

Quotas in Parliamentary Elections

Introduction

Quotas of various kinds are used around the world to improve the representation of women in legislative bodies. Some countries also use quotas to address other under-representation, most notably of racial groups.

There are three basic types of quota:

- **Constitutional** - in which the requirement for there to be a certain percentage of women in the legislature is part of the constitutional arrangements.
- **Electoral** - in which the electoral laws of the country require quotas to be implemented.
- **Party** - in which some or all of the political parties in the country voluntarily apply some form of positive action or quota requirements. This is the type of quota system currently in use in the UK, and has the drawback of leaving the burden of creating actual improvements on the shoulders of a small number of parties.

In the analysis which follows, the principal sources are statistics maintained and published by the International Parliamentary Union and the Quota Project website run by the International IDEA and the University of Stockholm at www.quotaproject.org

Use and Effects of Quotas

Internationally, a variety of different approaches has been taken, but a common feature is the use of quota or other systems to ensure the election of women in those countries with (relatively) high levels of women MPs.

Of the 32 countries¹ in which women's representation in the national parliament was at or over 30% in November 2012, the majority employ quota systems in one form or another.

¹ Rwanda, Andorra, Cuba, Sweden, Seychelles, Senegal, Finland, South Africa, Nicaragua, Iceland, Norway, Mozambique, Denmark, Netherlands, Costa Rica, Timor-Leste, Belgium, Argentina, Mexico, Spain, Tanzania, Uganda, Nepal, Germany, Serbia, Ecuador, New Zealand, Slovenia, Algeria, Guyana, FYR Macedonia and Burundi. Source: International Parliamentary Union

In all, 98 out of 189 countries employ one or more of the various forms of quota available (see Table 1 below). Some use more than one, and several use different types of quota for different kinds of election. The ways in which quotas are set, implemented and enforced varies greatly, with each country setting up whatever system will suit its requirements best. Overall, the number of countries introducing quota systems of one kind or another is slowly increasing, although in some cases new quota systems in one country are balanced by the abolition of quotas in another.

The Nordic countries Sweden (45%), Denmark (39%), Norway (40%) and Iceland (40%), together with Finland on 42.5% are the most obviously successful and comparable group of countries. They have stable political systems and their democratic and party structures are not dissimilar to the UK's.

Of these countries, Sweden, Norway and Iceland all use party quotas - in Norway most of the parties have a 40% quota, in Sweden the centre left parties have a 50% quota, whilst the centre right parties used quotas in the 1970s, '80s and '90s, but do not use them now. In Iceland the three centre left parties (which between them have about half of MPs) all use quotas.

In Denmark, on the other hand, quotas were used until 1996, when they were abandoned. In 1997 33% of Danish MPs were women, in 2001 the figure had risen to 37.4% and it currently stands at 39%.

The distinguishing feature of all the Nordic countries is that they have been working on women's representation for decades, meaning that even where progress has been slow it has been steady, and that even where quotas have been used and abandoned, there has not been an immediate reverse.

Finland has no quota system for parliament or for local councils, but the Act of Equality of 2000 requires all public committees, and all municipal bodies (other than councils) to have a minimum of 40% of both men and women. It is worth noting here that Finland's very high standing in the world's ranking is historical - in 1906, 12 years before British women were granted even a limited parliamentary franchise, 16 Finnish women MPs were elected.

In the remaining European countries with 30% or more women MPs:

- the centre left parties in the Netherlands (39%) operate quotas; as a result the level of women's representation is subject to fluctuation as the fortunes of the parties fluctuate. in 2010, prior to the rightward shift in the most recent election, 41% of Dutch MPs were female.
- Spain (36%) has both electoral law (the Equality Law of 2007 introduced the 'principle of balanced presence' into electoral law, and party lists which do not comply with its requirements are ruled out by the Electoral Commission)
- Belgium (38%) has an electoral law (2002) which requires party lists to be composed of equal numbers of women and men, with places not so filled left vacant
- Both of the main parties in Germany (33%) operate quota systems.

Constitutional quotas are not generally found in Europe, and are more likely to be in operation in countries which have recently-written constitutions, or where the severity of the problem is agreed to warrant such a step.

There are currently 18 countries using constitutional quotas (up from 15 in 2009), 52 using electoral law quotas (up from 44 in 2009), and 102 political parties in 50 countries (including the UK) using voluntary party quotas.

In many cases, quotas are used in conjunction with proportional representation in one form or another, and, indeed, first-past-the-post is probably the most difficult electoral system to make work with quotas. In addition, the most effective sanctions for parties which break compulsory quotas are generally financial; in France, Belgium and Spain, for instance, the penalty for non-compliance is the loss of some element of state funding, and in Ireland the requirement for quotas was actually included in the Electoral (Amendment) (Political Funding) Act 2012. The disinclination in the UK to introduce state funding of political parties therefore also militates against effective legally binding quotas.

It is clear from even this very brief overview that quotas are not a panacea for the ills of under-representation, but on the other hand it is a fact that, of the 32 countries in which

30% or more MPs are women, 26 use quotas of one kind or another, whilst of the 52 countries where women constitute 10% or under of MPs only 10 use quotas². Moreover, in some of these 10 the quota is very low (e.g. Jordan, where it is 6 seats or 5%); in others the sanctions are either weak or non-existent; and in others still only very small parties, or parties with no MPs have quota systems.

Table 1 - Quota systems in use as at November 2012.

The list includes only those countries currently using a quota system, and not those such as India where legislation has not passed all the necessary stages for it to come into effect.

Country	Constitutional	Electoral Law	Party
Afghanistan	y	y	
Albania		y	
Algeria			y
Angola		y	
Argentina	y	y	y
Armenia		y	
Australia			y
Austria			y
Bangladesh	y		
Belgium		y	
Bolivia		y	y
Bosnia Herzegovina		y	
Botswana			y
Brazil		y	
Burkina Faso		y	
Burundi	y	y	
Cameroon			y
Canada			y
Chile			y
China		y	
Colombia		y	

² Cyprus, Mali, Hungary, and Malta use voluntary party systems, Jordan, Brazil, Panama and Egypt have very weak quota provisions in electoral law (e.g., in Panama the quotas apply to primaries, not candidates) and constitutional quotas passed in Kenya and Haiti in 2010 and 2011 respectively will not affect levels of representation until 2012 (Kenya) and 2015 (Haiti)

Country	Constitutional	Electoral Law	Party
Costa Rica		y	y
Cote d'Ivoire			y
Croatia			y
Cyprus			y
Czech Republic			y
Djibouti		y	
Dominican Republic		y	
East Timor		y	
Ecuador	y	y	
Egypt		y	
El Salvador			y
Eritrea		y	
France	y	y	y
Germany			y
Greece			y
Guatemala			y
Guyana		y	
Haiti	y		
Honduras		y	
Hungary			y
Iceland			y
Indonesia		y	
Iraq	y	y	
Ireland		y	
Israel			y
Italy			y
Jordan		y	
Kenya	y		y
Korea (DPR)		y	
Korea (Republic)		y	y
Kyrgyzstan		y	
Libya		y	
Lithuania			y
Luxembourg			y
Macedonia		y	

Country	Constitutional	Electoral Law	Party
Mali			y
Malta			y
Mauritania		y	
Mexico		y	y
Mongolia		y	
Morocco			y
Mozambique			y
Namibia			y
Nepal	y	y	
Netherlands			y
Nicaragua			y
Niger		y	y
Norway			y
Pakistan	y		
Panama		y	
Paraguay		y	y
Peru		y	
Philippines			y
Poland		y	
Portugal		y	
Romania			y
Rwanda	y		
Senegal		y	
Serbia	y	y	
Sierra Leone	y		
Slovakia			y
Slovenia		y	y
Somalia	y		
South Africa			y
Spain		y	y
South Sudan	y		
Sudan		y	
Sweden			y
Switzerland			y
Tanzania	y	y	

Country	Constitutional	Electoral Law	Party
Thailand			y
Tunisia		y	
Uganda	y	y	
United Kingdom			y
Uruguay			y
Uzbekistan		y	
Zimbabwe			y