

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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