to raise awareness and to improve understanding of gender equality, and aids educational institutions in circulating information on gender equality matters. The centre's publications are disseminated all over the country

and help women to understand their rights and to acquire knowledge on how to implement these rights in the real world. Its monthly magazine, *Woman's World*, is available free of charge and in two languages, Lithuanian and English. The centre also collects gender-related statistical data and classifies the findings of social studies.

Public education and advocacy campaigns before elections seem to have an impact. For instance, 'Women voting for Women', a campaign organized by NGOs (through the internet and printed materials) encourages political party leaders to include more women on candidate lists.

### Barriers to the Implementation of Quotas

The 2004 study, 'Enlargement, Gender and Governance' (EGG), highlighted certain political barriers as instrumental in the resistance to quotas. The study on 'The Civic and Political Participation and Representation of Women in the EU Candidate Countries,'<sup>2</sup> identified the following barriers:

At the state level:

1. Absence of coordinated strategy and common understanding about a quota policy. Although there have been a few attempts by individual parliamentarians and NGOs, the lack of a common concept or a coordinated strategy to debate and establish quotas provides a barrier to their introduction.
2. Frequent government changes, mostly in the first decade of independence, preventing sustained and consistent policy debate.
3. Too short a time between municipal elections (2.5 years) to discuss and to create gender policy.
4. Lack of information.
5. No strategy or policy to involve other social partners.

6. With the introduction of democratic multiparty elections, the number of women in national parliaments has been drastically reduced across the former socialist countries.<sup>3</sup> One reason for this decrease lies in the abolition of the unwritten quotas for elections to the Supreme Council during Soviet times. There is very strong resistance towards quotas system. One of the arguments of the critics is that we had this system in the Soviet times, and it neither worked nor changed the status of women.

At the government level:

1. Strong forms of stereotyping and the highly patriarchal attitudes of responsible people in authority.
2. No clear financial support strategy.
3. Very few officials involved in gender policy formation and implementation.

At the civil society level:

1. Lack of solidarity among women.
2. NGOs remain isolated as a result of limited cooperation and sector-wide initiatives, and do not receive the official support and public attention that they deserve.
3. Financing is one of the main challenges facing Lithuanian NGOs.
4. Fundamental to success is effective management of an NGO, as well as attracting good personnel.

## Endnotes

- 1 'Vision of Development of Egalitarian Society in Lithuania Until 2014', <http://www.lygus.lt>.
- 2 Enlargement Gender and Governance project co-ordinated by Queen's University at Belfast, available online at <http://www.qub.ac.uk/egg>.
- 3 Women in Transition (1999), The Monee Project, CEE/CIS/Baltics, Regional Monitoring Report – No.6.- UNICEF.



# A Short History of Quotas in Slovenia

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The Communist-dominated Federal People's Republic of Yugoslavia was formed after the Second World War. Slovenia became the most developed of its six federal republics, gaining independence in the early 1990s. This case study looks at the participation of women in Slovenia before and after the break-up of the Former Yugoslavia, and examines the evolution of quota provisions that have been implemented to secure women's participation in decision-making.

## Background

Women in Slovenia were granted the universal right to vote for the first time in 1945, along with equality with men.

At the beginning of the 1970s, some of Yugoslavia's strongest Communist women leaders were deeply involved in the preparations for the first United Nations (UN) World Conference on Women in Mexico. They were clever enough to persuade old Communist Party leaders, Josip Broz Tito and his right-hand man Edvard Kardelj, that the introduction of the quota for women—with respect to the decision-making bodies of all political organizations and delegate lists—had implications for Yugoslavia's international reputation.<sup>1</sup> Communist women leaders worked hard to make Socialist Yugoslavia a role model (in terms of the emancipation of women) for all members of the non-aligned movement. Although a 30 percent quota for women was never incorporated into law, and was never applied to the most powerful executive bodies of socio-political organizations or governments, it was integrated into the statutes of socio-political organizations and formally agreed rules governing the creation of electoral lists from 1974 onwards.<sup>2</sup> In Slovenia, the quota for women was only fully respected in the early years; the closer we got to the end of the 1980s, the less faithfully it was adhered to.

Women were extremely under-represented in the bodies that wielded real political, economic and cultural power in the socialist system: the national executive forums of the League of Communists of Yugoslavia; the executive branch at all levels; and management structures in important enterprises and public service institutions. Additionally, they were not allowed to launch any truly independent political initiatives and they were not free to organize politically.

Until the mid-1980s women in Slovenia made up 46 percent of the full-time and socially well-protected workforce. The differential in terms of wages for men and women with the same level of education and doing the same job was around 14 percent. Women made up more than 50 percent of all new secondary-school graduates, as well as more than one-half of all new university graduates. Yet women were engaged in less well-paid professions, including tourism, agriculture, human services and administration. Women comprised more than 40 percent of the total membership of the League of Communists of Slovenia, close to one-half of the membership of the trade unions, and nearly 30 percent of elected delegates in legislatures at all levels. These successes were the result of so-called state feminism<sup>3</sup> and constant work by women activists in the communist-controlled umbrella women's organization, the Council for Socio-Political Activity of Women, the Socialist Alliance of Working People of Slovenia and Yugoslavia.

## Political Reforms

Slovenia started to move decisively towards a market economy, a parliamentary democracy and an independent state in 1986. This complicated process involved the liberation of the media, the development of new and closely interconnected civil society movements, the mushrooming of new political parties and reform of former key political actors: the League of Communists of Slovenia, the Socialist Youth League, the Socialist Alliance of Working People of Slovenia and the Alliance of Socialist Trade Unions.

Between 1986 and the end of 1990, a number of crucial independent women's organizations were set up and became highly active in the civil society sphere, including the Initiative Women for Politics and the Prenner Club (calling for women's human rights to be respected in the political and economic domains, for instance). Most of these organizations had close connections with other new civil society movements, especially peace and ecology groups. They were dealing with the same issues as the most developed women's movements in the West, but were also engaged with matters related to the disintegration, modernization and democratization of socialist Yugoslavia.

Slovenia's separation from Socialist Yugoslavia and its transition to parliamentary democracy and a market economy gathered new momentum following the first multiparty elections in April 1990. A coalition of right and centre-right parties, named Demos, won the first general elections.

### **The 1990 election, political parties and quotas**

From the point of view of gender equality, Slovenia started out as a crippled democracy. In putting together their lists of candidates for the 1990 election, all political parties more or less ignored women. Newly formed right-wing and centre-right parties, even the newly established Social Democratic Party (SDP), openly attacked the quota inherited from the socialist period, describing it as a 'shameful communist invention to promote token women'. These parties openly rejected the very idea of the quota.

It was rather a different story as far as the parties that emerged out of the socio-political organizations of socialist times were concerned. The *Liberal Democrats* (LDP) (formerly the Socialist Youth League) proclaimed gender equality to be a core value, although they did not bother to formulate a quota. The *Socialist Party of Slovenia* (SPS) maintained the 30 percent target from the era of the Socialist Alliance of Working People, emphasizing that it would be foolish to throw the baby out with the bath water.

From 1989 the *Party of Democratic Renewal* (PDR) (formerly the League of Communists of Slovenia) has sought to become a member of the Socialist International (SI). In the 1980s, the Socialist International Women (SIW) had strongly recommended that all SI member parties establish women's organizations and set gender targets or employ a quota.<sup>5</sup> Women belonging to the Party of Democratic Renewal therefore used the recommendations of the SIW, as well as the example of quotas introduced by the Nordic social democratic parties, to persuade their male colleagues that the quota for women employed in the one-party system would yield totally different results in a democratic multiparty system. So the 30 percent target remained on the statute books.

Neither the SPS nor the PDR, however, respected their quota rules when constructing candidate lists for the elections in April 1990,<sup>6</sup> meaning that centre-left and left-wing parties tacitly abandoned the drive for gender equality in politics. At the last moment, leftist women from civil society put together an independent 'Only Women Citizen's List' in a desperate attempt to address the marginalization of women in

all political parties. However, their list did not receive enough votes to surpass the 2.5 percent threshold required for a seat in parliament.

The percentage of women parliamentarians therefore fell from 26 percent in the mid-1980s to 18 percent in 1990.<sup>7</sup> The establishment of the Parliamentary Commission for Women's Politics served as a fig leaf, concealing the drastic defeat suffered by the modern feminist movement in Slovenia.

### **The 1992 election, political parties and quotas**

Women activists from the PDR were the first to understand what a backlash might mean for the position of women in a society in transition.<sup>8</sup> In autumn 1990, therefore, 100 women from the PDR set up the first formal women's party organization in Slovenia, the Women's Fraction (sic). In 1991, the SPS, and in 1992, the three other parliamentary parties, the LDP, the SDP and the Slovene Christian Democratic Party (SCDP), followed suit.<sup>9</sup>

In 1992, before the second democratic general elections, the PDR entered into a coalition with several smaller left-wing parties, known as the United List of Social Democrats (ULSD)—later to become the only left-centre-left party in Slovenia. Although the ULSD had a 30 percent target for men and women on candidate lists, it did not respect it. Meanwhile, for the first time, the LDP incorporated into its statute a 30 percent minimum target for men and women in all party organs and on candidate lists, but it too did not respect it.

As a result of the parties' failures to respect their own quota provisions, and the failure of parties without quota provisions to promote women candidates, the 1992 elections saw the proportion of women parliamentarians fall from 18 percent to 13.3 percent. It was clear that as party-based quotas and targets did not work, that women activists would have to work towards a legislated quota.

### **Efforts to Implement Quotas**

After 1992, there were several attempts to enact quotas<sup>10</sup> in order to achieve gender equality in politics in Slovenia. These attempts moved along two parallel paths.

- Women activists from three different parties, the ULSD, the LDS and the Slovenian People's Party (SPP), tried to convince these parties to incorporate firm quota rules for candidate lists for elections to party organs and for general elections into their statutes.

- At the same time, women and some male allies from different parties tried to introduce the quota for candidates on electoral lists by amending electoral legislation.

Six attempts were made between 1994 and 2004 to introduce the quota or some other positive action measures to combat the structural inequalities between men and women in politics. All of them failed.

- In 1994, an amendment to integrate a 40 percent quota for men and women into the Law on Political Parties was rejected. An amendment was accepted, however, that stipulated that 'all parties should enact, in their statutes, their own method for ensuring equal opportunities in nominating their candidates for elections'. No penalties were imposed, however, for non-compliance.
- In 1995, following a study of the statutes of all parliamentary parties, it became obvious that the parties did not seriously respect the law. New amendments calling for 30 percent and 40 percent quotas for men and women were proposed in May 1996, as well as an amendment outlining financial incentives for parties to bring more women into parliament. None made it past the Commission on Home Affairs and all were rejected by the National Assembly.
- Even a modest request, made the same year, for parties to detail clearly the concrete steps that they were taking to achieve gender equality vis-à-vis their nomination processes was turned down.
- A similar request was declined in 1998.

During the parliamentary and public discussions that took place after 1990, the following arguments were made against incorporating the quota into law.

- Quotas are a communist invention to guarantee 'token' women a presence in politics. They have nothing to do with the statutes of democratic parties and even less to do with modern, democratic European electoral legislation (argument from right-wing parties).
- Parties have the right to decide freely how they will select candidates for party posts or for their electoral lists. The Electoral Commission has only to make sure that they fulfil the provisions of their own statutes (argument from different parties).
- There is no need for any quota regulations whatsoever as our party respects gender equality and offers capable and willing women every opportu-

nity to participate (argument from one right-wing party).

- First we have to create social conditions that permit women to enter politics. At the moment they are too busy playing the triple role of mother, housewife and breadwinner (argument from right-wing parties).
- There are not enough competent and willing women in our party to satisfy a quota of 30–40 percent (argument from right-wing and centre-right parties).
- Women should not be forced to work in this dirty and competitive environment. They will lose their femininity by running in elections (argument from most male party leaders and male parliamentarians belonging to far-right parties).
- I achieved whatever I wanted to in politics without the quota. The quota is offensive to capable women in politics (argument made by several women parliamentarians from different political parties).
- Enactment of the quota would violate the Slovene Constitution, which stipulates full gender equality and prohibits any discrimination on the basis of sex. The quota would discriminate against women (limiting their representation to only 30 percent) and would also discriminate against more capable men, according unjust priority to less capable women candidates only because of their sex (argument from legal experts in government and parliament).
- Voters should decide who becomes a member of parliament (MP), local councillor or mayor (argument from right-wing party leaders: in the context of the proposal to replace Slovenia's mixed but proportional electoral system with two round system or a first-past-the-post majority electoral system).

### ***The 1996 election: Learning from defeat***

In the 1996 general election, the ULSD had 42 percent of women on its lists, but not one of them was elected (The ULSD lost one-third of its support in this election). Women representing six other political parties that were opposed to the quota also did terribly. Only one woman was elected from each of the parties. In total, only 7.8 percent of women were elected to the national parliament in 1996. Moreover, it would be a further three years before a woman re-entered the cabinet.

The defeat suffered by the ULSD in 1996 amounted to a collective defeat for all women in politics. In early 1997, the ULSD Congress announced that the defeat was due primarily to having ‘too many ... unknown women on the party lists’. In 1997, therefore, it decided to abandon the firm party quota and to re-adopt a soft target, lowering the minimum threshold to 33 percent.

At the same time, this defeat provided opponents of the quota in centre-right and right-wing parties with plenty of ammunition. After initially abandoning a quota amendment to the party’s statute in 1997, the Slovenian People’s Party finally put the rule of parity (50/50) in its Party Action Plan for Gender Equality in 2004. This quota should come into force for the national elections of 2008. Even in the 2004 elections, the defeat of the ULSD served as an argument to the LDS Congress to establish their first firm party quota, with a meagre minimum of 25 percent.

The main reasons why women failed to do well in the 1996 polls are set out below.

- The existence of a mixed electoral system. Women candidates from all parties had to compete in less popular single-mandate districts with their party’s most well-known male MPs. Women also had to compete against mayors of local communities in the best single-mandate districts.
- The small number of women MPs was extremely dependent on old boys’ networks within the parties. Because of the relative weakness of women’s organizations within the political parties most women MPs and leaders of women’s groups within the parties believed that it was safer to remain silent than to push for quotas.
- Women’s organizations within the parties could not ensure that women candidates received an agreed percentage of the best electoral districts in which to compete. In the case of the ULSD, it was clear that several women candidates were given second-best districts. These districts were not considered “safe seats” given that the party had lost one-third of its electorate and didn’t have a realistic chance of winning in the second-best districts.
- There was fierce competition between LDP and ULSD women over which party would be the one to introduce the quota into law. Women in all parties have found it difficult to learn that it is more important to get the quota enacted than to make its enactment a great success for one woman MP (me) or one party (mine).

- The inability of advocates of the quota to keep the media<sup>11</sup> on their side and to prevent male leaders of all political parties from convincing some of the most visible women in their parties and governmental legal experts to make public statements against the quota.
- Lack of support for the quota among rather weak women’s groups in civil society and women activists in trade unions.

However ineffective quota experiments and exercises have been, they have played a crucial role in raising the awareness of women in all political parties, and in forcing all of the main parliamentary parties to organize their women’s organizations, to find more women candidates and to invest at least a little in their political education. It took the women of Slovenia five years to draw the conclusions from the events of 1996 and to start to develop new strategies.

### **The Sandwich Strategy<sup>12</sup> in Slovenia: Amending the Constitution**

In 2001, aware of positive developments in neighbouring countries, and encouraged primarily by the Stability Pact Gender Task Force, women leaders and some outstanding male intellectuals from different parties, trade unions, NGOs and academia decided to form a Coalition for Parity. This informal network of visible public personalities was put together for one reason: to secure women equal representation in all decision-making bodies.

This cross-party coalition became a driving force behind the amendment of the Constitution and the enactment of the 40 percent quota for all electoral lists for the European Parliament elections held in Slovenia in June 2004 (this does not apply at the state level).

### **Constitutional change**

The coalition immediately got involved in the process to change the Constitution to satisfy EU accession criteria, formulating a proposal to allow for the temporary use of legally binding positive measures to guarantee the equal representation of women in politics. (Arguments used to change the French Constitution in the 1990s were employed in the advocacy process.) The final wording of the amendment was by women MPs from the three governing parties—who worked together with parliamentary legal experts. They called on the male leaders of their parties to be the first to sign the proposal. Next women MPs lobbied parliamentarians

from all parties, asking them to sign the amendment. Before the start of the parliamentary discussion, 72 out of 90 MPs had signed the proposal. The constitutional amendment was endorsed in autumn 2004 after a number of complications had been resolved.<sup>13</sup>

### ***The quota and the European Parliament elections***

By autumn 2003, all of Slovenia's political parties were putting together their candidate lists for the European Parliament elections. It was obvious that women were being ignored once again. The CEE Network for Gender Issues encouraged women leaders from the different parties involved in the Coalition for Parity to inform all other party organizations at the European Parliament level about the situation and to ask for their help. Party leaders from the Party of European Socialists (PES), the European People's Party (EPP) and the Liberals (LDP) sent letters to all of the national party leaders of their sister parties, asking them to ensure that the percentage of women Members of the European Parliament (MEPs) did not fall below 30 percent in the forthcoming European elections.

In December 2003, the Slovene parliament started the process to make modest amendments to the country's European Parliament Electoral Law. The Coalition for Parity immediately got involved, proposing that a quota be introduced stipulating a minimum of 40 percent of men and women on candidate lists and

the use of the zipper system for candidate placing (one woman, one man). The crucial arguments made were that partial use of the party quota in the last national and local elections had not been successful, and that Slovenia was supposed to observe the terms of the Beijing Platform for Action and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), as well as Council of Europe and EU Directives, with respect to this issue. The Women's Forum and women and men MPs from the ULSD urged their ministers to make sure that the government included this amendment proposed by the Coalition for Parity. Next women MPs from different parties persuaded the majority of parliamentarians to ratify the article stipulating a 40 percent quota for men and women on candidate lists and that both sexes have to be represented in the first three positions on the list.

The pressure exerted by the Coalition for Parity was not enough to get a woman candidate placed at the top of any of the lists of the parliamentary parties, but it was enough to force all of the four parties that got at least one MEP elected to put a woman candidate in second place on their open lists to respect the provisions of the quota. This is how three women from three different parties were elected—in 2005, therefore, women make up 42.9 percent of Slovenia's seven-strong group of Members of the European Parliament.

**Table 1: Women MEPs from Slovenia, 2004**

Parties that had at least one MEP elected	Woman candidate in first place	Woman candidate in second place	Use of zipper system	Number of elected women MEPs
LDS (2)	No	Yes	No	1
Slovene Democratic Party (2)	No	Yes	No	1
New Slovenia (2)	No	Yes	Yes	1
ULSD (1)	No	Yes	Yes	0

**Table 2: Women MPs in Slovenia**

Year	% of women MPs	No. of parliamentary parties	No. of parliamentary parties without a woman MP	Quota in party statutes
Best result in the 1980s <sup>14</sup>	26.0	1	0	30% quota for delegates' lists—morally binding political agreement
1990	18.0	9	2	Two parties with a soft target of 30%
1992	13.3	8	2	Three parties with soft targets
1996	7.8	7	1	One party with firm quota; one party with a soft target
2000	13.3	8	4	Two parties with soft targets
2004	12.2	7	2	Two parties with soft targets; one party with a firm quota; one party that has promised to achieve parity by 2008

### ***The struggle continues at the state level***

The attempt by several parties to change the electoral system for national elections and to make it truly proportional with open or closed party lists and with several big electoral districts, along with the attempt by the government to introduce a 40 percent quota for men and women and zipper placement rules, had sadly failed by the end of summer 2004. There is no legislation governing quota implementation for state elections.

Some parties, however, were concerned with gender equality. In November 2004, six out of eight parliamentary parties had organized women's sections and three had incorporated candidate list quotas into their statutes—two respected them and one brought 30 percent of women into parliament without any quota regulations. Those parties that had fully or almost fully implemented a firm party quota or soft target (the LDS (25 percent) and the ULSD (29 percent, instead of 33 percent) lost the polls. With the reduction in the number of seats these parties held, came a reduction in the number of women elected. Consequently, women comprise only 12.2 percent of the new parliament.

The Coalition for Parity was not strong enough to force political parties to change the electoral law, but it did present fresh and solid arguments why the electoral system needs to be changed and why parity (50/50) and zip placing rules have to be enacted. The coalition has already launched a new parity campaign, aiming this time for an equal proportion of elected women.

### **Endnotes**

- 1 The same arguments were employed with respect to the enactment of the 1974 Constitution, when the state was called on to support family planning, including the right of women to a free and safe abortion.
- 2 Socialist Alliance of Working People of Slovenia 1974. 'Agreement on the criteria for the candidate lists for the delegates'. Archive of Slovenia. Box SZDL.
- 3 See texts by Dr. Vlasta Jalušič and Dr. Maca Jogan.
- 4 Other organizations included the SOS Lifeline (focussed on battered women and children); Lilita (a lesbian group demanding freedom of sexual orientation); the Association Women's Initiative of Koper-Capodistria and Women with Ideas (a section of the Managers' Association concentrating on women in business).
- 5 See the SIW website at <http://www.socintwomen.org.uk/CONTENTS/ENGLISH.html>.
- 6 The PDR, for example, placed only one woman in first place on its eight lists for the most important political chamber of the new parliament.
- 7 All information on women in elections in this paper is based on data available from the Statistical Office of the Republic of Slovenia, <http://www.stat.si>.
- 8 All information on party quotas is from relevant party statutes or from the publications named *Women in Slovenia* from June 1998, and *Wom-*

en and men in Slovenia from 1990s. Ljubljana, Governmental Office for Gender Equality

- 9 See 'Preliminary CEDAW Report of the Republic of Slovenia', Office for Women's politics, Ljubljana, May 1993, pp. 53–55.
- 10 See the article of Antić, Milica G. and Maruša Gortnar. 'Gender Quotas in Slovenia'. *European Political Science*. Summer 2004. Issue No. 3.3.
- 11 At the beginning of 1996, the mainstream media and the general public were very supportive of the ULSD idea to introduce a quota for men and women. But public displays of total disunity among women politicians resulted in them giving more and more time and space to arguments against the quota.
- 12 The best way to get national party leaders, parliaments and governments to accept the highest international standards with respect to gender equality and to enact positive measures to ensure gender equality in the political domain is to apply top-down pressure (EU accession process) and bottom-up pressure (the strong cross-cutting women's movement)—this is the sandwich strategy. This strategy works only if the women's movements are strong enough and if they know how to jump into an ongoing parliamentary debate on important legislation.
- 13 For more information, see Lokar, S. 'Gender Equality Breakthrough in the Nineties in Slovenia'. Website of the European Forum for Democracy and Solidarity, CEE Network for Gender Issues. [http://www.europeanforum.net/gendernw\\_home.php](http://www.europeanforum.net/gendernw_home.php).
- 14 When the League of Communists enjoyed a monopoly on political power.



## The Role of the International Community and International Instruments

### Overview of the Session

This session assessed the role and effectiveness of the international community and international instruments in lobbying for and implementing quotas. It examined CEDAW from the standpoint of a lobbying and accountability mechanism, and looked at how the Inter-Parliamentary Union (IPU), the EU and the European Women's Lobby (EWL) are working towards ensuring gender equality in their own structures and programmes.

### Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

Ms. Hanna Beate Schöpp-Schilling overviewed the gender equality instruments that are available through CEDAW provisions and CEDAW Committee procedures.

CEDAW is the most important convention for women. It forbids discrimination and demands that states parties introduce all appropriate measures to achieve full equality for women. States are obliged not to discriminate against women vis-à-vis their representation in public and political life at the local, national and regional level. One hundred and seventy-eight states have ratified the accord. Its legal status differs from country to country. For instance, in Germany, it is legally binding under national law, whereas in common law countries like the Republic of Ireland and the United Kingdom, it serves as a policymaking guideline.

Schöpp-Schilling emphasized the importance of using the Convention's 'temporary special measures' terminology rather than the 'positive discrimination' and 'positive action' concepts, which have an entirely different meaning under international law.

The term 'temporary' refers to the functional result of applying special measures and not to a predetermined passage of time. Schöpp-Schilling also clarified

the relationship between CEDAW and the Beijing Platform for Action. Under the Convention, states are legally obliged to satisfy the terms of the provisions. The Platform for Action, by contrast, is not legally binding, but as an action program aims to fulfil the norms of the Convention by setting concrete steps and goals in the Platform's 18 areas of concern, which can be linked to the articles of the Convention. In other words, CEDAW is the legal basis for implementation of the Platform for Action.

The CEDAW Committee is a 23-member body of independent experts. Since 1982, it has monitored treaty implementation through its reporting procedure. It has found that treaty implementation is slow and not complete in most countries, though some progress can be seen. The application of quotas within the temporary special measures framework arises from the human

rights obligations of the countries that have ratified the Convention. Two additional procedures have been used since 2001 under the Option of Protocol: the Enquiry Procedure; and the Complaint Procedure. It is worth considering how the Enquiry Procedure under the Option of Protocol could be used to launch an investigation into the systematic under-representation of women in public and political life.

"The application of quotas as the most interventionist form of temporary special measures could be seen as the most appropriate and necessary strategy directed at the acceleration of the achievement of substantive equality".

Both governments and NGOs in Europe have the opportunity to use the Committee's reporting obligations and enquiry procedures to evaluate progress made and to monitor further implementation of CEDAW provisions.

- ▶ CEDAW forbids direct and indirect discrimination of intent and of effect.
- ▶ CEDAW recognises the concepts of formal and substantive equality. Substantive equality warrants differentiated treatment for biological reasons, maternity protection, or corrective purposes when women have to be 'moved up' by temporary special measures.
- ▶ CEDAW obligates states parties not only to embody the principles of non-discrimination and equality in their constitutions and laws but also to pursue them in practice and to realize them immediately, regardless of whether financial resources are available.
- ▶ CEDAW obliges states parties to eliminate sexual stereotypes in the social and cultural spheres.

### Inter-Parliamentary Union

Ms. Kareen Jabre outlined some of the gender equality strategies of another international-level actor: the IPU. The IPU is the world organization of parliaments; more

than 140 national parliaments are members. The belief that democracy requires the balanced participation of men and women guides IPU policies. Therefore, quotas are often necessary and useful, not as a goal in themselves but as a tool to promote the participation of women in politics. To improve and facilitate the input of women, a series of additional measures, including the training of women candidates and MPs, as well as the development of a gender-sensitive environment in parliament, need to accompany quotas.

The IPU actively promotes women's participation within its own structures. In 1947, only 1.2 percent of the delegates to the IPU's 36th Conference were women, whereas in 2004 the percentage reached 29 percent. A strong women's group exists within the IPU, and in 1997, a Gender Partnership Group consisting of two men and two women members of the IPU Executive Committee was created with the purpose of ensuring that the IPU's bodies and policies are responsive to the needs of both men and women. The group began by looking at women's participation at IPU meetings. After three years of study and consultations, the Group concluded that quotas were necessary instruments. Upon its recommendations, IPU Members adopted temporary special measures to ensure women's participation in its three main internal structures: the Executive Committee; the Governing Council; and the IPU Assembly.

There is a 20 percent quota for women in the Executive Committee of the IPU. As for its Governing Council, each IPU Member is entitled to be represented by three members of parliament (each having one vote) provided that, among the three, there is one man and one woman. Failure to comply will result in the 'downsizing' of the delegation to two members and thus the loss of one vote. In the IPU Assembly, if a country sends a single-sex delegation to three consecutive assemblies, its right to vote will be restricted and its delegation size reduced. Sanctions were first applied by the IPU at its 2004 conference. Among the five countries sanctioned were three with no women in parliament. The other two countries had women in parliament, but never sent any of them to IPU meetings. At the session following the 2004 conference, these two countries' delegations were composed of both men and women. IPU also actively lobbies its member parliaments to ensure that women are present among the representatives sent to IPU events.

With regard to its external activities, the IPU works

to promote women's representation by supporting the collection and sharing of information, ideas and experiences. It also provides assistance to parliaments and performs targeted activities at the national level, including in Burundi, Djibouti and Rwanda. For example, the IPU offered institutional support to women parliamentarians in the Rwandan Transitional National Assembly. The IPU extends assistance to candidates and parliamentarians because "accompanying measures are necessary to provide capacity for those who are going to benefit from the quota".

### **European Union**

Ms. Agnes Hubert overviewed some of the dynamics pertaining to gender equality issues at the EU level. She argued that, initially, the European Economic Community (which preceded the EU) had little—if no—competence with respect to gender equality issues and strategies to increase women's representation. In the last 20 years, however, there has been noticeable progress due to external pressure of women's groups and the internal work of the 'femocrats'. As a result, the number of women MEPs increased from 19 percent in 1994 to 30 percent in 2004. Additionally, fears that the EU enlargement process would decrease women's representation in the EU parliament did not prove real. The European Commission has also witnessed a rise in the number of women in its ranks: in 1994, there was only one woman commissioner, whereas in 2004, eight of the 25 commissioners were women (the first two women commissioners were appointed in 1988).

Hubert noted that quotas have not been particularly popular in the EU and have been the subject of numerous debates and challenges. The 'worst attack of patriarchy' was the Kalanke versus Freie Hansestadt Bremen case in the European Court of Justice, which sought to limit 'positive action' to 'a little bit of training and childcare'. The intervention of the European Court of Justice provoked a strong reaction from women's lobbies and women inside EU institutions. In 2002, a revised Directive on the Equal Treatment of Men and Women in the Labour Market was adopted, which became the basic text for positive action.

The EU has been greatly helped by steps taken by the Council of Europe to recognise the link between gender equality and democracy. In 1988, the

Council of Europe triggered a conceptual shift in the gender equality debate by introducing the concept of 'parity democracy'. It was not until November 1992, though, that the EU debate on this concept got under way at a summit in Athens, Greece, transforming the quantitative claim for more women in politics into a debate on the quality of democracy. The declaration signed in Athens openly stated that "equality of women and men imposed parity in the representation and the administration of Nations". In recent years, two trends have ambiguously marked the evolution of gender equality in the EU: First, the streamlining of administrations and the ensuing melding together of all the motives of discrimination, including sex, has shaken the unique stand of gender equality as a progressive EU policy, running the risk of slowing down further progress and of missing out on the specific situation of women of minority groups (ethnic, cultural, religious etc.); Second, while the concept of gender mainstreaming (incorporating a gender perspective in all appropriate policies and programs) could become a tremendous asset for policy-making, it is a delicate and double-edged tool, which can justify administrative backlash if a proper knowledge of what gender equality stands for is not developed. The forthcoming European Gender Institute is a very welcome addition in this respect.

### **European Women's Lobby**

Ms. Cécile Gréboval presented an overview of the EWL's efforts to promote gender equality at the EU level. The EWL is a large non-governmental body with 3,500 member organizations. It works for gender equality at the European level and full realization of women's human rights. Since 2002, an explicit goal has been the achievement of parity democracy based on the 'duality of humanity'. The EWL connects with and coordinates, on the one hand, national women's organizations in 25 EU Member States, including ten of the new EU Member States and accession countries and, on the other hand 20 European and international women's organizations. It seeks to make them aware of, and active in, relevant developments at the European level. Additionally, it actively lobbies EU institutions on a variety of gender equality issues, such as women's under-representation in EU structures.

There is no binding gender equality measure within EU institutions, despite numerous recommendations existing on paper.

There is a serious under-representation problem within EU governing bodies, which has important consequences for the agenda-setting process and policy outcomes. For instance, in the European Parliament, women hold only 15 percent of committee chairs. Within EU institutions, there are substantial differences among member states, with some countries nominating significantly less women than others.

Prior to the 2004 European Parliament elections, the EWL launched a campaign to increase the number of women MEPs. It prepared a lobbying toolkit for member organizations, which included gender equality arguments, statistical information, constitutional and other legal instruments and questionnaires for political parties. The EWL also lobbies the European Commission. Gréboval concluded by stressing the importance of an integrated approach to all forms of structural discrimination. The Beijing+10 review provides an opportunity for progress evaluation and future planning. A new strategy could address discrimination in internal party rules and make party funding conditional on the elimination of discrimination.

### **Discussions from the floor**

The discussion focused on the effectiveness of international instruments and how they can be used to push for gender equality and to lobby for electoral quotas. Participants appraised the popularity, applicability and implementation of CEDAW, as it applies at the international level. CEDAW situates gender equality within the framework of inalienable human rights, so that failure to comply cannot be excused by the deficiencies of the political system and a lack of economic resources. Certainly, CEDAW has been criticized for being a loosely framed document. Yet, it is a powerful instrument when it is applied to the legal, political and cultural level. Although the Convention is equally relevant to different country contexts, implementation differs significantly among countries. In Germany, there is no reference to CEDAW in national legislation. In Central and Eastern Europe, there is no understanding on the part of governments of the nature of indirect structural discrimination and substantive equality, and inadequate efforts have been made on de facto implementation beyond legal ratification.

It was suggested that the monitoring mechanism

that CEDAW uses under its reporting procedure is of great importance. The regular country reviews often attract media attention and authorities are held to account, publicly, for the progress they have—or have not—achieved.

Participants also discussed the language and scope of temporary special measures. A variety of instruments fall into the temporary special measures category, with quotas being the best, and ‘enabling conditions’ the worst, examples of an interventionist tool. The CEDAW Committee has related the ‘temporariness’ of special measures to real changes and results in the long term, rather than to a particular period of time. Temporary special measures should not necessarily be considered redundant once a certain amount of progress has been made, as happened in Denmark. Until cultural and structural discrimination is eliminated and permanent gender equality policies take its place, temporary special measures will remain necessary.

The issues of a ‘critical mass’ and the minimum number of women in politics needed before women can make a difference in relation to policymaking and decision-making were raised. The EWL and the IPU focus on gender parity, whereas the generally accepted numerical target in the UN is 30 percent. It was noted that both quantitative and qualitative claims regarding women’s representation are important.

Other international instruments were highlighted, including the National Democratic Institute (NDI)’s ‘Win with Women’ initiative and its Global Action Plan, involving 40 prominent political leaders from 22 countries. The Win with Women initiative relies on these ‘giant’ women to promote a series of recommendations among political parties worldwide on how to become more representative and inclusive by increasing the number of women in party structures and leadership positions. The next step in the Global Action Plan involves the creation of a global LISTSERV and knowledge network website, which will pool practical experiences, resources and debates from all over the world.

It was noted that, at the European level, attempts have been made to use gender mainstreaming to challenge the existence of the Women’s Rights Committee in the European Parliament. The Council of Europe, another European Institution, was specifically established to support democracy throughout Europe. Its conventions and peer review mechanisms

offer a bolder framework for monitoring the quality of democracy. The Council of Europe could play a particularly useful role in Southeast Europe.

Finally, attention was drawn to another strategy that focuses on political parties. IDEA has long been interested in the public funding of political parties and how public funding could help to democratise parties and elevate them to the ranks of responsible public institutions. The new Statute on European Political Parties links the decision to give funding to parties to their compliance with the statute and tasks the European Parliament with overseeing the implementation process. Although it does not address women’s representation, it is a possible future means of relating the funding of political parties to gender equality.

# The Role of UN CEDAW and its Monitoring Procedures for Achieving Gender Equality in Political Representation

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## Introduction

A discussion on the application of quota systems to achieve and maintain gender balance in public and political life must be positioned in a human rights framework. The most important and legally binding international human rights instrument in this respect is the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).<sup>1</sup> Since 1982, its implementation has been monitored by the CEDAW Committee, comprising 23 independent experts.<sup>2</sup> Due to its composition and mandate, this body is different from inter-governmental organizations at the United Nations (UN), such as the Commission on the Status of Women, the Commission on Human Rights or the Sub-Commission on the Promotion and Protection of Human Rights, which, in their work over the past few decades, have also examined the issue of temporary special measures and sometimes recommended the utilization of quota systems.

The following remarks will concentrate on the Convention, the General Recommendations and Concluding Comments of the CEDAW Committee, as well as on some aspects of the Beijing Platform for Action, which constitute a human rights framework for the application of quota systems to guarantee the political participation of women.<sup>3</sup>

## The Convention

CEDAW is the most important human rights treaty for women. The Convention's states parties are legally obliged, firstly, to eliminate all forms of discrimination against women in all areas of life, and, secondly, to ensure women's full development and advancement in order that they can exercise and enjoy their human rights and fundamental freedoms in the same way as men. Thirdly, a state party must allow the CEDAW Committee to scrutinize its efforts to implement the treaty, by reporting to the body at regular intervals.<sup>4</sup>

The Convention currently has 180 states parties.<sup>5</sup> Thus, the vast majority of the member states of the UN (more than 90 percent<sup>6</sup>) has voluntarily agreed to respect, protect, promote and fulfil the human rights of women under all circumstances—unless they made known their reservations about certain articles on depositing their instruments of ratification.<sup>7</sup>

In 1999, the General Assembly adopted an Optional Protocol to the Convention, thereby allowing for a communication and an inquiry procedure to be added to the list of monitoring systems.<sup>8</sup> The Optional Protocol currently has 69 states parties.<sup>9</sup>

Articles 7 and 8 of CEDAW explicitly cover the right of women to non-discrimination in a country's public and political spheres, as well as their right to equality with men with regard to the following: the right to vote; the right to be eligible for election to all publicly elected bodies; the right to participate in the formulation of government policy and its implementation; the right to hold public office and to perform all public functions at all levels of government; the right to participate in non-governmental organizations (NGOs) and associations concerned with the public and political life of the country; and the right to represent the national government at the international level and to participate in the work of international organizations.<sup>10</sup> In addition, the preamble of the Convention links the 'full and complete development of a country, the welfare of the world and the cause of peace' with the need for the 'maximum participation of women on equal terms with men in all fields', implicitly including the public and political realms.

In order to fully understand Articles 7 and 8, one must read them in conjunction with the agreement's so-called Framework Articles (1–5 and 24). These contain obligations with respect to conduct and results for states parties as regards their actions (legislation, policies and programmes) to empower women and engender cultural change. Thus, states parties are obliged:

- to eliminate direct and indirect discrimination;
- to implement the concepts of both formal equality and substantive or de facto equality;
- to embody the principles of equality and non-discrimination in their constitutions and laws; to pursue the realization of these principles in practice by taking appropriate measures against persons, organizations and enterprises that discriminate against women; and to protect women from

discrimination both through legal proscriptions, including sanctions, and competent national tribunals and other public institutions;

- to act without delay (and without considering financial resources);
- to undertake all appropriate measures to ensure the full development and advancement of women in all fields; and
- to modify and eliminate social and cultural patterns based on prejudice, customary and traditional practices, sex-role stereotypes and the alleged inferiority or superiority of either of the sexes.

The concept of substantive equality takes into account the facts concerning, and the consequences of, biological differences between women and men, as well as socially constructed differences as regards the roles and tasks that have been ascribed to them; thus, the Convention also forbids discrimination based on gender.<sup>11</sup> Substantive equality allows for non-identical treatment of women (as compared to men) both for reasons of protection (maternity functions) and correction (acceleration of the achievement of de facto equality). Such action, according to Article 4 of CEDAW, is not discriminatory. To achieve substantive equality women must be granted not merely formal equal opportunities but also a truly equal start, plus an enabling environment in which they can attain equality of results. These aspects, as well as the obligations outlined above, must be kept in mind when trying to achieve substantive equality with men in public and political life.

### Relevance of the Beijing Platform for Action and the Outcome Document of Beijing+5

The Beijing Platform for Action is the most ambitious action plan to empower women and to eliminate discrimination against them. Since 1995, many governments have attempted to implement the Platform as a whole or in parts. National and international NGOs have been monitoring these efforts. It must be recalled, however, that the platform, as compared to the Convention, is not a legally binding document. Nonetheless, it can be argued that the Platform's 12 areas of concern and its recommendations can be linked to various articles of the Convention. In fact, the Platform spells out in detail the steps that need to be taken in order to satisfy the legal obligations of the Convention. Consequently, the goals and actions spelt

out in area 'G' of the Platform—'women in power and decision-making'—correspond with Articles 1, 2, 3, 4 (1), 5, 7, 8, 9, 10, 14 and 24 of the Convention. Although there is no explicit reference to the concept of quota systems, the aims of 'gender balance' and having the 'same proportion' of both sexes in, for example, governmental bodies, administrative entities and elective and non-elective public positions are set out and the application of 'positive action'<sup>12</sup> to achieve them is suggested.<sup>13</sup> The focus is on governments, political parties, non-governmental organizations and the UN system itself.

Five years later, however, only incremental progress can be seen. The Outcome Document of the Beijing+5 conference in 2000 summarizes achievements regarding the full participation of women in decision-making and power positions at all levels and in all forums made through 'affirmative action and positive action policies, including quota systems or voluntary agreements ... and measurable goals and targets'. It also refers to the enabling conditions (training programmes, and programmes to reconcile family duties with work responsibilities) that facilitate such accomplishments. The document, though, concludes that, despite the progress made in some countries, 'the actual participation of women at the highest levels of national and international decision-making has not significantly changed since ... 1995'.<sup>14</sup>

### General Recommendations of the CEDAW Committee

Of importance for the discussion on quota systems to increase the participation of women in public and political life are the General Recommendations 5, 8, 23 and 25 of the CEDAW Committee. General Recommendations/General Comments, as formulated by UN treaty bodies, are interpretations of an accord to assist states parties in implementing their obligations.<sup>15</sup> General Recommendations 5 and 8 of 1988 are important due to the fact that the instrument of temporary special measures, including quota systems, was suggested at such an early stage of the Committee's work.<sup>16</sup>

General Recommendation 23 of 1997 explicitly deals with Articles 7 and 8. It echoes relevant paragraphs of the Beijing Platform for Action and points to the historical and structural causes of discrimination against women in public and political life.<sup>17</sup> It lists a number of requirements and obligations that states parties have to fulfil. A specific paragraph, which must be read in conjunction with these commitments, is devoted to the justification for, and the application of, temporary special measures. These

requirements and obligations include: special recruiting efforts; financial assistance for women and the training of women candidates; amending electoral procedures; campaigns aimed at ensuring equal participation; targeting women for appointment to public positions; and setting numerical goals and quotas.

Of even greater relevance to the application of quota systems is General Recommendation 25 of 2004 concerning Article 4 (1). This article is of a descriptive nature. It states that temporary special measures are not discriminatory when their application is aimed at accelerating the attainment of de facto equality between women and men. General Recommendation 25 explains the meaning of this definition in the context of the Convention as a whole and provides an in-depth analysis of the justification for applying Article 4 (1), as well as when and how to do so. While it is worth familiarizing oneself with the full argument, the most salient messages that are of relevance for the application of quota systems in public and political life are set out below.

The CEDAW Committee:

- reaffirms the concept of substantive equality between women and men;
- recognizes the concept of multiple or intersectional discrimination of women (that is, discrimination based on sex and gender and additional grounds like race, ethnic identity, religious belief, disability, age, class and caste). This must also be taken into account when striving for gender balance in the political sphere;
- argues that Article 4 (1) must be read in conjunction with the Convention's other Framework Articles (1, 2, 3, 5 and 24), and that its application must be considered in relation to all of those other articles, including Articles 7 and 8, which stipulate that states parties 'shall take all appropriate measures';
- contends that states parties, as a consequence, are obliged to adopt and implement temporary special measures in relation to any of these articles, if such measures can be shown to be necessary and appropriate in order to accelerate the achievement of substantive equality for women;
- underlines the fact that temporary special measures are 'temporary' and should not be confused with general policies, that is, they should not be

applied forever. The duration of their application, though, should be determined by functional results in response to a concrete problem and not by the passage of time determined independently of the problem to be solved;

- defines the term 'measures' as encompassing a wide variety of legislative, executive, administrative and other regulatory instruments, policies and practices, such as: outreach and support programmes; allocation and/or reallocation of resources; preferential treatment; targeted recruitment, hiring and promotion; numerical goals connected with time-frames; and quota systems;
- cites, while respecting national contexts, the area of public and political life at the national and international levels as one potential field in which temporary special measures should be applied;<sup>18</sup> and
- highlights various aspects of those processes that states parties will have to go through when applying temporary special measures, including quotas.<sup>19</sup>

Thus, the application of quotas, as one kind of temporary special measure, can be seen as part of a necessary strategy directed towards the acceleration of the attainment of substantive equality between women and men in the public and political spheres. The application of such quota systems, however, can also be of a general policy nature, when, according to Article 3 of the Convention, the purpose is to ensure the continuing diverse representation of the two sexes in these areas.<sup>20</sup>

## Opponents and Criticism

Opponents of temporary special measures, including quota systems, point to the factors of 'qualification' and 'merit' as obstacles to the application of preferential treatment for individuals or groups. With regard to the employment of women in the civil service and in the wider public and private sectors, the CEDAW Committee believes that the factors of 'qualification' and 'merit', which may be culturally determined, must be carefully reviewed to assess whether there is a potential gender bias. At the same time, the Committee is of the opinion that, regarding the appointment or election of individuals to, or their selection for, public and political office, factors other than 'qualification' and 'merit', including the application of principles of democratic fairness and electoral choice, must be

considered. In addition, the application of quotas can be justified by arguments concerning distributive and compensatory justice.<sup>21</sup>

### CEDAW Committee Practice

The reporting obligation under the Convention is an important instrument for states parties to reflect on the application or non-application of quota systems by governments or political parties, to (re)consider the justification for the application or non-application of such systems and to evaluate whether the intended results are being achieved. The reporting obligation also offers an important opportunity for NGOs to comment on this issue in their shadow reports, to monitor the discussion between the CEDAW Committee and their respective governments and, subsequently, to lobby for the implementation of relevant recommendations in the CEDAW Committee's Concluding Comments. The potential of the Optional Protocol to deal with discrimination against women in public and political life has not yet been taken advantage of.

During its discussion of states parties' reports and in its Concluding Comments, the CEDAW Committee always refers to the application of temporary special measures, including quota systems in public and political life (and in other areas), either in a laudatory way, when they are being applied by the state party, or by recommending their application.<sup>22</sup> Since the early 1990s, the CEDAW Committee has been confronted with both a decisive drop in the number of women representatives in the parliaments of post-socialist countries in Central, Eastern and Southeast Europe and in Western Asia and reluctance among newly elected governments (and individual women and non-governmental organizations) to apply the quota. This reluctance is connected to the past practice of applying quotas for various social groups (women, trade unions and youth) that did not have democratic legitimacy. The Committee, while discussing the reports of the respective states parties, continued to argue in favour of the application of quotas to counteract the decrease in the number of women in parliament and to hasten progress towards the achievement of gender balance in them. It recommended that these states parties review and, where necessary, amend their constitutions and electoral laws to allow for such measures. It also suggested that they encourage their political parties to introduce quotas for male and female candidates.<sup>23</sup>

### Conclusion

CEDAW establishes a human rights framework for the application of quotas to attain and maintain gender balance in public and political life. While lobbying for their utilization or while evaluating the results of existing systems, it is advisable, therefore:

- to refer to the Convention and to the CEDAW Committee's General Recommendations, as well as to the Beijing Platform for Action;
- to make use of the Convention's reporting process (including the submission of shadow reports) and the Concluding Comments of the CEDAW Committee; and
- to consider the application of quotas to ensure the participation of women in all realms of public and political life as a positive indicator of compliance with the Convention and of adherence to the principles of good governance.

At the same time, a number of issues must be resolved by states parties. Measures need to be designed, adopted and implemented in order:

- to overcome resistance to quota systems, particularly in countries in Central, Eastern and Southeast Europe;
- to establish conditions that enable women to employ quota systems and to maintain resultant gains;
- to move beyond the 30 percent concept (in terms of women's representation), which begins to act as a 'glass ceiling'; and
- to shift the focus from the quantitative aspect of quotas to consideration of changes in political culture and institutions, so that laws and policies reflect women's actual lives, needs and concerns without perpetuating existing sex-role stereotypes.

### Endnotes

- 1 The Convention was adopted by the General Assembly of the United Nations on 18 December 1979 and entered into force on 3 September 1981.
- 2 These experts are nominated by their respective countries and are elected every four years by representatives of states parties to the Convention.
- 3 The argument could also be based on the International Covenant on Civil and Political Rights (ICCPR), in particular on Article 3 itself and in

- conjunction with Articles 2(1) and 26, as well as on the Human Rights Committee's General Comments 4, 18 and 28.
- 4 According to Article 18 of the Convention, states parties have to report 'within a year after the Convention went into force, thereafter at least every four years and further whenever the Committee so requests'.
  - 5 As of June 2005. There is one additional signature to the Convention: the United States of America. Its decision to sign the Convention signifies a willingness to do nothing to contravene its terms
  - 6 The following UN member countries are not CEDAW states parties: Brunei Darussalam, Iran, Marshall Islands, Monaco, Nauru, Oman, Palau, Qatar, Somalia, Sudan, Tonga and the United States of America.
  - 7 Unfortunately, many states parties entered reservations to the Convention, including those connected to Articles 2 and 7. See Schöpp-Schilling, Hanna B. 2004. 'Reservations to the Convention on the Elimination of All Forms of Discrimination Against Women: An Unresolved Issue or (No) new Developments?' In I. Ziemele, ed. *Reservations to Human Rights Treaties and the Vienna Convention Regime*. Boston: Leiden. pp. 3–39.
  - 8 The Optional Protocol was adopted on 6 October 1999 and entered into force on 22 December 2000.
  - 9 As of 5 November 2004. There are additional signatories to the Optional Protocol, signifying a willingness to ratify.
  - 10 The Convention thus partly incorporates the 1952 Convention on the Political Rights of Women, the implementation of which, however, has not been monitored by a treaty body.
  - 11 "The term "gender" refers to the socially constructed roles of women and men that are ascribed to them on the basis of their sex, in public and private life. The term "sex" refers to the biological and physical characteristics of women and men. Gender roles are contingent on a particular socio-economic, political and cultural context, and are affected by other factors, including age, race, class or ethnicity. Gender roles can be learned, and vary between cultures. As social constructs they can change. Gender roles shape women's access to rights, resources and opportunities'. 'Integrating the Gender Perspective into the Work of the United Nations Treaty Bodies. Report by the Secretary-General'. 1998. HRI/MC/1998/6. p. 5.
  - 12 In the European Union, temporary special measures are called 'positive measures'; in the United States, they are called 'affirmative action'. The CEDAW Committee prefers the terminology of the Convention.
  - 13 United Nations. 2001. *Beijing Declaration and Platform for Action with the Beijing+5 Political Declaration and Outcome Document*. New York: United Nations. pp. 111–113 (in particular paragraphs 190 (a and b)).
  - 14 Ibid. p. 200 (paragraphs 22 and 23).
  - 15 Their legal status is that of 'soft law'. Some states parties do not accept General Recommendations as legally binding, although UN treaty bodies, including the CEDAW Committee, expect states parties to act on them in good faith.
  - 16 General Recommendation 5 deals with Article 4(1) and calls for the application of temporary special measures in, for example, the area of politics. General Recommendation 8 deals with Article 8 and recommends the utilization of Article 4(1) as regards the representation of women at the international level.
  - 17 The causes lie in: the public/private division; the non-recognition and even devaluation of women's work in the private sphere; the impact of sex-role stereotypes; and the structures of political systems.
  - 18 The other areas cited are: education; employment; the economy; and all other fields (including health, modification of cultural stereotypes, legal awareness, credit and loans, sport and culture).
  - 19 These encompass: the inclusion of affected women in the processes of designing, implementing, enforcing, monitoring and evaluating the action plans for such measures, as well as consultations and collaboration with women's and human rights groups in these efforts; the setting of concrete goals, to be achieved through the application of such measures, in a way that is appropriate to the respective national or international context, including the setting of a timetable that is deemed necessary for achieving these goals; the creation, if necessary, of a legal or administrative basis within the respective national or international context for adopting such measures.

ures (constitution, national legislation, decrees, executive orders and administrative guidelines), or clarification of the basis and framework for voluntary adoption of such measures by state and non-state actors; the establishment of a monitoring and enforcement institution; and the creation of a guarantee to ensure access to such measures for the affected women, as well as enabling conditions conducive to maintaining the advances made. When fulfilling their reporting obligations to the CEDAW Committee, states parties should provide adequate explanations if they have failed to adopt temporary special measures. In the event that they have adopted them, but have only applied them in the public sector, they should explain why they do not cover actors other than state actors. The application of temporary special measures also implies the collection of statistics disaggregated by sex in order to be able to measure the effectiveness of such measures. Lastly, temporary special measures should be applied in a number of fields as the necessary strategy to accelerate the achievement of substantive equality between women and men with regard to equal access to politics and equal distribution of resources and power.

- 20 I am grateful to former CEDAW member, Frances Raday, for this clarification.
- 21 Raday, F. 2003. 'Systematizing the Application of Different Types of Temporary Special Measures under Article 4 of CEDAW'. In I. Boerefijn et al., eds. *Temporary Special Measures. Accelerating de facto Equality of Women under Article 4 (1) UN Convention on the Elimination of All Forms of Discrimination Against Women*. Oxford and New York: Antwerpen. pp. 35–44.
- 22 A survey of CEDAW Committee practice up to 2000 can be found in CEDAW/C/2001/II/5.
- 23 See the Concluding Comments of the CEDAW Committee to states parties from these regions. They can be found in the Committee's reports on each session and can be accessed via the Committee's website (<http://www.un.org/womenwatch/daw/cedaw>).

# Strengthening Women's Participation in the Inter-Parliamentary Union

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## Introduction

The Inter-Parliamentary Union (IPU) works to enhance and promote democracy by strengthening the institution of parliament. Created in 1889, it brings together more than 140 national parliaments from across the globe.

The IPU believes that the balanced participation of men and women in the management of public affairs is central to any democracy. Article 4 of its 1997 Universal Declaration of Democracy states that:

The achievement of democracy presupposes a genuine partnership between men and women in the conduct of the affairs of society in which they work in equality and complementarity, drawing mutual enrichment from their differences.

This principle guides the organization's work; over the past 30 years, the IPU has developed numerous activities aimed at promoting women's participation in, and bolstering the contribution that they can make to, parliament. It conducts surveys and produces research on women in parliament; it monitors the percentage of women in national parliaments and publishes a monthly status report; it facilitates contact between women parliamentarians and encourages them to share their experiences; and it organizes technical assistance projects in specific countries. Finally, it promotes the participation of women parliamentarians within its own structures, the ultimate goal being equality in participation, as enshrined in its statutes.

Indeed, the IPU is one of the few international organizations—if not the only one—to have adopted specific measures and mechanisms to promote gender equality within its ranks. In December 2004, women made up a mere 15 percent of parliamentarians worldwide. In contrast, at the last IPU Assembly, held in Geneva, Switzerland, in October 2004, 28.7 percent of participants were women, close to the 30 percent target set by the United Nations (UN).

The participation of women within the IPU has never been as strong as it is today. This is due to the existence of a strong movement complemented with specific actions, which can be regarded as affirmative action measures or quotas.

## The IPU's Position on Quotas

The IPU does not see quotas as the prime means of enhancing women's participation in politics. It prefers gradual change to mandatory measures. However, the organization recognizes that, when faced with deadlock and slow change, quotas, insofar as they are temporary special measures, are sometimes the only way forward.

The organization's position on affirmative action and quotas is set out in its Plan of Action to correct imbalances in the participation of men and women in political life, adopted by the Inter-Parliamentary Council in 1994. The Plan of Action states that:

On a strictly interim basis, these measures may include affirmative action measures. Wherever the measure chosen is a quota system, it is proposed that the quota should not target women but that, in a spirit of equity, it may be established that neither sex may occupy a proportion of seats inferior to a given percentage.

In 1994, this represented quite an important stand for an international organization to take. The balanced approach to women's participation is noteworthy, and is consistent with the IPU's promotion of gender partnership. It is also in keeping with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which also introduces, in Article 4, the notion of 'temporary special measures aimed at accelerating de facto equality between men and women'.

Since 1994, the IPU's position on quotas has not changed. Its resolutions regularly mention affirmative action measures, and even set targets to achieve gender equality in politics. In a resolution adopted as recently as October 2004, on parliament's role in implementing the Beijing objectives, the IPU '[s]trongly urges parliamentarians to promote a stronger presence of women in political parties and at all levels of decision-making through the adoption, for example, of quota systems or other forms of affirmative action'.

Clearly, the IPU considers quotas and affirmative action measures to be useful mechanisms to make progress in areas characterized by gridlock and to encourage women's participation in parliament.

However, utilising such mechanisms within the IPU has required time, effort and persuasive argument. Indeed, when the idea was raised in the IPU, in the early 1990s, it led to much debate and opposition. This was also the case in 1999 when the subject resurfaced. Affirmative action at any rate can be a controversial issue, all the more so in the context of an international organization.

At that time, though, one thing had become clear to the IPU: women's participation within the organization was not increasing at a satisfactory pace.

In 1947, women made up only 1.2 percent of delegates at the conference in Cairo, Egypt. Some improvement had been made by 1975, with women comprising 7.8 percent of delegates at the 62nd conference in London. Progress remained slow up to 1990, when the figure stood at 12 percent.

Women's participation was also extremely weak and unsatisfactory in the IPU's other decision-making bodies, the Executive Committee and the Governing Council. The first woman to be elected to the Executive Committee was Marina Molina Rubio of Guatemala, in October 1987, almost a century after the organization was established. It was not until 1999 that a woman, Najma Heptulla, Speaker ad interim of the Indian Upper House, was elected President of the IPU.

Furthermore, no significant progress was made in the number of women participating at the national level. Although the organization had only a limited direct impact on women's participation in national parliaments, it was clear that reform within the IPU could also serve as an incentive to promote women's participation nationally and internationally. Ensuring greater participation of women parliamentarians within the IPU:

- set an example at the international level;
- encouraged change at the national level; and
- led to improvements in the functioning and work of the IPU.

### **What Affirmative Action Measures are in Place within the IPU Today?**

Following a three-year consultative process, the IPU adopted, in 2001, a number of affirmative action measures and quotas intended to strengthen women's participation within the organization:

- a straightforward quota system was introduced for elections to the Executive Committee—20 per-

cent of its elected members must now be women;

- a gender-neutral target was adopted for the Governing Council, which, if strictly applied ensures that representatives of each sex account for at least 30 percent of its members. Each delegation is entitled to three members (and, therefore, three votes), provided that men and women are included in the delegation. Where this is not the case, the Member Parliament's voting rights and number of delegates on the Council are reduced by one (i.e. one-third of the total); and
- delegations that attend IPU Assemblies without representatives of both sexes on three consecutive occasions lose some of their voting rights and see their officially registered numbers reduced.

It must also be pointed out that the IPU statutes also limit participation in the Executive Committee to MPs from states that have granted women the right to vote and to stand for election.

These measures seek to enhance women's participation in the IPU quantitatively and qualitatively.

### ***A politically supportive context and a participatory process***

What factors are behind the increase in women's participation in the IPU? Simply put, strong political will has been in evidence within the IPU, and there has been greater awareness of the need for, and the benefits of, gender equality within the parliaments of member states.

Several of the measures adopted in 2001 by IPU bodies had already been proposed in one form or another a decade earlier, mainly by women parliamentarians. At that time, these proposals were seen as too forceful and thus were rejected. Ten years later, the context was very different, and definitely more favourable to the adoption of such measures.

By 2001, there was a general framework that was conducive to change within the IPU. The existence of a strong women's movement and the necessary political will was crucial. The process was also an inclusive and transparent one.

### ***A strong women's movement***

The increased presence and influence of women within the IPU cannot be dissociated from the recent adoption of quota measures. The women's movement in the IPU has grown over the years and today is an important element in the IPU's decision-making process. It all began with the establishment of the regular Meet-

ing of Women Parliamentarians, which was the product of some ten years of struggle. The first Meeting of Women Parliamentarians was held in 1985. This served as a concrete incentive to send more women to IPU meetings and, as a result, the percentage of women MPs in IPU meetings rose slightly in the late 1980s before slowing down again. The Meeting of Women Parliamentarians brings together women parliamentarians from around the world to discuss specific gender issues and to make an impact on the work of the IPU. Its action and support was vital to the adoption of quota measures by the IPU.

### ***Political support at the highest level***

At its highest decision-making level, the IPU could not be more politically supportive of greater participation by women within the organization. Participation by women has been high on the agenda of all recent IPU presidents. Their approach has always been one of partnership and gender equality. The IPU President Sergio Pérez Verdugo (Chile), under whose leadership the affirmative action measures were adopted, stated that: 'Modern societies will only be more humane and more equitable when all of their subjects are actively involved in the decision-making process'.

It must also be noted that the question of women's participation within the IPU has become increasingly prominent over the years. Reports on the number of women participants, the number of 'single-sex delegations' and the qualitative participation of women, have been regularly presented and discussed in the plenary session of the Governing Council raising awareness among delegates.

### ***Gender equality: the responsibility of both men and women***

Many of the measures encouraging women's participation in the IPU were introduced as part of a broader reform package. Gender equality was one of several items proposed with a view to improving the functioning of the IPU. Hence it was discussed by all concerned, and was seen as the responsibility of all.

The Gender Partnership Group, itself comprising two men and two women members of the IPU Executive Committee, spearheaded the affirmative action measures linked to participation in the IPU Assembly. Set up in 1997, this body was charged with ensuring that the policies and functioning of the IPU took into account the needs of both men and women on an equal basis. It started by examining the participation of women in delegations to IPU meetings. At that time, the novelty of the Meeting of Women Par-

liamentarians was beginning to wear off and the rate of women's participation at IPU events was starting to level off. Including men in the process to elaborate and adopt affirmative action measures proved critical. It made it possible to avoid marginalization of the issue and to incorporate the perspective of men.

### ***An inclusive and consultative process***

The affirmative action measures were adopted following an inclusive and consultative three-year process, ending in 2001. Initially, the Gender Partnership Group's recommendations were not far reaching, merely encouraging delegations to include women. Gradually, it began to discuss affirmative action measures and the possibility of imposing sanctions for non-compliance. These ideas were shared with the IPU membership at three assemblies. Members' comments were widely circulated and the Gender Partnership Group discussed them. Some suggestions were accepted while others were rejected. When a proposal was rejected, an explanation was given to all members.

The consultative process revealed a wide range of opinions on how best to ensure women's participation and gender balance at IPU events. Many IPU members were opposed to insisting that delegations to the conference/assembly have a specific gender composition, and instead called for a voluntary system. Others felt that only a more rigid and mandatory system (involving sanctions) would be effective. The IPU therefore devised a hybrid system, which would not impose a mandatory quota on each delegation, but would introduce sanctions if a delegation consistently ignored the need to ensure gender balance.

Consequently, a consultative and transparent process turned out to be key to the adoption of the quota measures. These could hardly be contested, as they were the product of the work of the entire IPU membership. The process also had to be consultative and transparent in order to take into account the various points of view of the IPU membership, and to reflect differences in cultures and traditions.

### ***What has this changed at the IPU?***

The affirmative action measures were adopted in 2002 and restrictions on voting rights and representation were applied as early as October 2003. While it is too early to draw any conclusions on the effect of these measures, the following observations can be made:

- the participation of women in IPU Assemblies and on the Governing Council and the Executive Committee has increased significantly over the past five years, or since the process was launched. The participation of women in the IPU Assembly almost reached 30 percent in 2004. However, what is most notable is the decrease in the number of 'single-sex delegations'. True, some parliaments send delegations with only one female member in order to avoid sanctions and the ultimate objective of equal representation within delegations has yet to be met;
- putting the question of women's participation in the IPU on the organization's agenda (especially within the framework of its reform process) has raised IPU members' awareness of gender equality in politics. Today, gender equality is more prominent in IPU debates, although there is still room for improvement;
- these measures have had an indirect effect on the composition of elected bodies and positions within the IPU. Greater effort is now made to ensure that appointed posts are gender balanced (for instance, the members of drafting committees and the rapporteurs of standing committees).

Interestingly, the main reservations expressed vis-à-vis the mechanisms in place at the IPU focus on sanctioning as opposed to facilitating change. While the first option (sanctioning) was eventually adopted, the second approach was nevertheless considered necessary to encourage more long-term change at the IPU and in national parliaments.

To maximize the impact at the national level, the IPU has been active in different areas. The Gender Partnership Group has initiated a series of hearings with delegations from national parliaments that have no women members. The aim is to establish a dialogue, assess difficulties, encourage progress, evaluate needs and identify if and how the IPU can aid women's participation. Preliminary hearings have been held with parliaments from the Gulf States and those Pacific Island states where no women are present in parliament.

## From the International to the National Scene

As mentioned earlier, quotas are not the only solution available. A number of other measures to facilitate women's participation should complement them, both within the IPU and in national parliaments. After all,

that is the ultimate goal.

The IPU has thus attempted to encourage debate on the means of promoting women's participation in parliament. IPU meetings, particularly the Meeting of Women Parliamentarians, serve as useful forums for the exchange of ideas and for debate on the effectiveness of steps taken at the national level. These meetings are also useful for disseminating data and ensuring that men and women are aware of tools that exist in this field. The quota database of the International Institute for Democracy and Electoral Assistance (IDEA) is an excellent example of a tool that is of value to MPs, politicians and parliamentary staff considering what measures to develop in their own countries.

It is also important to provide MPs with a broader approach to quotas and to focus on how to justify such measures and implement them. A better understanding of the rights included in CEDAW can be helpful. The IPU has produced, with the UN, a handbook for parliamentarians—The Convention for the Elimination of All Forms of Discrimination against Women and its Optional Protocol—a handbook for parliamentarians on that particular subject and organizes seminars for MPs grappling with the issue.

Quotas must not be an objective per se, but a mechanism to ensure the participation of a greater number of women in politics or within the IPU. They provide for a quantitative leap, to attain the goal of effective gender equality in politics, and need to be accompanied by a series of other measures, which range from awareness-raising to the training of women and the development of gender-sensitive environments both within national parliaments and the IPU.

The IPU has therefore developed more comprehensive programmes for women in parliament at the national level. These may include the development of quotas, but this is just one initiative. National technical assistance projects to support women in politics have also been established. Box 1 contains an example of a technical assistance project in a post-conflict country, Rwanda.

## Box 1: Technical assistance projects aimed at promoting the participation of women in parliament

### *The case of Rwanda*

**Institutional support:** the project began in 2000 with the provision of technical support to the Forum of Rwandan Women Parliamentarians (FFRP). A documentation centre on gender issues was set up and a librarian was trained to conduct research on gender issues.

Engendering the constitutional process: a three-day seminar on ‘Engendering the new Rwandan Constitution’ was organized by the IPU and the United Nations Development Programme (UNDP) in August 2001, within the National Transitional Assembly of Rwanda.

The seminar brought together all women and men parliamentarians, members of the Legal and Constitutional Committee tasked with drafting the new constitution and civil society organizations. International and regional experts also attended the session. The seminar provided a unique opportunity for Rwandans to consider practical ways to ensure that the constitution took account of gender matters, including a debate on affirmative action measures. The meeting concluded with the adoption of a series of recommendations aimed at ensuring that the constitution paid attention to gender questions. At the close of the seminar, participants agreed to work together to garner women’s views on the constitutional process through a popular consultation process and to produce a document on women’s rights to be submitted to the Legal and Constitutional Committee. The result was extremely positive: today Rwanda has a constitution that is highly sensitive to gender issues. A record of the seminar was published in an IPU publication that can be found at <http://www.ipu.org/wmn-e/studies.htm>.

**Support to women election candidates:** the IPU and UNDP, together with the Transitional National Assembly of Rwanda and the FFRP, organized a seminar on ‘Rwandan Women and the Electoral Campaign’, in Kigali, Rwanda, from 30–31 July 2003. Held on the eve of the launch of both the presidential and the legislative electoral campaigns, the seminar came at a timely moment in the Rwandan electoral process. Eighty women leaders with different backgrounds discussed a variety of subjects, including gender and the constitution, the funding of electoral campaigns and relations with the media and the electorate. They benefited from the input of national and international experts from France, Kenya and South Africa. The seminar proved that women in Rwanda have what it takes to be leaders, to ensure balanced representation in parliament and to articulate the views of the distinct groups they represent. The results of the seminar were published in an IPU publication that can be found at <http://www.ipu.org/wmn-e/studies.htm>.

## Conclusion

Several lessons can be gleaned from these experiences and others, especially concerning measures to accompany the quota process and the role of international organizations.

- Quotas must respond to a national need and demand. To develop quotas, political will is necessary.
- Support activities by international organizations need to be nationally driven, that is, they must respond to an internally identified need and they must be managed from within. Ownership of the project contributes to its overall success. International organizations can only provide assistance and options; the choice remains that of the nation.
- The development of quotas must not be seen as an objective per se. It is crucial that this is only one element of a more comprehensive plan of action aimed at promoting women in politics.
- To be efficient quotas need to be understood by the people and accepted as non-discriminatory. In addition, it is important to provide support to newly elected women officials, especially if a quota system is in place. Even after quotas are adopted and women are elected to parliament, it is important to keep the question of women in politics high on the public and political agenda.
- Support for women should not be perceived as separate from support for institution-building. Enhanc-

ing the capacities of newly elected women parliamentarians should complement the development of parliament's capacity to address gender issues.

- Activities should ensure the participation of men and avoid their exclusion, as this may ultimately prove counterproductive.

Quotas have acquired considerable political momentum over the past ten years. They are undoubtedly an option to consider in promoting women in politics, although not necessarily in isolation. Their efficiency still needs to be analyzed further, especially in terms of identifying the side effects that may sometimes hamper the work of women in parliament, if they are not properly addressed. The definitive aim, though, remains equal participation of men and women in politics. International organizations are not outside the confines of the gender equality debate. Indeed, they also have a role to play in ensuring equal participation within their own structures as a means of promoting equal participation in decision-making processes, whether nationally, regionally or internationally.

# Moving Beyond Quotas in the EU: An Emerging Stage of Democracy

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## Introduction

Women's participation in politics in the European Union (EU) has increased spectacularly over the past ten years. The proportion of women in the European Parliament jumped from 19 percent to 27 percent following the June 1994 election. Women now comprise 30 percent of the recently 'enlarged' parliament, elected in 2004. The number of women European Commissioners has increased from one out of 17 (in the previous Commission presided over by Jacques Delors) to seven out of 25 (in the Commission that became operational in November 2004). In the member states of the EU, an average of 24 percent women<sup>2</sup> now sit in parliament and are members of government (although with important variations between countries), as opposed to less than 14 percent<sup>3</sup> in 1997.

These changes came about as a result of pressure by stakeholders, the sustained political will of democratic institutions and institutional engineering by executive powers. This case study first examines how from 1992, in a favourable climate, the European Commission and the European Parliament played a decisive role in promoting a debate on the political integration of women, mobilizing stakeholders around the issue, and in getting member states to commit to an integrated strategy that included 'the introduction of suitable legislative or regulatory measures or incentives for achieving a gender balance in decision making'.<sup>4</sup>

In the second part it will consider the impact of the introduction to the European debate of the concept of 'parity democracy'.<sup>5</sup> As a result of the differences between member states, this led to a shift from the 'quantitative claim' associated with remedies like positive action and quotas to a 'qualitative necessity' associated with structural change and the rethinking of democracy.

Ten years later, women, on average, occupy one-third to one-quarter of elected and appointed decision-making posts in EU institutions and member states. The final section asks: to what extent has this contributed to the promotion of a 'culture of equality' or led to increased competition between women and men? Paradoxically, in the last European elec-

tions, tools like quotas seemed more essential than ever just to maintain one-third of seats for women.

## The Role of European Institutions in Promoting Gender Balance

'Can you imagine a world with 81% of Romeos and 19% of Juliets?' Did you know that '81% of the European Parliament has to shave in the morning?' These questions were part of a 1994 trans-party campaign in all EU member states to achieve 'balance between women and men' (during the 1994 European Parliament election). This campaign was just one of many creative actions initiated by the European Commission as part of its Third Community Action Programme for Equal Opportunities between Women and Men (1991–1995). Women's representation in the European Parliament rose by eight percent (to 27 percent): 'a positive trend, which was unexpected in a parliament with increased powers'.<sup>6</sup> The result marked the start of an upward trend in women's political representation in European institutions. The representation of women in the new College of Commissioners increased from one to five in 1995.

Such progress was due to a combination of factors, including:

- the need for a flexible workforce to expand the range of services;
- the limited results of the first two Community Action Programmes in terms of fulfilling the promise of the Treaty of Rome to guarantee equal pay for women;
- the accession of Austria, Finland and Sweden to the EU in 1995; and
- the Beijing women's conference and its preparatory process.

The 'fathers of Europe' did not foresee, when negotiating the Treaty of Rome, the need to address the under-representation of women. They inserted Article 119<sup>7</sup> on equal pay for equal work to avoid distortion of competition in the textile sector. Following the interpretation of this article by the European Court of Justice in the Defrenne case (1976) and a directive

for equal treatment in the labour market adopted the same year, the European Commission developed a policy to promote equality between women and men in the labour market, starting with pluri-annual action programmes.

The key that opened the door to action to promote the participation of women in decision-making was the Third Community Action Programme (1992-96), a natural product of efforts to create equality in the labour market. The European Commission and the European Parliament had agreed that ‘an active participation of women in the decision making process could be one of the most efficient manners to reach equality between women and men and to create sustainable changes of attitude’.<sup>8</sup> This was followed by a number of commitments to be met by the Commission and recommendations for member states and social partners vis-à-vis their active engagement in initiatives to raise awareness about the need to increase the participation of women in decision-making forums.

A European Network of Experts on Women in Decision-Making was created in 1992 to assist the Commission in implementing the programme. Its mandate was ‘to identify the obstacles to women acceding to decision making positions and propose strategies to overcome them’. During the five years that it was in existence, the Network (made up of one national expert per member state, plus a coordinator) covered ground that hitherto had never been explored with such diligence (and resources).

The main activities developed by the Commission and the Network had three objectives.

1. To inform the debate:

- Through high-profile events (high-level conferences to agree on symbolic documents, including the Declaration of Athens in 1992, the Charter of Rome in 1996 and the Declaration of Paris in 1999).
- Through the development of strategies to raise the number of women candidates and elected representatives at the local, regional and national levels, as well as in professional organizations and in academia.
- Through the promotion of networking.
- By providing easy to use and regularly updated facts and figures on the gender gap in decision-making positions (via studies, a database, a regular ‘panorama’ or overview and practical handbooks).<sup>9</sup>

2. To mobilize actors:

- By encouraging women’s associations to get involved (for instance, the ‘vote for balance’ campaign, the holding of the ‘European Summit of Women in Power’ in Athens, Greece, followed by the dissemination of postcards reciting the Athens Declaration, and the co-financing of a ‘Eurobus for gender balance’ in the UK, as well as of a regular newsletter, *Parité-info*, in France).
- By working with political parties (for example, offering to finance studies that had never been carried out before in the European Parliament on the status of women in political parties, helping to organize a one day session of a ‘parity parliament’ which brought together an equal number of political women and men in the Portuguese house of representatives).

3. To encourage governments to commit to an integrated programme.

### **Parity Democracy**

In the EU of the early 1990s, quotas were not popular: they were disliked by men who felt excluded from their benefits, and they were disliked by most women who believed that they should be selected on merit. In public discourse, they are rarely seen as a corrective measure to redress past injustice, but, instead, quotas are perceived as a tool to discriminate against men. This was made particularly clear in the reactions to the Kalanke case<sup>10</sup> referred to the European Court of Justice in 1995. According to the report, positive action can only be used in limited circumstances, such as to help a woman hold down a profession by providing ‘facilitating measures’ like training or childcare. Under no circumstances, however, should it be used to promote a woman over a man with equivalent employment qualifications.<sup>11</sup> Such negative sentiment towards quotas led the members of the European Network to seek alternative means.

### **The Athens Declaration**

Although in 1988, the Council of Europe referred, for the first time, to the link between gender equality and democracy in an official text<sup>12</sup> (and commissioned a study on ‘parity democracy’.), it was four years later that the EU debate on the concept of parity democracy started at the first “European Summit of Women in Power”, held in Athens in November 1992. The Athens Declaration was issued at the end of the summit. Signed by 20 women leaders, it openly stated that

‘equality of women and men imposed parity in the representation and the administration of Nations’.

The declaration sought to respond to the plea for representation (based on both the politics of ideas and the politics of presence). It drew attention to the waste (in terms of efficiency and fairness) generated by not making good use of women’s talents and aspirations and denounced the ‘democratic deficit’ created by the absence of women. This declaration, which later gained international recognition, provided ammunition to those calling for gender equality in member states.<sup>13</sup>

Not only was it widely used by the women’s movement, but members of the Network took the debate to national parliaments. It received unanimous backing in the Spanish parliament (February 1993) and in the Portuguese parliament (resolution adopted on 8 March 1993).

The five basic arguments concerning the need to have equal representation of women and men in decision-making forums—equality, democracy, good use of human resources, satisfying the needs and interests of women, and improving the policymaking process—were presented as interdependent. The declaration established common ground for a European debate, as well as for the possible adaptation of views that prevailed in each individual national context.

### ***What it changed***

The Athens Declaration marked the beginning of a process, which is recognized as having been decisive in most member states.<sup>14</sup> It gave rise to intensive ‘follow up’ in Europe. After the Athens summit and during the years of the European Programme (1991–1996), the members of the European Network received an unexpectedly welcome response. Theories and forms of practice were debated by women’s associations, political parties, decision-makers and politicians at the national level. They were compared and tested during national and European events and campaigns. Four years after Athens, a second summit was held in Rome, Italy, and ended with a new political declaration entitled: ‘The Charter of Rome: Women for the Renewal of Politics and Society’.

These years saw the implementation of a large number of creative initiatives all over Europe. A momentum was created among interested parties. The issue entered the European mainstream in March 1996 when the Council of Ministers called on the European Commission to ‘provide an opinion on how to improve the representation of women in decision making in the institutions of the EU and

the member states’. A ‘Recommendation for the balanced participation of women and men in decision making’ was subsequently presented to the Council and adopted in December 1996.<sup>15</sup>

The text recommended that European public authorities adopt ‘a comprehensive, integrated strategy to promote gender balance in decision making and develop appropriate measures (legislative, regulatory or measures to encourage) to achieve this objective’. The collection and publication of statistics, the promotion of public campaigns, exchanges of experiences and support for studies on the participation of women and men in decision-making processes were among the actions that ministers agreed could lead to a necessary change in the political culture. The actors to be involved included social partners, governments, the private sector and, of course, political parties.

In legal terms the recommendation was non-binding. Regular reports to be prepared by the European Commission, ‘for the first time three years after the adoption of the text and thereafter annually, on the basis of information provided by the member states and public bodies concerned’, served as a monitoring mechanism.

In June 1997, the Treaty of Amsterdam widened the European gender equality mandate. A clause called on member states to ‘eliminate inequalities and promote equality between women and men in all the activities of the Union’. This official mandate on paper gave rise to a new stage of the promotion of gender equality: gender mainstreaming.

The experience gained during these few years of ‘momentum’ at the European level proved to be a valuable source of reference and inspiration, and led to the mobilization of women’s associations and created leverage in all member states. The pressure placed on national governments by associations and parties and as a result of recommendations and resolutions adopted by the Council led to the emergence of new dynamics at the national level. In some member states this resulted in changes to electoral laws<sup>16</sup> and national Constitutions,<sup>17</sup> while in others it resulted in renewed commitments and/or more efficient and firm measures to achieve a gender balance in decision-making forums.

During this period, the evolution of the debate on women’s representation in the public sphere produced the new conceptual approach engendered by the introduction of the concept of parity democracy, leading to a shift in thinking on gender equality policies: from the ‘quantitative claim’ associated with remedies like positive action and quotas to a ‘qualita-

tive necessity' associated with structural change and the rethinking of democracy. The strength of this concept was that it did not do away with quotas—understood as a compulsory measure to boost the proportion of women in positions of power. Rather, it avoided all discussion of percentages, balanced representation between women and men being seen as essential to a fair democratic order.

Low electoral turnout, disaffection towards the political class, scepticism about the effectiveness of political parties as instruments of the political process and citizen mistrust of government, which came to the fore in Europe in the 1990s following the demise of communism, raised a number of fundamental questions concerning the nature of representation at a time when society was becoming more interactive.

### ***Prospect of a culture of equality***

The debates that took place on the concept of parity democracy in the 1990s had a more ambitious and far-reaching goal than just proposing a more acceptable way to pursue gender equality policies or to modify cosmetically the composition of elected assemblies. They emphasized that democracy had to be deepened in a structural way<sup>18</sup> in order to facilitate the equal participation of women and men. Beyond the introduction of 'provisional' changes to electoral and appointment systems to ensure that women are placed in an equal position to men at all levels and in all areas of democratic institutions, the concept of parity democracy underlines that power-sharing is likely to bring about better outcomes. It is more likely to respond to the needs of a diverse citizenry.

### ***Defining gender parity***

As there are no existing examples of societies governed according to a gender parity principle, one has to hypothesize as to what would actually change and rely on judgement. A convergence of 'visions' emerges from questioning women with experience of high public office (see below).<sup>19</sup>

For Cristina Alberdi, Minister for Social Affairs when Spain held the presidency of the European Union in 1995, the objective of parity democracy is to 'ensure a proper balance between the interests which no men traditionally represent and those which men traditionally represent until such time as it stops making sense to draw that distinction because women and men both attach equal importance to private life and public life'. Among the changes that women should introduce at the policy level to make 'democratic institutions prop-

erly equality-conscious', she drew attention to those designed to ensure equality in the labour market, as well as to those designed to enhance community life (such as caring facilities, changes to working hours, changes to shops' opening hours and public services)—to give individuals the opportunity to balance properly their productive and reproductive roles. 'The private sphere needs proper acknowledgement and attention.'<sup>20</sup>

For Mary Robinson, former President of Ireland, a 'reallocation of time that creates a better balance in the activities of men and women' is likely to be supported by more women in decision-making positions, but changes in the style of leadership would also result. 'One of the striking details which remains in my mind from the women's groups and networks I have visited is that women seem to devise instinctively structures which are open, enabling, consultative and flexible.'<sup>21</sup>

For Vigdis Finnbogadóttir, former President of Iceland, 'women have a slightly different collective angle on values and justice, which will enrich society as a whole'.<sup>22</sup>

For Maria de Lourdes Pintasilgo, 'Parity democracy is not simply one aspect of equality. It goes beyond this issue by offering women and men a unique opportunity to face up to the question of identity as a key aspect of the organization of society. It represents a newly emerging stage of democracy'.<sup>23</sup>

For the European Union, this new approach represented a welcome challenge to renew the terms of its 'democratic contract' with women. Traditional ways of promoting gender equality had not yielded significant results: the equal pay commitment made in the name of the European Economic Community, for instance, was not met. And with the accession of Finland and Sweden to the EU in 1995 women were becoming increasingly sceptical about the benefits of EU membership: The results of the electoral consultations that took place during the 1990s in Austria, Denmark, Finland, France, Norway and Sweden confirmed the findings of opinion polls—women were unconvinced by the 'men in grey suits enterprise'. The introduction of more women to decision-making arenas as a result of commitments to gender parity made in national and European institutions was, in theory, seen as politically rewarding. In parallel, the concept of gender mainstreaming of gender equality embedded in the Treaty of Amsterdam<sup>24</sup> could be matched with the idea that women could bring a different perspective that had to be taken into account.

### **Conclusion**

Despite the originally rejuvenating meaning of gender mainstreaming for policymaking, practice has not

lived up to potential. Essentially, gender mainstreaming is either considered to be a 'useless luxury' in busy bureaucracies or it is used to do away with 'positive action'. Or it falls somewhere in-between.

As for the commitments to 'parity democracy' and 'balanced representation of women and men', one can only say that they were easily forgotten when 'conventionals' were appointed by member governments and parliaments of the wider EU to draft a new Constitutional Treaty. The representation of women records a low in this process: 17 women out of 105 members of the Convention.

Still, significant progress has been made in terms of women's representation in European institutions. Almost one-third of the members of the 2004 European Parliament are women, which has to be considered good in view of the low percentage of women in the parliaments of new member states. If progress continues to be measured in numbers however, a change of culture will be slow to come.

Already, new and potentially significant methods and tools are being developed to advance gender equality and democracy. 'Gender budgeting' is on the agenda of both the European Parliament and the European Commission<sup>25</sup> and the European Council agreed in June 2003 to create a European Gender Institute.<sup>26</sup> Following a meeting of EU ministers in May 2004 in Limerick, Ireland, the European Council asked the Commission to submit a proposal on the latter.<sup>27</sup> The agreement reached between EU ministers in Limerick notes: 'A European Gender Institute will act as a source of expertise and learning which will assist the achievement of the overall goal of a more equal European Union for all its citizens. Specific tasks that would be assigned to the Institute could include: co-ordinating and disseminating information on gender issues; providing greater visibility for gender equality; and generally developing tools to assist with the implementation of gender mainstreaming'.

## Endnotes

1 This expression is borrowed from Maria de Lourdes Pintasilgo at a conference on 'Equality and democracy: utopia or challenge', organized by the Council of Europe in February 1995. 'Parity democracy is not simply one aspect of equality. It goes beyond this issue by offering women and men a unique opportunity to face up to the question of identity as a key aspect of the organization of society. It represents a newly emerging state of democracy'

- 2 See Europa, 2004. "Decision-making in the Political Domain," Available online at <[http://europa.eu.int/comm/employment\\_social/women\\_men\\_stats/measures\\_in41\\_en.htm](http://europa.eu.int/comm/employment_social/women_men_stats/measures_in41_en.htm)>.
- 3 Data from the Inter-Parliamentary Union, 2004. "Women in National Parliaments." Available online at <<http://www.ipu.org>>.
- 4 European Council recommendation of 2 December 1996. 96/694/EC.
- 5 Developed in 1992 by Elisabeth Sliedjewsky in a study for the Council of Europe.
- 6 The Treaty of Maastricht granted the European Parliament a power to "co-decide" (together with the Council of ministers) on European legislation in certain policy areas while it previously only had power over the budget. As noted in the Annual Report of the European Network of Experts on Women in Decision-Making', set up in 1992 to assist the Commission in implementing its Third Community Action Programme, places in a more powerful institution should have been more difficult to obtain for women .
- 7 The predecessor to Article 141 of the Treaty of Amsterdam and Article III-108 of the European Constitutional Treaty.
- 8 COM(90)449final. 6 November 1990. Equal Opportunities for Women and Men. The third medium-term community action programme. 1991-1995.
- 9 See, in particular, Leijenaar, Monique. 1997 'How to create a gender balance in decision making: A guide to implementing policies for increasing the participation of women in political decision making'. Published in all official EU languages by the Office des Publications Officielles des Communautés Européennes (OPOCE).
- 10 Herr Kalanke, employed by the administration of the city of Bremen (Germany) had applied for a higher position for which one of his female colleague "with equal qualification and merit" was chosen. He went to Court as he felt that the positive action rule of the city of Bremen was discriminating against men. The reaction of the press and the memoir of the advocate general of the European Court of Justice were then rather unanimous in pleading for an interpretation that would limit positive actions to training or child-care provision to facilitate women's work.
- 11 After much internal debate and disagreement the European Court of Justice opted to follow the

- advice of the Advocate General. It did not miss the opportunity, however, a year later during the Marshall case to issue further clarifications on the use of positive action, taking into account the indignation expressed by women's organizations throughout Europe. It was then recognised that as long as the decision was not "automatic", women could be given priority in cases where they could display equal merit and qualification.
- 12 Declaration of the Ministers of the Council of Europe 1988.
  - 13 The declaration was reproduced on posters and postcards, helping to mobilize grassroots movements around the issue of political participation.
  - 14 See Gaspard, Françoise and Philippe Baraille. eds. 1999. 'Comment les femmes changent la politique et pourquoi les hommes résistent'. Paris: la découverte.
  - 15 European Council recommendation of 2 December 1996. 96/694/EC.
  - 16 Belgium (1997) and Italy (1998).
  - 17 Portugal (1998) and France (1999).
  - 18 The report of the high-level group of experts to the Secretary General of the Organisation for Economic Co-operation and Development (OECD) entitled 'Shaping structural change: the role of women' (1991) made a significant contribution in this regard.
  - 19 Council of Europe. . Proceedings of the high level conference entitled 'Equality and democracy: utopia or challenge', organized in February 1995
  - 20 Idem.
  - 21 Idem.
  - 22 Idem.
  - 23 Idem.
  - 24 Article 3, paragraph 2 of the Amsterdam Treaty widened in scope the text of the European Constitutional Treaty.
  - 25 See European Parliament, 2004. '1999-2004 Session Document,' Available online at <<http://www2.europarl.eu.int/omk/sipade2?PUBREF=-//EP//NONSGML+REPORT+A5-2003-0214+0+DOC+PDF+V0//EN&L=EN&LEVEL=2&NAV=S&LSTDOC=Y>>.
  - 26 See <http://www.europarl.eu.int/meetdocs/committees/femm/20040406/en.pdf>
  - 27 The Commission adopted its proposal on 8 March 2005. This has already been extensively debated in the Council of Ministers, which is waiting for the European Parliament Report to finalise its decision to set up the Gender Institute. [http://www.cc.cec.sq\\_vista/cgi](http://www.cc.cec.sq_vista/cgi)

# Introducing Parity Democracy: The Role of the International Community and the European Women's Lobby

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## Background

EWL is a non-governmental organization (NGO) that brings together over 4,000 women's organizations that are working to promote equality between women and men and to ensure that gender equality and women's human rights are taken into consideration in all European Union (EU) policies. This case study will examine the experiences and activities of the European Women's Lobby (EWL) in the area of women in decision-making.

Each of the current EU Member States has what we call a 'National Co-ordination of Women's NGOs for EWL'. In September 2004 there were 18 National Co-ordinations. At our General Assembly on 17 October 2004, we welcomed seven new National Co-ordinations, from the Czech Republic, Estonia, Lithuania, Malta, Poland, Slovakia and Turkey. We very much hope to develop our contacts and to increase our level of cooperation with women's organization from the Balkans.

In addition, 23 large European networks are members of the EWL, including for example the International Alliance of Women and the women's section of the European Trade Union Confederation.

In our work we focus on: 1) women and economic justice, including labour market issues, social policies and pensions, and gender budgeting; 2) women in decision-making and institutional issues, such as the revision of EU treaties; 3) violence against women and women's human rights; 4) the accession process and working with women's NGOs in the new EU Member States; and 5) in coming months, the ten-year review of implementation of the Beijing Platform for Action (BPfA). EWL has drafted a report on implementation of the BPfA by the EU.

We all know that achieving equality between women and men requires changes at many different levels, so EWL aims:

- to ensure that women and women's organizations are kept fully informed of EU policy developments that will affect their lives so that they are in a position to organize their responses at the local, national, regional and European levels; and
- to lobby at the European level to ensure that decision-makers are made aware of the concerns, inter-

ests and needs of women with respect to all areas of EU policy.

EWL acts as a link between women's organizations and EU institutions and facilitates the flow of information from these institutions to local, national and European women's organizations. Thanks to its advisory status vis-à-vis the United Nations Economic and Social Council (ECOSOC) and the Council of Europe, EWL can also play a dual role at the international level. The work of EWL takes place both at the level of the Members of the European Parliament and with the Commission in Brussels as well as at the level of governments and political representatives in the Member States by our member organizations.

## International Instrument and the Promotion of Gender Equality on Decision-making

International instruments can be very useful resources in pushing for equality between women and men in decision-making. It is very important, therefore, to be aware of them and to utilise them, so as to make decision-makers accountable for the commitments that they have made at the European and international levels.

The equal participation of women and men in power and decision-making has been strongly promoted at the international level. Articles 7 and 8 of the Convention on the Elimination of All forms of Discrimination against Women (CEDAW),<sup>1</sup> adopted in 1979 and ratified by most European countries,<sup>2</sup> commits states parties to 'take all appropriate measures to eliminate discrimination against women in political and public life'. Furthermore, Article 4 stipulates that the adoption of 'temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination'.

'Women in power and decision-making' is also one of the 12 critical areas of concern of the Beijing Platform for Action,<sup>3</sup> adopted at the Fourth World Conference on Women in 1995. The BPfA contains precise measures in order to 'ensure women's equal access to and full participation in power structures and decision-making' and to '[i]ncrease women's capacity to participate in decision-making and leadership'.

The Council of Europe has also done some very interesting work on women in decision-making. A recommendation on balanced participation of women and men in political and public decision-making was adopted on 12 March 2003, although this is not legally binding.<sup>4</sup>

The Treaty on the European Union contains strong, general gender equality provisions.<sup>5</sup> In addition, the EU has adopted several recommendations and issued various statements on women in decision-making.<sup>6</sup> However, there is no binding gender equality provision with respect to political decision-making in European institutions (the European Parliament, the

European Commission and Council).

Article 141, paragraph 4 of the 1999 Treaty of Amsterdam lays the legal foundations for 'specific advantages' established by Member States and favouring the 'under-represented sex'. As a consequence, a directive<sup>7</sup> was adopted in 2002, which states (Article 2, paragraph 8): "Member States may maintain or adopt measures within the meaning of Article 141§4 of the Treaty with a view to ensuring full equality in practice between men and women".

This wording is an important step forward, as it should make it easier to engage in positive action and to achieve substantive equality in the employ-

**Table 1: Women in Lower Houses of National Parliaments in EU Member States, Accession Countries and the Balkans**

Rank	Country	Last Election	Seats	Women	% Women
1	Sweden	09/2002	349	158	45.3
2	Denmark	11/2001	179	68	38.0
3	Finland	03/2003	200	75	37.5
4	Netherlands	01/2003	150	55	36.7
5	Spain	03/2004	350	126	36.0
6	Belgium	05/2003	150	52	34.7
7	Austria	11/2002	183	62	33.9
8	Germany	09/2002	601	197	32.8
9	Bulgaria	06/2001	240	63	26.3
10	Luxembourg	06/2004	60	14	23.3
11	Lithuania	10/2004	141	31	22.0
12	Croatia	11/2003	152	33	21.7
13	Latvia	10/2002	100	21	21.0
14	Poland	09/2001	460	93	20.2
15	The F.Y.R of Macedonia	09/2002	120	23	19.2
16	Portugal	03/2002	230	44	19.1
17	Estonia	03/2003	101	19	18.8
18	United Kingdom	06/2001	659	119	18.1
19	Czech Republic	06/2002	200	34	17.0
20	Slovakia	09/2002	150	25	16.7
21	Bosnia and Herzegovina	10/2002	42	7	16.7
22	Cyprus	05/2001	56	9	16.1
23	Greece	03/2004	300	42	14.0
24	Ireland	05/2002	166	22	13.3
25	France	06/2002	574	70	12.2
26	Slovenia	10/2000	90	11	12.2
27	Italy	05/2001	618	71	11.5
28	Romania	11/2004	332	38	11.4
29	Malta	04/2003	65	6	9.2
30	Hungary	04/2002	385	35	9.1
31	Serbia and Montenegro	09/2003	126	10	7.9
32	Turkey	11/2002	550	24	4.4
<b>Average</b>					<b>21.2</b>

Source: Inter-Parliamentary Union, 2005. Women in National Parliaments, as of 31 January. Available at <http://www.ipu.org>.

ment field, including in decision-making positions. However, there are still some uncertainties regarding how the European Court of Justice will interpret this provision and whether it will accept the concept of 'equality of result'.<sup>8</sup> The deadline for transposing this directive into national legislation is October 2005.

The European Commission Decision on Gender Balance within the Committees and Expert Groups taken on 19 June 2000,<sup>9</sup> aims in the medium term to ensure that there is at least 40 percent of one sex in each of these bodies.

A 1998 European Parliament resolution on a draft common procedure for elections<sup>10</sup> to the body states that: 'When lists of candidates for European elections are drawn up, account must be taken of the objective of equality between men and women and that it is primarily for political parties to achieve this objective directly'. However, no final decision was taken<sup>11</sup> on a common electoral procedure and hence it is up to each member state and national political parties to define their own rules for European parliamentary elections.

## Data on Women in Decision-making at the European Level

### National Parliaments

There are vast disparities between countries in terms of the representation of women in national parliaments. The average representation of women in January 2005 stood at 21.2 percent for the Lower Houses in EU member states, accession countries and the Balkans, as shown in Table 1.

### European Parliament

Women's representation in the European Parliament has increased steadily over the years, except for stagnation following the last elections in June 2004. The proportion of women Members of the European Parliament (MEPs) rose from 17.3 percent after the 1984 elections to 31 percent in 2003, decreasing to 30.3 percent after the 2004 polls. It must be noted that there are big differences between countries, ranging from 57.9 percent women in the Swedish group to not a single woman from Malta, and between political groups.

**Table 2: Percentage of women in the European Parliament Sixth Term 2004–2009**

Rank in Europe	Member state	No. of seats	No. of women	% of women	Evolution compared to fifth term
1	Sweden	19	11	57.9	↑↑ <sup>13</sup>
2	Luxembourg	6	3	50.0	↑↑
3	Netherlands	27	12	44.4	↑
4	Slovenia	7	3	42.9	
5	France	78	33	42.3	↓
6	Austria	18	7	38.9	↑
7	Lithuania	13	5	38.5	
8	Ireland	13	5	38.5	↑
9	Hungary	24	9	37.5	
10	Denmark	14	5	35.7	↓
11	Finland	14	5	35.7	↓
12	Slovakia	14	5	35.7	
13	Estonia	6	2	33.3	
14	Spain	54	18	33.3	→
15	Germany	98	31	31.6	↓
16	Belgium	24	7	29.2	↓
17	Greece	24	7	29.2	↑↑
18	Portugal	24	6	25.0	↓
19	United Kingdom	78	19	24.4	↑
20	Larvia	9	2	22.2	
21	Czech Republic	24	5	20.8	
22	Italy	77	14	18.1	↑
23	Poland	53	7	13.2	
24	Cyprus	6	0	0	
25	Malta	5	0	0	
<b>Total</b>		<b>729</b>	<b>221</b>	<b>30.3%</b>	↓

Source: Data from August 2004, compiled from the European Parliament Website.<sup>14</sup>

**Table 3: Women and Men Chairpersons of Political Groups in the European Parliament**

Political groups	Chairpersons		Vice-chairpersons	
	Women	Men	Women	Men
European People's Party (PPE)		1	1	6
Party of European Socialists (PSE)		1	3	4
Group of the Alliance of Liberals and Democrats for Europe (ALDE)		1	3	1
Greens/European Free Alliance (V/ALE)	1	1		
Confederal Group of the European United Left/Nordic Green Left (GUE/NGL)		1	3	1
Independence and Democracy Group		2		
Union for a Europe of Nations (UEN)	1	1		4
<b>Total</b>	<b>2</b>	<b>8</b>	<b>10</b>	<b>16</b>
<b>Percentage</b>	<b>20%</b>	<b>80%</b>	<b>38.5%</b>	<b>61.5%</b>

### **Political Groups of the European Parliament**

The situation is not good in terms of women's representation in the governing bodies of the European Parliament—the situation has even deteriorated with regard to some posts following the 2004 elections. Women hold only 15 percent of chairs of parliamentary committees and only two political groups are co-chaired by women (20 percent of chairpersons). This shows that the position of women is still weak in terms of their internal influence within the European Parliament.

### **Council of Ministers**

Given that the Council of Ministers is composed of national ministers, the percentage of women is directly related to the presence of women in national governments, around 23 percent.

### **European Commission**

Until April 2004,<sup>16</sup> 25 percent of Commissioners were women (1999–2004 legislative period), signifying no progress in comparison to the past. For the 2004–2009 legislative period, eight women (out of 25) have been nominated to the Commission, taking the rate of participation of women to 32 percent, the highest to date. However, only one of the five vice-presidents is a woman and a woman has never been appointed president of this body.

### **The EWL Position: The Need to Move towards Parity Democracy in Europe**

At the 2002 EWL General Assembly, delegates of the European Women's Lobby approved several motions emphasizing the need to lobby for the introduction of parity democracy at the EU level. Parity democracy, which implies equal representation of women and

men in decision-making positions, is based on the understanding that the essence of humanity is duality, and that both sexes should be represented whenever decisions are made that affect their lives. It is obvious that, on the whole, men and women behave differently and have different interests.

Parity is a goal to be attained. While it may be achieved progressively, one must always bear in mind the ultimate objective of equal participation of women and men in all areas of life, particularly in politics.

Another significant point is that women are represented in all social groups; they are neither a minority nor a category (such as class or ethnicity). This is important with respect to reflection on quotas and parity. If quotas can serve as a useful means with which to make up for the lack of representation of a certain category, it is important to recall the fundamental conceptual difference with parity. Quotas can be perceived as a 'ceiling' used to protect the rights of a minority and to ensure its participation in decision-making forums. But, as noted above, women are neither a minority nor a specific category: they represent more than one-half of humanity—a quantitative dimension—and one of its two components—a qualitative dimension. Therefore, parity goes a step further than quotas. Parity is about power-sharing and participation on an equal basis (50/50) or from 40/60 to 60/40.<sup>17</sup> In other words, fundamental to parity is the claim that men and women must be equally represented in decision-making positions, whereas quotas are a means of achieving fair representation. The following are some examples of parity legislation adopted by EU member states:

**Table 4: National Constitutional Provisions on Parity Democracy or Positive Action<sup>18</sup>**

Constitutional provision	Old EU Member States	New EU Member States <sup>19</sup>
Specific gender equality provision	<b>Six out of 15 countries</b> Belgium (art. 10), Finland (Chapter 2, section 6.4), Germany (art. 3.2), Greece (art. 4.2), Portugal (art. 9), Sweden (art. 2.3)	<b>Three out of 13 countries</b> Hungary (art. 66.1), Malta (section 14), Poland (art. 33)
Clause on active measures by states/positive action for the promotion of equality <sup>20</sup>	<b>Nine out of 15 countries</b> Austria (art. 7.2), Belgium (art. 11 bis), Finland (section 6), France (arts. 3 & 4), Germany (art. 3.2), Greece, Italy (51 & 117), Portugal (arts. 9 & 109), Spain (art. 9.2)	<b>Two out of 13 countries</b> Hungary (art. 70/A Section 3), Malta (section 45.11)

The concept of parity is also useful as it gives arguments in favour of specific bodies and mechanisms for gender equality and to put pressure against the tendency (including at the EU level) to merge all anti-discrimination measures into single programmes/institutional mechanisms.

More than ever, it is necessary for European institutions to commit themselves to parity democracy. This is for the following reasons:

- EU Member States have committed themselves to gender equality many times at the international, European and national levels.
- Gender equality is related to fundamental notions about the quality of social justice, human rights and the nature of democracy.
- Gender equality is a prerequisite for participatory democracy and for sustainable human and economic development.
- There are strong indications that the inclusion of both sexes in policymaking bodies leads to decisions that better meet the interests and needs of a diverse citizenry, thus promoting better allocation of public resources.
- Gender balance leads to the introduction of new and/or forgotten issues on the policy agenda.
- As they constitute the majority of citizens and taxpayers, women must be engaged equally in political decision-making, including with respect to decisions on economic matters and the spending of public money.
- Democracy is a privilege and, within the democratic system, political parties are in a privileged position (public funding, main entry point into politics). It is legitimate, therefore for citizens and taxpayers to demand that political parties function more democratically and to call for some degree of accountability.

It has to be noted, too, that some groups of women, such as women of colour, migrant and ethnic minority women and disabled or young women, are even less visible in the decision-making sphere (political, as well as social, economic and cultural).

### **EWL Activities in the Area of Women in Decision-making**

The promotion of women in decision-making is naturally an important area of activity for EWL. It has been actively promoting equal representation of women in the European institutions, especially the European Parliament.

#### ***An example of not very successful lobbying: The Convention on the Future of Europe, 2001–2002***

Given that women were poorly represented (14 percent) in the convention tasked with drafting the Charter on Fundamental Rights of the EU, EWL wanted to ensure that the same thing would not happen with the convention in charge of thinking about the future of Europe. Thus it started to send out letters to decision-makers highlighting the need for equal participation between women and men in autumn 2001. On the eve of the official opening of the Convention, EWL launched a European campaign entitled ‘Put your weight behind equality in Europe’, based on a postcard petition. Despite the lobbying and campaigning, only two of the 12 members of the Presidium of the Convention were women. The president and the two vice-presidents were men. In total, women made up just 14 percent of the Convention on the Future of Europe.

#### ***Action connected to the European Parliament elections of June 2004***

By virtue of its representative nature, the European Parliament constitutes an essential means of promoting equality and social justice. It was seen as essential, therefore, to improve the representation of women in the European Parliament in the elections of June

2004, especially in view of the enlargement of the European Union in May 2004. The EWL started work on this in 2003.

EWL supported the gender-equality-related amendments to the Leinen report of May 2003 tabled by the Green group in the European Parliament.<sup>21</sup> Unfortunately the amendments (aimed at linking funding of political parties to gender equality criteria) were not adopted by the European Parliament.

A lobbying kit was also put together that focussed on women and the European elections, containing, for example, information on national Constitutions and gender equality. Since elections to the European Parliament are still organized according to national rules, the objective was to support the actions of EWL member organizations and women's organizations in general aimed at achieving better representation of women on electoral lists and in the European Parliament. In parallel, EWL wrote to all national political parties asking them to put women in eligible positions on their lists of candidates. It also collaborated with member organizations to press for the nomination of women Commissioners in the first half of 2004.

## Challenges and Opportunities: How to Introduce Parity Democracy in Europe

### *An integrated approach to achieve gender equality*

EWL believes that inequalities between women and men form part of a continuum and are deeply rooted in national mentalities, as well as in different social structures. Hence it is very unlikely that isolated measures will prove effective in achieving gender equality. Other issues must be taken into account, including those linked to stereotypes, how women are portrayed in the media, social policies, and the existence of real opportunities for women (and men) to combine family and working life, as well as to more fundamental matters like violence against women. This is why EWL always tries to work at several levels and to establish connections between different issues.

Much remains to be done, though, to achieve equality between women and men in all areas. Progress remains particularly slow in the economic sphere, where different obstacles linked to women's situation in the labour market and in society combine to make it difficult for them to break through

the 'glass ceiling'.

The introduction of parity democracy at the EU level is thus a challenge that the EWL took up and tried to meet using different strategies. It took advantage of the different windows of opportunity that manifested themselves in the past few years in the realm of European policymaking (see below).

### *A new European directive?*

The concept of parity democracy was included in the 'shadow directive' drafted by EWL that pertains to the proposed new directive on gender equality in all areas, which the European Commission put forward in November 2003. Unfortunately, the scope of the directive (which was adopted in December 2004) concerns only equal treatment of women and men with respect to goods and services—the issue of women in decision-making was not included. When presenting its proposal in 2003, the European Commission stated that it was the first of a series of European directives on gender equality. However there is nothing to indicate that the Commission has any intention of putting forward a new proposal in the near future.

### *No progress on the treaty establishing a Constitution for Europe*

EWL has been lobbying for the introduction of parity democracy in the Constitutional Treaty being drafted by the Convention on the Future of Europe. Unfortunately, although equality between women and men is now a core EU value, the text of the treaty establishing a Constitution for Europe (agreed by the Inter-Governmental Conference in June 2004) does not make reference to women in decision-making. The earlier draft of the Convention on the Future of Europe for Article I-26§2 on the nomination of the Commission stated that each member state would have to put forward three names, 'in which both genders were represented'. This requirement was removed and member states are only required to put forward names based on general competence, commitment to the goals of the European Union and their independence. Clearly this is a disappointment and weakens the possibility of ensuring a gender-balanced Commission.

### *Key lessons*

What is extremely interesting to note is that EU institutions are used to dealing with different criteria on decision-making positions, including quotas per country and quotas for political parties. Nonetheless, the gender criterion always seems to be unacceptable

and, in any case, is rarely employed when it comes to defining rules, or, even worse, when making nominations.

At the same time, recent events (in particular the extreme difficulty experienced in trying to introduce gender-equality-related issues into the discussions of the Convention on the Future of Europe) have shown that better representation of women in decision-making is needed at the European level, in order to make further progress towards ensuring equality between women and men in policies.

EWL has been actively lobbying to have parity democracy adopted and implemented at the European level. However, the different strategies employed by the EWL to date have failed, mainly because of a lack of political will and a lack of support for gender equality in decision-making at the European level.

EWL will continue to lobby for parity democracy in Europe through different means:

- It will continue to lobby for an integrated approach to gender equality, linking different policy areas. Gender equality in decision-making will not be achieved without measures being introduced in other areas, such as more gender-sensitive social policies.
- It will lobby for another European directive on gender equality, although this is a medium-term goal.
- It will explore other ways of achieving gender equality, through, for example, the internal rules of the European Parliament and of political parties, including the question of public funding for political parties and internal democracy.
- It will continue to question political parties and to place more pressure on them, as they are still the main point of entry to political life in EU countries.
- It will continue to network with women's organizations, to ensure that decision-makers hear the same message at different levels and in order to put pressure on them to act on their commitments.

## Endnotes

- 1 Division for the Advancement of Women, 2004. Convention on the Elimination of All Forms of Discrimination against Women. See <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>
- 2 As of June 2003, 174 countries are party to CEDAW, 90 percent of members of the UN.

- 3 United Nations Development Fund for Women See <http://www.unifem.org>
- 4 Council of Europe. See <http://www.humanrights.coe.int/equality/Eng/WordDocs/Document%20list.htm>
- 5 Articles 2, 3(2), 13 and 141.
- 6 European Commission, Gender Balance in Decision-Making. See [http://www.europa.eu.int/comm/employment\\_social/equ\\_opp/decision\\_en.html](http://www.europa.eu.int/comm/employment_social/equ_opp/decision_en.html)
- 7 Council Directive, 76/207/EEC, on the 'Implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions'.
- 8 Although its case law has evolved from a rigid position (Kalanke case C-450/93, 17 October 1995), it is not certain that the court will recognize the new provision as a guarantee of substantive equality.
- 9 Decision on Gender Balance within the Committees and Expert Groups taken on 19 June 2000 Official Journal. 27 June 2000. L 154. p. 34.
- 10 European Parliament resolution on a draft common procedure for elections Resolution A4-02212/1998.
- 11 As of August 2004.
- 12 Evolution compared to number of observers for new member states.
- 13 ↑↑ indicates a rise of more than ten percent.
- 14 [http://wwwwdb.europarl.eu.int/ep6/owa/p\\_meps2.repartition?ilg=EN&iorig=home](http://wwwwdb.europarl.eu.int/ep6/owa/p_meps2.repartition?ilg=EN&iorig=home)
- 15 European database on women in decision-making: [http://www.europa.eu.int/comm/employment\\_social/women\\_men\\_stats/out/measures\\_out416\\_en.htm](http://www.europa.eu.int/comm/employment_social/women_men_stats/out/measures_out416_en.htm).
- 16 Anna Diamantopoulou was replaced by Stavros Dimas in April 2004, resulting in the percentage of women Commissioners falling to 20 percent.
- 17 It would be desirable to set the participation of both sexes at a minimum level. This level (usually 40 percent) has been called the 'parity threshold'.
- 18 Most of the English versions of national constitutional provisions are taken from the following website: <http://www.oefre.unibe.ch/law/icl/home.html>.

- 19 Thirteen countries, including the following three candidate states: Bulgaria, Romania and Turkey.
- 20 In some cases, this concerns the promotion of women in decision-making.
- 21 EU COM (2003) 77 - C5-0059/2003 - 2003/0039(COD).

## Conclusion

IDEA's fourth regional workshop aimed to compile practical and theoretical information on European experiences of gender quotas. With its regional partners, IDEA brought together the knowledge of practitioners and academics in order to enrich the contemporary debate on gender equality in decision-making bodies and to provide future guidance on the implementation of gender quotas. The workshop discussions addressed the successes of, and past, present and future challenges to, gender quotas. By tracing the experiences of a number of East and West European countries, it accumulated a wealth of empirical details on the development and implementation of quotas in different national and regional contexts. At the same time, participants had the opportunity to situate European experiences within a broader comparative and theoretical framework, focused on the issues surrounding the implementation of gender equality measures and related outcomes.

To summarize, workshop discussions concentrated on:

- definitions and objectives of quotas;
- types of gender quotas;
- actors engaged with quotas;
- discourses surrounding quotas;
- conditions for effective implementation of quotas; and
- conclusions and recommendations for the future.

### **Definitions and Objectives**

Gender quotas often have different names, such as 'special measures', 'temporary special measures', 'positive action' and 'positive discrimination'. There is, however, a consensus that they are intended to address the question of women's participation and representation in public and political life. Thus, quotas are related to an assortment of important concepts regarding fairness of representation patterns, performance of electoral systems and legitimacy of government structures. Quotas are not exclusive to democratic polities; many coun-

tries—particularly in socialist/communist Europe—used quotas to give legitimacy to non-democratic systems, while doing little to increase the substantial participation of women in political life. Such use of quotas has, in many nascent European democracies created a backlash against attempts to have them re-introduced. Around the world, some governments have resorted to quotas in the hope that they will improve women's status, address historical and structural injustices and make politics and society more inclusive and democratic. In many transitional settings, from Eastern Europe to Africa and Latin America, "gender quotas are the expression of the impatience of women", in the words of Professor Dahlerup. Women do not want to wait for many decades for changes to occur in decision-making bodies. Many who are committed to the principle of gender equality view quotas as a necessary tool for achieving swift historical increases in women's participation and representation. It is noteworthy that quotas are not an end in themselves but rather a means of achieving consequent objectives vis-à-vis women's political status.

Gender quotas are often associated with the goals of raising women's representation in decision-making bodies and providing women, as a previously excluded 'category', with access to power structures. Yet, there is no uniform understanding of the ultimate objectives of quotas. The workshop discussions highlighted the need to distinguish between 'equality of opportunity', providing women with an equal chance to compete with men on electoral lists, and 'equality of results', ensuring an equal presence for women in decision-making bodies. Quotas could serve both aims. Some people go even further and perceive quotas as instrumental in transforming the entire political landscape and achieving substantive policy changes. Overall, it was established that quotas do not uniformly aim for a single, 'critical mass', necessary for women to make a difference in decision-making bodies. Gender quotas always function in an environment characterized by an assortment of complex contextual factors. Therefore, the attainment of their numerical targets (20, 30, 40, 50 percent of women in decision-making bodies, for instance) and substantive objectives ('increase women's

participation and representation', 'compensate for structural discrimination', 'promote gender equality', for example) depends on the interplay among quota types, electoral institutions, political actors and implementation strategies.

### **Types of gender quotas**

Legislated and political party quotas were discussed from the standpoint of theory and practice. Legislated quotas are embedded in the legal texts of constitutions and/or national electoral laws and usually apply to the nomination of candidates on electoral lists for decision-making bodies. The case of 'reserved seats' is associated mostly with pre-1989 regimes in Eastern Europe, and with countries which use majoritarian electoral systems. It has been argued that legislated quotas have the potential to enhance significantly the legitimacy of women's demands for greater representation. When quotas exist as a constitutional provision, they are presumed to be more difficult to overturn. Yet, adopting legal quotas can prove very difficult, requiring sustained political momentum, support from legislative majorities and political will at the highest levels. According to Dahlerup, an important lesson from Eastern Europe is that, in transitional settings, demands for legal quotas should be extrapolated well ahead of the adoption of new constitutions and electoral laws. The successful adoption of legislated quotas necessitates not only strong legal prerequisites but also meaningful enforcement, monitoring and sanction mechanisms. Political parties have often found ways of violating the spirit of quota laws. France, for instance, has inserted a gender parity clause in its constitution but subsequent compliance failures have sustained women's low representation at the national level.

Voluntary party quotas are provisions adopted by parties applicable to their internal processes of candidate selection, or decision-making bodies within the party. They can pertain both to the nomination of electoral aspirants and to the selection of officials for internal party structures. They can be either 'soft' internal commitments, or statutory provisions. Party quotas have traditionally been initiated within leftist parties (Socialist, Social-Democratic, Green Parties). Occasionally, party quotas have had 'contagion' effects on other parties, which, as a consequence, select women candidates in order to compete with their opponents. Cases in point include parties in Croatia and the countries of Scandinavia. Party and legal quotas are not mutually exclusive. In Belgium, for example, national quota legislation actually convinced several parties to preserve their internal gender provisions and even to exceed the

minimum threshold required by legal quotas.

Another fundamental aspect of experiences of party quotas concerns the role of women's organizations within political parties. Some participants emphasized the importance of strong women's organizations in agenda setting and the promotion of women's participation within political parties. Others were sceptical about women's wings in political parties, especially when their existence is at the expense of cooperation with progressive partisan men or when they are 'nurtured' by powerful male leaders in patronage-based parties.

The party quota debate is linked to broader issues of internal party democracy. The questions of how parties manage themselves, finance their activities, select their candidates and leaders and establish open and transparent channels of communication with rank-and-file members are central to the discussion of internal party democracy. The party quota debate needs to be tied to the broader goals of party democratisation.

### **Actors engaged with quotas**

It is apparent that there is a plurality of actors involved in any campaign to implement quotas, and many successes have resulted where women, and men, from different sectors have collaborated for a common goal:

*Civil society* The activism of NGOs in general, and women's organizations in particular, has been responsible for placing gender equality concerns on the public agenda. Local, national and regional women's organizations have been instrumental throughout Eastern Europe in raising awareness of women's under-representation, training women for roles in public and political life and lobbying parties and governments on quotas.

*National level.* The interplay among parliaments, governments, parties and courts has regularly been decisive in the fate of quota provisions. Cooperation with both men and women in political parties and national parliaments has proven vital for building issue coalitions on gender equality measures.

*Party level.* Internal party rules and party leaderships have regularly influenced the process to address women's under-representation. Most importantly, party gatekeepers, whose control over nominations is often the primary target of quotas, have repeatedly constituted a crucial barrier to women's access to power structures.

*Regional level.* Networks, exchanges of information, 'peer pressure' and collective support are important at the regional level. Successful examples are the mobili-

sation, training and lobbying work of the GTF in the Balkans and of the CEE Network for Gender Issues throughout Eastern Europe.

*European level.* The role of the EU accession process in addressing women's under-representation in decision-making bodies and promoting gender mainstreaming in Eastern Europe has been key. During the enlargement negotiations, the question: "where are the women?" was often raised, putting pressure on the central government of applicant countries to become more gender-aware. In addition to the EU, the Council of Europe was flagged as a potentially powerful instrument at the European level. It is also noteworthy that growing attention has been paid to the need to increase women's representation within EU institutions. The work of the EWL and efforts by some European women politicians have served as pressure mechanisms aimed at ensuring gender parity in EU bodies.

*Global level.* It is important to underscore the usefulness of international instruments, such as the legally binding provisions of CEDAW and the political commitments of the Beijing Platform for Action. The internal quota measures of the IPU and its work with national parliaments worldwide together constitute another fundamental international tool for achieving democratic inclusiveness and fair representation. During the discussions on quotas and women's mobilisation, participants regularly stressed the importance of the support of international donors, especially in the post-conflict region of the Balkans.

International instruments also exist at the level of political parties. Lokar noted the importance of engaging international party organizations, such as the Socialist International, the Liberal International and the Christian-Democrat and People's Parties International, and getting them to agree to pressure their members into adopting gender equality measures.

Overall, no single actor has the exclusive ability to influence the process to increase women's participation and representation. Participants agreed that it is important to keep in mind the myriad actors involved and to utilize the 'sandwich-strategy', combining recommendations and pressures from above (at the international level) with mobilisation and capacity-building from below (at the grassroots level).

### **Discourses Surrounding Quotas**

A multiplicity of supporting and opposing discourses has often surrounded quota initiatives. The workshop discussions addressed many of the perceptions, characterizations and debates used to promote or challenge quotas.

Quotas have proven to be a dynamic concept in terms of language and perceptions. European experiences provide some interesting examples in this regard. For instance, attitudes towards quotas in Eastern Europe changed significantly during the transitional period. Initially, quotas were habitually associated with the Soviet era and people reacted negatively to them; over the course of the transition, quotas came to be seen as typical of Social-Democratic Parties in Western Europe and hence became much more politically palatable. Dahlerup repeatedly called for a re-examination of the myth that 'quotas' existed during Soviet times and stressed that one should take care in constructing new myths about the contemporary reality of quotas.

The language used to describe quotas can also have important implications. Participants agreed that the language of 'positive discrimination' should be replaced with the 'compensation for discrimination' discourse in order to respond to criticisms that quotas violate the liberal principles of fairness and meritocracy. This is somewhat related to the way in which quota provisions are framed: the 'quotas for women' discourse could be made gender-neutral by changing the terminology to, 'quotas for the under-represented gender', for instance. Another development pertained to the substitution of demands for a 'minimum level of women's representation' with calls for 'gender-balance', 'gender parity' and even 'quotas for men'.

The bottom line is that perceptions and the framing of concepts can play an important part in sustaining or challenging long-standing stereotypical perceptions regarding women's participation in the public and political realms.

Another important element of the gender equality discourse concerns the legitimatisation of quotas. Many people are not in favour of affirmative action as a representation mechanism and as an instrument to deal with gender discrimination. A common argument, against quotas, centres on the question of why gender should be accorded priority, given that other personal aspects, such as age, ethnicity and occupation, might equally warrant representation and quotas. In response, it was stated that gender quotas are justified because women make up one-half of the general population and are not, therefore, a minority group. Women also are members of many other social and demographic entities and hence often face multiple forms of discrimination.

A further element related to the representation debate concentrates on the question of who should

represent women as a segment in society and whether this should be an exclusive responsibility of political parties. This question underlined the need for parties to discuss their goals, identify whom they want to represent and to explain their strategies in the context of modern democracies and demands for descriptive or substantive representation.

A final factor in terms of discourses relates to the substantive outputs that result from increasing women's representation in decision-making bodies through quotas. How can women move beyond numbers to make a real impact in decision-making? Participants suggested that the exclusion of women slows down the process of improving social, economic and political life. As noted earlier, it is premature to focus on the precise percentage of women needed to make a difference. Instead of the 'critical mass', it may be more important to concentrate on the 'critical acts' which can result in real gains in terms of gender equality.

At the same time, another valid argument was accepted: women should not be expected to implement a single 'women-only' agenda. Since most decision-making institutions (particularly parliaments) are not gender-neutral bodies, are slow to evolve and tend to preserve established institutional norms, it is unrealistic to expect quotas to lead to the 'engendering' of legislatures and the delivery of exclusively 'female' policy outcomes, especially in the short term.

### ***Conditions for effective implementation of quotas***

While the ways and means of adopting quotas are important, it is also necessary to focus on the conditions that can facilitate or hinder their successful implementation. Gender quotas exist in diverse contexts, with a variety of complex institutional arrangements. Practice has shown that quotas are likely to work more efficiently when electoral systems are geared towards quota provisions, placement mandates, ensuring that women are present on electoral lists and placed in winnable positions, and meaningful sanctions for non-compliance, when 'good faith' compliance cannot be relied on.

Electoral system design can have a profound impact on the implementation of quota provisions. Research has established that PR systems are more favourable to women's representation than mixed and majority systems. In addition, higher district magnitudes provide parties with the opportunity to win more seats in individual districts (higher party magnitude), in turn increasing the willingness of party gatekeepers

to nominate women candidates. The use of open lists and variations of preferential voting are generally believed to hamper women's electoral chances and to limit the impact of the quota, although the effects are not always uniformly negative across elections and countries.

Placement mandates should be an explicit part of quota provisions. In some countries, the courts have had to interpret quota legislation to determine whether they imply the placement of women aspirants in eligible positions on candidate lists. Examples of placement mandates include: the top two positions on an electoral list not being filled by representatives of both sexes; 'the zipper' system, requiring that every second candidate be a woman; and provisions specifying that at least one of three candidates should be a woman. The rationale behind placement mandates stems from political parties trying to benefit from loopholes in electoral legislation and to avoid having to apply quotas in a meaningful way, such as placing women at the bottom of party lists with little chance of election.

Another essential condition for the successful implementation of quotas is the presence of monitoring and regulatory mechanisms to ensure compliance. It is significant that 'good faith' compliance does occur when parties want to profile themselves as gender-friendly in the eyes of voters and when other parties have successfully used quotas to win votes. Yet, implementation measures are needed to enforce the law as and when necessary. Non-compliance sanctions include financial penalties and denial of electoral registration of party lists and candidates. Electoral management bodies and civil courts have often proved instrumental in interpreting and enforcing quota laws, as well as sanctioning non-compliance.

To determine the extent to which quotas have been successfully implemented, it is important to trace their impact at different electoral levels. The goal of increasing women's representation should not only be seen in terms of the adoption of a single quota for national parliamentary elections. It was repeatedly pointed out that it is also necessary to address the effects of quotas and women's under-representation at the sub-national level, on local councils and in mayoral offices, as well as in relation to government executive positions and on parliamentary committees.

### ***The way forward***

The presentations highlighted many accomplishments achieved in Western Europe, during the transitional process and the EU accession negotiations in Eastern

Europe, as well as the reconstruction efforts in the Balkans. Yet, numerous challenges remain to the implementation of quotas and increasing women's political participation. Some participants underlined the possibility of a backlash. Successes in terms of advancing gender mainstreaming are often used to argue against further reforms and the implementation of quota provisions. Persisting patriarchal stereotypes, together with a hostile political culture, are common generators of resistance to special measures. The workshop provided an opportunity to accumulate useful experiences and to make recommendations on how to advance women's representation in decision-making bodies.

Gender quotas can be a powerful instrument for increasing women's representation. Proper implementation is crucial—the successful implementation of gender quotas is dependent on the presence of adequate implementation provisions and should be specific to the electoral system in use. Extensive networking and strong women's organizations are essential for awareness-raising, mobilisation, capacity-building and constant lobbying for gender equality. Furthermore, it is important to reach out to progressive women and men in the political establishment. It is also crucial to create issue coalitions, linking politicians, lobbyists and experts capable of taking advantage of political momentum and rare windows of opportunity.

An important challenge for the future agenda concerns sustainability, both in terms of women's representation and the special measures that support it. It is important to instigate additional research and policy efforts with regard to strengthening internal party democracy, designing electoral institutions, tackling cultural stereotypes, supporting women elected to decision-making bodies and enhancing capacity. Bringing together the experience, knowledge and expertise of lobbyists, academics, politicians and activists marks a crucial step in this direction. Partnerships are necessary for increasing the representation of women and facilitating real changes in power relations in the fight for gender equality.

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