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Gender Quotas, Norms, and Politics

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Gender quotas have become an increasingly prominent solution in recent years to the underrepresentation of women in electoral politics. As research on these policies has grown, scholars have primarily sought to explain how and why quotas are adopted and, more recently, why some quota policies are more effective than others in facilitating women's access to political office.¹ Most studies, however, also consider—often in a less systematic fashion—the normative aspects of quota reform, usually by detailing the various objections leveled against gender quotas and their impact on efforts to adopt and implement quota measures. Integrating insights from a wide range of case studies, I outline these arguments but note that quotas also generate a host of positive implications that remain largely undertheorized in this literature. I observe, further, that more and more countries are adopting gender quotas despite these well-versed normative objections. These developments indicate greater scope for political initiatives to increase women's representation—despite assumed social and economic "prerequisites" for change—and, indeed, signal a broader shift in international norms in support of projects to promote gender-balanced decision making. One of the few countries seemingly unaffected by these global trends is the United States, where proposals for gender quotas have simply not entered into the realm of public debate. After offering several possible explanations for this state of affairs, I draw on this case to emphasize the pivotal role of politics in opening and closing opportunities to pursue gender quotas, as well as to point to a new set of questions for future research.

Quotas and Normative Concerns

Debates over gender quotas are deeply normative, revolving broadly around competing definitions of gender, equality, and representation. While supporters generally advocate quotas on the grounds that they benefit women as a group, promote equality of results, and establish gender as a category of political representation, opponents typically oppose quotas on the grounds that they privilege groups over individuals, undermine equality of opportunities, and ignore other more pressing social

1. For a comprehensive review of this literature, see Krook 2005, Chapter 1.

cleavages. While specific normative contexts present varying opportunities and constraints for quota adoption and implementation (Krook, Lovenduski, and Squires 2006), two normative concerns pervade nearly all quota campaigns and are expressed by both advocates and opponents of quota reform. The first and perhaps most obvious objection is that the women elected through quotas may not pursue women-friendly policy change. Although this point speaks to a great deal of work on the relationship between the descriptive and substantive representation of women, it overlooks the fact that these measures are not feminist quotas but gender quotas—and more properly speaking, sex quotas²—that seek merely to increase the number of women in political decision making, separate from any obligations to change policy outcomes. The second broad objection is that quotas for some women may delegitimize all female politicians as political actors, even those who win political office "on their own" through more traditional processes of candidate recruitment. While this observation reflects ongoing tensions between affirmative action strategies and concerns to place competence at the heart of candidate selection, it fails to question the content of "merit" itself, passing over the many ways in which such criteria systematically privilege certain groups over others, often in arbitrary ways (cf. Young 1990). Thus, although these criticisms are correct in pointing out the possible negative effects of quotas on women's overall status, as well as their capacities as political actors, they do not acknowledge the very limited and specific goals of quotas, or engage in any sustained analysis of the gender dynamics that tend to exclude women more broadly from consideration as political candidates.

That said, a more concrete examination of gender quota policies around the world reveals that these measures often do play a crucial role in altering existing patterns of descriptive and substantive representation. Despite their emphasis on numbers, for example, quota policies in many countries have led to a shift not only in the political agenda but also in the gender consciousness of female representatives and the political engagement of female constituents. More specifically, a growing amount of evidence suggests that the experience of holding political office exerts transformative effects, both on women who firmly believe that

2. Quota provisions vary in the extent to which they suppose a link between descriptive representation, based on sex, and substantive representation, based on gender. I adopt the term "gender quota" here in order to retain consistency with the larger literature, which has tended to use "gender quotas" to refer to "sex quotas." I am thankful to Sarah Childs for drawing my attention to this important point.

they have never been the victims of sex discrimination and on women who have known nothing else but lives as second-class citizens. The first group, which especially includes right-wing women, often quickly find themselves devalued as policymakers. Although some respond by simply towing the party line and “acting like a man,” others react by joining together with other women to pursue policy change (Bonder and Nari 1995; Ross 2002). The second group, which includes a large number of women who serve as proxies for male relatives, generally discover after some time that they have the right to question existing policy priorities and policymaking practices. While some do not dare to take action—or, more ominously, are actively suppressed by members of their families and communities—others assert their claims, as women and as members of other marginalized groups, to bring issues like education, health, domestic violence, child marriage, and child labor to the table for the very first time (Srivastava 2000). In both cases, the increased presence of women in public office is frequently accompanied by a change in the political involvement of female constituents, who contact female representatives regarding general policy concerns, as well as issues in their marital and domestic lives, that they would never bring to the attention of men (Childs 2004; Kudva 2003).

Similarly, despite fears about their potential to devalue the contributions of all female politicians, quota policies in almost all cases have exposed the biases of prior recruitment practices, raising awareness among both political elites and prospective female candidates on the need to revise existing criteria of candidate selection. Most crucially, quotas shift the responsibility for women’s underrepresentation away from women, who previously had to conform to “male” standards in order to be selected, and toward political elites, who are now required to devise new principles and consider alternative spheres of political recruitment. In this way, quotas disrupt dynamics whereby women are negatively valued as candidates due to their lack of surface similarity with predominantly male elites, rather than their relative absence from high-status positions, which previously made any breakthrough in women’s representation unlikely so long as men formed the majority of political elites (Niven 1998). At the same time, they alleviate, at least to a certain degree, the tendency for women not to stand for political office, even when they deem themselves very qualified to run (Fox and Lawless 2004), by signaling the availability of constituency and list slots to women in particular. Although surveys in many countries continue to find that women become candidates primarily as a result of being asked to run, while men become can-

didates as a result of wanting a political career, many “quota women” nonetheless stay on beyond their initial tenure and pursue longer-term political ambitions (Goetz and Hassim 2003; Squires 2004). While discussions about gender quotas often center around their possible negative implications, therefore, evidence from a range of cases reveals a number of important positive externalities, largely unanticipated at the moment of quota reform.

Quotas as a Global Phenomenon

Normative objections to gender quotas are wide-ranging, yet despite their apparent weight among both supporters and opponents, a growing number of political parties and national legislatures have adopted quota policies in recent years. These measures include reserved seats, which set aside a certain number of seats for women; political party quotas, which aim to increase the proportion of women among party candidates or elected representatives; and legislative quotas, which require parties to nominate a certain percentage of women on their electoral slates.³ In fact, political parties in more than 90 countries today impose some form of gender quota for elections to the national parliament, either as a part of their own party statutes or in response to changes in the constitution or the electoral law. Contrary to conventional expectations about initiatives to increase women’s political representation—most notably, that they are more likely in countries with proportional representation electoral systems where women enjoy a relatively high social and economic status—these measures have appeared in countries in all major world regions with a broad range of institutional, social, economic, and cultural characteristics. Although they have not resulted in uniform jumps in the percentage of women in parliaments worldwide—as some countries have experienced dramatic increases following the adoption of new quota regulations, whereas others have seen more modest changes or even setbacks in the number of women elected—these variations themselves again do not map in any straightforward manner onto particular electoral systems or specific social, economic, or cultural features. Indeed, quotas are present even in countries where widespread religious beliefs dictate that women should not participate in political life (Krook 2005).

These patterns suggest that political actions, separate from any social and economic “prerequisites,” explain the rapid spread and differential

3. For details on policies in individual countries, see (<http://www.quotaproject.org>).

impact of gender quotas around the world. The adoption of the overwhelming majority of these policies over the last 10 years, further, provides strong indication of a shift in international norms since the United Nations Fourth World Conference on Women in Beijing in 1995, which outlined a series of concrete proposals to ensure women's equal access to and full participation in power structures and decision making. Immediately before and after this conference, numerous international and regional organizations issued similar recommendations embracing quotas for women, including the Inter-Parliamentary Union, the Socialist International, the Council of Europe, the European Union, the Organization for Security and Cooperation in Europe, the Commonwealth, the African Union, the Southern African Development Community, and the Organization of American States. As a consequence, while earlier quota campaigns were largely embedded in domestic debates between civil society and elite actors, recent quota campaigns more actively reference international commitments and experiences in neighboring countries to press for domestic quota reforms (Krook 2004). In light of the many normative objections to gender quotas, however, these policies remain nonetheless the subject of intense political contestation in countries on both the "incremental track" and the "fast track" to increased female representation (Dahlerup and Freidenvall 2005).

Quotas and U.S. Exceptionalism

Gender quotas have diffused rapidly around the world in recent years, but one of the few countries where these debates have found no echoes at all is the United States. At first glance, this pattern is perplexing, given that both major parties have long applied gender quotas for internal party positions, first for party committees and then for party conventions (Baer 2003). Further, many states have redrawn electoral districts in an attempt to maximize the representation of ethnic minorities, most notably African Americans and Latinos. Three broad features of the American political landscape, however, help shed light on the reasons quotas for women in elected politics have simply not entered the realm of public discussion.

First, a recent study finds that a large proportion of people in the United States not only misestimate but also overestimate the percentage of women in Congress, and generally those who underestimate this figure support the goal of increasing women's representation. As female respondents are more likely than male respondents to overestimate the number of women in Congress, they are less likely to express support for mea-

asures to bring more women into political office, even though women are more favorable than men in general with regard to this goal (Sanbonmatsu 2003). Because most case studies observe that efforts to nominate more female candidates never occur without the prior mobilization of women, even when male elites are ultimately responsible for the decision to establish quotas, these results suggest that so long as women have incorrect knowledge of the extent of women's underrepresentation, they are unlikely to initiate gender quota campaigns.

Second, in many countries, opponents argue against quotas on the grounds that they privilege groups over individuals, undermine equality of opportunities, and ignore other more pressing social cleavages. All these arguments are prominent in U.S. debates over affirmative action for minorities and, indeed, have been used with great effect to remove existing provisions for underrepresented groups, particularly in higher education but also in disputes over racial redistricting (Kousser 1999). In an environment where the basic foundations of positive action are slowly eroding, any possibility of instituting quotas for women in politics appears highly doubtful, especially as many opponents are even more skeptical of quotas for women than of quotas for any other underrepresented groups (Wise 1998).

Third, as indicated, most recent quota campaigns have involved some sort of international dimension, with domestic actors drawing on emerging international norms, as well as lessons from other countries, to press for party and legislative quota reforms. Most of these cases, however, are located in the Third World and many are postconflict societies—in other words, countries where international actors have not only been active in pressing for economic liberalization, but have also become more heavily involved in electoral processes over the last 25 years. As a global hegemon, the United States has not been subject to these same international pressures, evident at least in part in the fact that the United States remains one of the few countries in the world that has not yet approved the UN's Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Even more tellingly, the U.S.-led Coalition Provisional Authority (CPA) that assumed temporary leadership in Iraq following the overthrow of Saddam Hussein rejected the idea of gender quotas in favor of more indirect ways of involving women in the political process after women from all over the country presented a list of demands to the CPA calling for a 30% quota for women in local and national elections, the cabinet, and the assembly in charge of drafting the new constitution. Although quotas were eventually adopted in Iraq, despite CPA opposition, this decision came only after further mobilization

by Iraqi women in favor of these measures (Hogan 2004). As U.S. government officials are strongly resistant to imposing gender quotas when they are setting up an entirely new political system abroad, they are even less apt to replace existing political arrangements by promoting quota adoption at home.

If quotas were nonetheless adopted in the United States, despite these various factors, questions still remain as to whether or not they could be effectively implemented. Some scholars point out, for example, the difficulties of applying quotas in first-past-the-post electoral systems, where the existence of single-member constituencies complicates the task of selecting which districts should nominate women (Htun and Jones 2002). This barrier is not absolute, however, as other studies demonstrate that quotas can have a strong impact in countries with majoritarian and mixed electoral systems (MacIvor 2003; Russell, Mackay, and McAllister 2002). A greater obstacle, rather, appears to be the system of primary elections, whereby voters select candidates and thus party control over candidate nomination is relatively weak. Indeed, the difficulties of applying quotas to primary elections is formally acknowledged in the Mexican quota legislation, which exempts parties that hold primaries from fulfilling the quota requirements. Making liberal use of this clause, the three major parties chose nearly half of their candidates this way, generally nominating fewer women across these districts than mandated by the quota law (Baldez 2004). Although these institutional arrangements are likely to frustrate attempts to implement quotas in the United States, the two major parties could take greater steps to promote female candidates by setting targets for state party organizations and encouraging women to run for political office. Presently, initiatives to increase women's representation take place largely outside the realm of the political parties through the fund-raising activities of political action committees and the organization of various types of campaign schools for prospective female candidates. Measures taken by the political parties, however, are likely to be restricted and to have limited effect, given not only the normative barriers to quota adoption but also the institutional obstacles to quota implementation.

Conclusions

Patterns of quota adoption around the world, juxtaposed against trends in the United States, highlight the pivotal role of politics in opening and closing opportunities for pursuing gender quotas. Although most

research—understandably—focuses on how quotas get onto the political agenda, very little work to date has examined how quotas exit or never even reach this agenda. These questions not only are relevant to countries where efforts to institute quota policies have failed, but also shed important light on the broader challenges that quotas pose to existing political systems, as well as on the multiple and even misleading parts played by the “international” in quota campaigns. First, an increasing number of countries are now repealing quota measures on the grounds that they are unconstitutional or illegal. In most cases, courts justify these decisions by referring to existing principles of equality and representation, revealing the deep normative institutional barriers to “gendering” existing criteria of candidate selection. Second, numerous quota campaigns simply do not get off the ground because actors are not aware that quotas are supported by international commitments and have now been debated in more than a hundred countries worldwide. While this lack of awareness may lead scholars to miss the broader global and regional connections between various quota campaigns, causing them to misinterpret the origins of these policies, it enables opponents to argue convincingly that quotas do not constitute international “best practice” for elections (cf. Pires 2002). Navigating these setbacks and misconceptions will be crucial for future quota campaigns, as evidence from around the world does not support a view of “natural” change in patterns of political representation. Rather, it indicates that gender quotas appear to be the only way forward if legislatures and political parties are serious about bringing more women into political office.

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Are Quotas a Good Idea? The Indian Experience with Reserved Seats for Women

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The most important feature of a quota system is that it ensures representation of the target group in a much more definitive manner than does any other method. Quotas are a form of compensation for historical injustice suffered by identifiable groups and represent evidence of society's commitment to redress that injustice. Quotas offer greater legitimacy to a political system by ensuring greater representation and by integrating marginalized groups into the mainstream. Utilitarian justifications of quotas focus on the advantages of greater representation of all sections of society as a means of facilitating their contribution to the society. Quotas indicate that underrepresentation of marginal groups is not a statement of the groups' poor performance but of the system's poor performance at creating a level playing field.

The Quota Project Website of the International Institute for Democracy and Electoral Assistance (IDEA) shows that quotas are more successful in a system of proportional representation with party lists than in first-past-the-post systems.¹ Some pseudo-democracies have also adopted women's quotas as a means of gaining legitimacy. For example, Pakistan's National Assembly has 60 women, who constitute 21.3% of the total. Although the parliament does not have any real powers under the military ruler General Pervez Musharraf, a parliament with a sizable presence of women is preferable to a parliament without women. The use of quotas in a parliament with little power or legitimacy may appear to lack utility, but gender quotas in such systems can nonetheless serve to prepare women for future political roles, simultaneously signaling that politics is a legitimate field for women's participation.

The most significant problem with legislated quotas is that they can be introduced or withdrawn at the will of the state. Bangladesh presents a classic case where the number of women had declined from 30 to 6 for the simple reason that the provision of quotas was not renewed. With the Constitutional Amendment in 2004 renewing this provision,

1. IDEA maintains the Quota Project, an electronic database that contains extensive information about gender quotas and reserved seats worldwide (www.quotaproject.org).