



Increasing Women’s Representation in Iraq:

What strategies would work best?

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Prepared for the NED

THE CHOICE OF POLICY OPTIONS 2

1. The choice of an electoral system..... 2

2. The choice of equal opportunity policies..... 3

3. The choice of positive action policies 4

SUMMARY AND RECOMMENDATIONS 6

Appendix A: Case studies of legal policies..... 8

Appendix B: Case studies of voluntary gender quotas..... 12

Appendix C: Excerpts from Pakistan’s Conduct of General Elections Order, 2002..... 15

Appendix D: Afghanistan Constitution, January 2004 17

Table 1: Women’s representation by type of electoral system, 2000..... 18

Table 2: Reserved seats for women used in the lower house of parliaments worldwide, 2000 19

Table 3: Statutory gender quotas in use worldwide 20

Table 4: Voluntary gender quotas in party rules, used in EU-15 1996-2000..... 21

Figure 1: Gender equality strategies 23

Recent decades have witnessed growing demands in many countries for the inclusion and empowerment of women in elected and appointed office. Initiatives designed to achieve this objective have been implemented in a wide range of countries around the world, such as in Morocco, Jordan, Afghanistan, Pakistan, Bahrain, India, South Africa, Bangladesh, Tanzania, and Indonesia. Any under-representation of women's leadership roles in the new Iraq may have important consequences for the public policy agenda, for the articulation of women's interests, for good governance, as well as for the democratic legitimacy of legislative bodies and executive agencies.

This briefing document summarizes some of the main policy options used for securing women's inclusion in all Iraqi governing bodies. These strategies can be adopted for election or appointment to the Governorate Election Caucus, the Transitional National Authority, the national legislature, any regional or local bodies, and other public offices, such as commissions. The report illustrates the main options through selected case studies and compares their pros and cons. The inclusion of women's leadership in the new Iraq represents a critical opportunity. If missed, this could set back good governance and democracy in the country, and women's rights, for decades to come. The most effective policy options to include women leaders are:

For elected or appointed office:

- (i) Use of *reserved seats* for women.

For elected office:

- (ii) Use of a *proportional representation electoral system* (or a *mixed* electoral system).
- (iii) Use of *legal gender quotas for all candidate standing for election*; or
- (iv) Use of *voluntary gender quotas*, implemented by party rules, procedures, or constitutions within particular parties and political groups that nominate candidates for election.

The choice of policy options

The most common policy options designed to generate gender equality in elected and appointed office (illustrated in Figure 1) fall into three main categories: the choice of an electoral system, equal opportunities policies, and positive action strategies. These options can be used separately or combined together.

1. The choice of an electoral system

Research consistently shows that more women are elected to parliament under party list proportional representation (PR) than under majoritarian electoral systems. Within proportional electoral systems, women are more likely to be elected when there are larger multi-member constituencies. Table 1 demonstrates these patterns by comparing election results worldwide. *Women proved almost twice as likely to be elected under proportional as under majoritarian electoral systems.* Women were on average 8.5 percent of MPs in majoritarian systems, 11.3 percent in combined systems, and 15.4 percent of members in PR systems.

Considerable variations were also clear within each major electoral type, however, due to many intervening

conditions, including the size of constituency (the number of candidates elected per constituency), the degree to which candidates are selected in strict proportion to votes for party lists, any ranking procedures within party lists to ensure that woman candidates are not just in unwinnable positions at the bottom of the list, the use of legal and voluntary gender quotas, and the type of party organization. By itself, the basic type of electoral system does not *guarantee* women's representation, but even in poor countries with traditional attitudes towards women, proportional electoral systems can successfully increase women's participation in legislative office.

[Table 1 about here]

Under proportional systems, each party presents the voters with a list of candidates in each multimember constituency. Women and men need to be distributed throughout the ranked list, (for example with women in every 2nd, 3rd, 4th, or 5th place, known as the 'zippering' principle), in order to stand a fair chance of being elected. To increase votes for the list, parties have an incentive to include candidates representing all major social sectors of the electorate. Excluding any major social group, including women, could signal discrimination, and any group that feels excluded would not vote for that party. By contrast in majoritarian electoral systems (called "first past the post," by analogy with a race), each party nominates one parliamentary candidate in each constituency, and the candidate with the most votes wins. Where the selection of candidates is in the hands of the local constituency party organization, this creates few incentives for each constituency to pick a ticket that is 'balanced' among different groups at the district or national level. Local party members often want a representative who will maximize their chances of winning in that constituency, irrespective of the broader consequences for the party or parliament.

Party list PR also facilitates the use of positive action designed to boost women's representation; such as legal or voluntary gender quotas used in candidate selection procedures. Positive action strategies can also be used under majoritarian electoral systems, as in Britain, but they are often harder to implement. For all these reasons, PR systems are likely to include women representatives than majoritarian electoral systems. These qualities are also present in mixed electoral systems that combine both PR and majoritarian seats, as in Germany, Hungary, and New Zealand.

2. The choice of equal opportunity policies

Equal opportunity policies for elected office are designed to "level the playing field" and thereby achieve gender balance. These apply both to equal opportunities in society in general and also specifically to the process of election or appointment to legislative office. The main policy options include:

- **Policies ensuring that women and men have equal legal rights as citizens**, including rights to the electoral franchise, to stand for elected office, to free speech, and to participate equally in political parties, organizations and groups, without fear of discrimination.

- **Policies ensuring that women and men have equal opportunities in human development**, including in the spheres of primary, secondary and tertiary education, literacy, training and employment, and in social welfare, reproductive rights, and health care.
- **Policies providing skills-training, advice, support staff, and financial assistance** for women and men party activists, legislative candidates, and elected representatives. Training can be provided for working with the media, election campaigning, public-speaking and debate, crafting legislation and committee-work, as well as policy research and analysis.
- **Programs providing direct financial aid or indirect subsidies** can assist candidates pay for electoral expenses, such as communications with electors; and,
- **Programs providing maternity/paternity leave, crèches and childcare facilities** for members and officers within legislative assemblies and government departments.

The main limitation of these policies is that, even after many decades, they often prove ineffective in achieving gender balance in elected office. For example, in the United States women continue to be significantly under-represented in the U.S. Congress despite having full legal rights as citizens for eighty years, as well as achieving equality in education and rising in the professions and management. In Bahrain, women candidates were legally empowered to stand for legislative elections for the first time under the new constitution adopted in February 2002. In the October 2002 elections, eight women candidates ran for the Chamber of Deputies but none were elected. Policies designed to provide full gender equality before the law and to forbid sex discrimination are extremely important initiatives to ensure human rights. These initiatives certainly can and should be combined with other policies. Yet they often prove insufficient *by themselves* to strengthen women's leadership.

3. The choice of positive action policies

Given the limitations of equal opportunity policies, during recent decades many countries around the world have turned to positive action policies. Positive action policies for legislative office include three main strategies:

- **The use of reserved seats for women for elected or appointed office**, established by electoral law or by the national constitution;
- **The use of legal gender quotas for elected office**, controlling the gender composition of candidate lists for all parties in each country, established by electoral law or by the national constitution; and also,
- **The use of voluntary gender quotas for elected office**, employed within particular parties and political groups to nominate candidates, established by internal party rules, recruitment procedures, or party constitutions.

Successful examples where these strategies have substantially increased women's representation in diverse societies and cultures worldwide range from India to Morocco, South Africa, Pakistan, Jordan, Britain, Belgium, and Argentina. Proponents argue that positive action policies are the most effective strategy for achieving gender balance. Evidence confirms that in many cases women have made rapid gains. Yet again successful implementation depends upon many detailed matters, such as the legal penalties or incentives used to ensure compliance. This policy also remains controversial as critics suggest that it remains unfair to discriminate systematically against men until 50:50 gender balance is achieved. How do these policies work in practice?

Reserved seats in parliament

By electoral law, about a dozen countries worldwide have reserved a certain number of parliamentary seats for women (see Table 2). This strategy has been used for the lower house of the national parliament in Morocco, Jordan, Bangladesh, Pakistan, Botswana, Taiwan, Lesotho, and Tanzania. Reserved seats have also been adopted for the new Afghanistan constitution. At the local level, as well, in India 33 percent of seats on local municipal councils are reserved for women, bringing thousands of women into local office. Reserved seats may work through direct election (for example in Pakistan there are now 60 seats in the National Assembly and 17 in the Senate where only women can run as candidates) or through appointment by the monarch, president, prime minister, or party leader.

This policy guarantees a minimum number of women in elected office, for example six women in the Jordanian parliament entered through the use of reserved seats and in Bahrain six women were appointed to the Consultative Council (the upper house) by the King. Nevertheless, critics suggest reserved legislative position *through appointment alone* may limit the ability of women to exercise independent leadership. Those appointed lack the legitimacy and authority that arises from democratic election. Leaders can use appointments to reinforce control of parliament, especially in countries with limited democratic rights and civil liberties where power is concentrated in the hands of the executive. In Uganda, for example, 53 parliamentary seats out of 292 are reserved for women (18%). These representatives are indirectly elected, along with seats set aside for representatives drawn from the groups such as the army, youth, the disabled, and trade unions, despite a ban on opposition parties standing for election. Moreover, as Table 2 shows, the number of reserved seats varies widely and it is important that more than a mere 'token' number of seats are reserved for women.

Statutory Gender Quotas for Parties and Public Bodies

Statutory gender quotas specify that women must constitute a minimal proportional of parliamentary candidates or of elected representatives within each party or group. These quotas may be enacted by law or by national constitution. Quotas have been used for legislative candidates and for public bodies such as government commissions. *Statutory* gender quotas imposed by the law or constitution apply to all parties and groups within a country. Statutory gender quota laws have been applied to elections in Belgium, France, and

Italy, in many Latin American nations, as well as for appointments to public bodies and consultative committees in Finland and Norway (see Table 3).

The effective implementation of legal gender quotas depends upon multiple detailed factors, including:

- How the statutory mechanisms are put into practice,
- The level of the gender quota specified by law,
- Whether the rules for party lists regulate the rank order of women and men candidates,
- Whether party lists are open or closed, and also
- Any penalties associated with any failure to comply with the law.

These policies usually prove least effective when: the laws are designed as symbolic window-dressing more than as de facto regulations; the regulations specify that a certain proportion of women have to be selected for party lists, but they fail to regulate their rank order so that female candidates are listed at the bottom; or if sanctions for non-compliance are weak or non-existent. Case studies in Appendix A illustrate these contrasts in Bangladesh, Pakistan, Morocco, Jordan, Indonesia, Belgium, France, and Argentina.

Voluntary Gender Quotas in Party Rules

By contrast, *voluntary* gender quotas are implemented by the internal regulations and rulebook within each party. International IDEA's *Global Database of Quotas for Women* estimates that 181 parties in 58 countries use gender quotas for electoral candidates for national parliaments. This practice is common throughout Scandinavia, Western Europe, and Latin America (see Table 4). These policies are also effective; for example in Europe on average about one third (33 percent) of the elected representatives in national parliaments are female in parties using voluntary gender quotas, compared with only 18 percent in parties that do not follow this policy. Appendix B gives examples of their use in Scandinavia, Germany, Britain and in developing nations. This policy is most effective, however, under two conditions: (i) where there are well-established party organizations; and, (ii) where candidates for office are selected through fair, democratic, and transparent procedures according to internal party rules and constitutions. In the case of Iraq, it would be difficult to implement this policy without these conditions being met.

Summary and recommendations

Iraq faces the choice of a range of options designed to facilitate the representation of women in elected and appointed office. Recent initiatives designed to strengthen women's representation have been successfully implemented in many Muslim societies, including Morocco, Pakistan, Indonesia, Tanzania, and Serbia, as well as being introduced into Afghanistan. Through these mechanisms, many substantial gains have been achieved in women's leadership, even in societies with highly-traditional cultural attitudes. The most effective policy options for Iraq are:

For elected or appointed office:

- (v) Use of *reserved seats* for women.

For elected office:

- (vi) Use of a *proportional representation electoral system* (or a *mixed* electoral system).
- (vii) Use of *legal gender quotas for all candidate standing for election*; or
- (viii) Use of *voluntary gender quotas*, implemented by party rules, procedures, or constitutions within particular parties and political groups that nominate candidates for election.

There is no single 'best solution' that works in every country and examples of each of these follow with selected case studies.

Appendix A: Case studies of legal policies**Bangladesh**

Until 2001, a system of reserved seats for women was used, where 30 seats out of 330 were reserved to women (chosen by indirect election by the 300 directly elected MPs). This provision of guaranteeing women reserved seats expired in April 2001. This quota system was first introduced by the 1972 Constitution (originally providing for 15 reserved seats for women, out of 315 seats, for a period of 10 years). In 1978, a presidential proclamation enlarged the number of reserved seats to 30 and extended the period of reservation to 15 years from the date of promulgation of the constitution of the Republic in December 1972. The constitutional provision lapsed in 1987 and was re-incorporated in the constitution by an amendment in 1990 to be effective for 10 years from the first meeting of the legislature next elected. This provision also lapsed in 2001. The parliament elected in October 2001 does not have reserved seats for women.

Under the reserved seat system, the 300 directly contested seats were elected from single-member districts. The Electoral Commission divided the country into 30 constituencies for the election of women to reserved seats. The MPs elected to the 300 directly elected seats voted by constituency for the reserved seats for women.

In the election of 1996, the last held with reserved seats, 7 women won seats in direct elections (including the leaders of the two main political parties, both widows of assassinated former leaders), in addition to the thirty reserved seats. Women's groups are lobbying for reserved seats to be reinstated as directly elected positions and for the number of reserved seats to be increased.

Pakistan (see Appendix C)

In *Pakistan*, under the Conduct of General Elections Order, 2002, seats are reserved for women in both the lower house of the parliament (60 of 342 seats, or 17 percent) and in the provincial assemblies (also 17 percent). Thirty three percent of the seats in lower-level councils (union, tehsil, municipality, and district) are reserved for women. The 1954, 1956, 1962, 1970, 1973, and 1985 constitutions all provided for reserved seats for women at both the Provincial and National Assemblies. The allotment of seats ranged from five to ten percent and was only through indirect elections by the members of the assemblies themselves. In 1954, for example, a 3 percent quota for women in parliament was approved. The 1956 constitution provided for the reservation of 10 seats for a period of 10 years for women, equally divided between East and West Pakistan. Reservations lapsed in 1988 after three general elections (1977, 1985, and 1988) as provided for in the 1985 Constitution.

Women are elected to the reserved seats in the national parliament and provincial assemblies by a system of proportional representation. Each province is considered a district, and seats are distributed to the women candidates proposed by the parties in proportion to the number of seats won by those parties in the generally contested seats, which are elected from single-member districts by the first-past-the-post system.

In the general elections of 2002, 12 women won seats in the national parliament from generally contested

seats, in addition to the 60 reserved seats, making for a total representation of 72 women out of 342 seats, or 21.1 percent.

Afghanistan (see Appendix D)

In Afghanistan, the constitution adopted in January 2004 specifies that the National Assembly should include women members in each house. In particular, for the lower house (the Wolesi Jirga) the constitution specifies that at least one woman should be directly elected from each province. The minimal proportion of women will depend upon the number of provinces used for election, to be determined by the electoral law. In addition, there are reserved seats for the upper house (the Meshrano Jirga). One-third of the members of the Meshrano Jirga will be appointed by the President. Of these 50% will be women. In total, at minimal women will be one-sixth of the Meshrano Jirga.

Morocco

In *Morocco*, of 325 seats elected by a first-past-the post system, 295 seats are filled from national lists and 30 seats from women-only lists. In the 2002 election, five women won from generally contested seats in addition to the 30 reserved seats, making a total of 35 out of 325, or 10.8 percent of seats occupied by women.

Jordan

In *Jordan*, a change in the election law in 2001 reserved 6 of 110 seats in the lower house of the national parliament for women. The king appointed the six women with the highest proportion of votes in their constituencies. These were the only women elected to parliament in the 2003 elections, for a total of 5 percent.

Belgium:

In *Belgium*, the Electoral Act of 24 May 1994 specified that no more than two-thirds of the candidates on any party electoral list may be of the same sex. The minimum representation requirement is thus exactly the same for men and women. It applies to the Chamber of Representatives and the Senate, and also to regional, community, provincial, and municipal councils, as well as elections to the European Parliament. If this requirement is not respected, the list candidacies that would otherwise have been held by women have to be left blank or the whole list is declared invalid.

The Act was first fully enforced in the 1999 European elections that saw the proportion of Belgian women MEPs rise from 18.5 to 23.3%. This was an increase, albeit a modest one, but the powers of incumbency means that it will take many successive elections under the new rules before women become a third or more of Belgian parliamentarians.

France:

In 1999, *France* passed the parity law, a constitutional amendment requiring parties to include 50% representation of women in their party lists for election, with financial penalties attached for failure to do so.

The gender parity law passed in June 2000 specified that for elections to the National Assembly between 48 and 52% of all candidates presented nation-wide by any given political party must be women. If this percentage is higher or lower, the state will cut its financial contribution. The results of the first elections held in March 2001 under the new rules indicate a substantial impact at municipal level, almost doubling the number of women in local office from 25 to 47 percent. Nevertheless in the first elections to the French National Assembly held under the parity rules, in June 2002, the proportion of elected women rose by only 1.4 percent, from 10.9 to 12.3. Only eight more women entered the Assembly, dashing the hopes of the reformers. The main reasons were that the parity law failed to specify the selection of women for particular types of single member seats, so that women nominees could be concentrated in unwinnable constituencies. Moreover the major parties decided to favor incumbents, largely ignored the financial penalty of reduced party funding associated with imbalanced party lists. The sanction is a reduction in the public funding received for each party's campaign on a sliding scale of 5% for a gender difference of 10% on party lists of candidates, 30% for a difference of 60%, and a maximum 50% for a difference of 100%. Hence, an all-male list would still get half the public funding. Despite the parity law, the proportion of women in the Chamber of Deputies means that France is ranked 61st worldwide after reform, compared with 59th before parity was introduced.

Argentina:

During the early 1990s, with the expansion of democracy, the popularity of statutory gender quotas spread rapidly in Latin America. The first and most effective law ('Ley de Cupos) was passed in *Argentina* in 1991, introducing an obligatory quota system for all parties contesting national elections to the Chamber of Deputies - "*lists must have, as a minimum, 30% of women candidates and in proportions with possibilities of being elected. Any list not complying with these requisites shall not be approved.*" Most importantly, the law stipulates that women must be ranked throughout party lists, not consigned to the end where they face no realistic chance of election. Party lists failing to comply with the law are rejected. If a rejected list is not corrected so as to bring it into compliance with the law, the party in question cannot compete in that district's congressional election. The provincial branches of the political parties create the closed party lists from which the Argentine deputies are elected, although at times the national party intervenes to impose a list. Following the implementation of the law, in the 1993 Chamber election, 21.3% (27 of 127) of the deputies elected were women, compared to only 4.6% (6 of 130) in the election of 1991. A decade after passage, the proportion of women in the Chamber of Deputies had risen to 30.7% (79 out of 257), ranking Argentina 9th from the top worldwide in the representation of women. In total eleven Latin American countries have now adopted national laws establishing a minimum percentage for women's participation as candidates in national elections and a twelfth—Colombia—had approved a quota of 30 percent for women in senior positions in the executive branch

. Although their impact has been varied, in these countries a comparison of the elections held immediately before and after passage of these laws suggests that legislative quotas generated on average an eight-

percentage point gain in women's election to congress. Variation in the effectiveness of the quotas can be explained by whether the PR list is open or closed (with the latter most effective), the existence of placement mandates (requiring parties to rank women candidates in high positions on closed party lists), district magnitude (the higher the number of candidates in a district, the more likely quotas are to work), and good faith party compliance.

South Africa

In *South Africa*, the *Municipal Structures Act* states that political parties must ensure that women comprise 50% of candidate lists submitted for election at the local level, and that women and men candidates are evenly distributed throughout each party list. Following the municipal elections in 2000, women were 28.2% of local councilors, with women achieving greatest success in the ANC and in urban areas.

No provisions to ensure the representation of women in the national parliament were included in the 1996 South African constitution although it does protect women's rights, such as to equality, to reproductive freedoms, and to freedom from violence. In this country, women have been very successful in gaining elected office, mainly through the adoption of voluntary gender quotas by the ANC, as discussed further in the next section.

Appendix B: Case studies of voluntary gender quotas**South Africa**

Despite the lack of any constitutional provisions in South Africa, women have been very successful in gaining election to parliament; South Africa is currently ranked seventh in the world (third among developed countries) in terms of the percentage of women in national government.

The main reasons are the adoption of a party list proportional electoral system after the end of apartheid combined with use of positive action strategies within party lists, especially the 30% quota used by the predominant African National Party (ANC). As a result, in April 1994 when South Africa held its first democratic elections following apartheid rule, the resulting government included 117 women, 24 percent of the parliament (109 in the National Assembly, 27 percent, and 8 in the Senate, 9 percent). Five years later, following the 1999 elections, the resulting government included 138 women, 28 percent of the parliament (119 in National Assembly, almost 30 percent, and 19 in the NCOP, 21 percent).

South Africa's success has been based largely on the early involvement of women within the ANC and through the Women's National Coalition, building support for the adoption of gender quotas for elected office, as well as an egalitarian political culture which has recognized the importance of including women in leadership roles.

Indonesia

In *Indonesia*, in the 1999 elections, women were 44 out of 500 elected members of parliament, for a total of 8.8 percent. In addition, only 5% of elected officials at the provincial level are women.

To try to improve the situation, Article 65 of the election law of May 2003 recommends that in the next election, political parties nominate candidates "for each electoral district, giving consideration to representation of women of at least 30%." Many parties have announced that they intend to comply with the recommendation in forthcoming elections, including the PDI-P (Megawati's party), Golkar, the National Awakening Party (PKB), the National Mandate Party (PAN), the Crescent Star Party (PBB) and the Prosperous Justice Party (PKS). Nevertheless, the law is weak because women are still often being ranked at the bottom of party lists and there are no sanctions for failure to comply.

Scandinavia:

The Norwegian Labour Party was the first in Scandinavia to implement a 40% gender quota for all elections in 1983, although this did not specify the location of women candidates within their lists. Other Norwegian parties followed suit, including the Social Left, the Center Party, and the Christian Democrats. This was followed by Denmark where the Social Democratic Party introduced a 50% quota for elections in 1981.

In 1994, the Swedish Social Democratic Party introduced the principle of including a woman as every second name on the list - the 'zipper' or 'zebra' principle used because the rank position of candidates on the party

list is critical to their success in being elected. Under this principle, every second name on the party's nomination list must alternate between women and men. In Sweden, since the general election in 1994, the largest political party, the Social Democrats, and later the Greens and the Christian Democrats, have systematically alternated women and men's names in their lists of the constituency candidates for parliamentary, local, regional, and the EU-Parliament elections.

Germany:

In Western Europe, formal practices vary among countries and parties. In Germany, three of the five major political parties have a 40-50% quota system in their party rules. In 1980, when the Greens turned from a social movement into a political party, they instilled gender balance by including a strict 50 per cent quota combined with a zipper system in their statutes. Except for the top positions in government, the Greens have been more or less able to meet their requirements. In 1988, the Social Democrats followed suit by stipulating in party rules that in all internal party elections at least one third of candidates must be female. From 1994 onwards, 40 per cent of all party positions have to be held by women. For election lists, parliamentary mandates and public office a transition period with lower percentages was agreed. It started with one-quarter in 1988, required one-third in 1994, and reached 40 per cent in 1998. The SPD met the targets within the party but fell slightly short for seats in parliaments and in governments. In 1996 the Christian Democratic Party (CDU) introduced the so-called 'quorum' requiring 30 per cent of female representation in both party functions and election lists, but so far these targets have not being met. After German unification, the Partei des Demokratischen Sozialismus (PDS, former East German Communist party) introduced a strict 50 percent quota in combination with a zipper system. In many elections the PDS has outperformed its own targets. Currently only the Christlich-Soziale Union (CSU, the Bavarian sister party of the CDU) and the Liberals (Freie Demokratische Partei, FDP) refuse to introduce voluntary gender quotas.

Britain:

In Britain, the Labour Party first agreed the principle of quotas to promote women's representation in internal party positions in the late 1980s. A minimalist measure was used for candidate selection for the House of Commons, so that if a local branch nominated a woman, at least one woman should be included on the constituency shortlist. In 1993, it was decided that measures that are more radical were necessary. Consequently the Labour party's annual conference agreed that in half the seats where Labour MPs were retiring, and in half the party's key target marginal seats, local party members would be required to select their parliamentary candidate from an all-women shortlist. Other seats would be open to both women and men. Although this policy was subsequently dropped under legal challenge, it still proved highly effective, doubling the number of women in the UK House of Commons from 1992-1997. Despite abandoning the original policy, most of these gains were retained in the subsequent May 2001 general election.

For the first elections to the new Scottish Parliament, Welsh Assembly, and Great London Assembly, Labour adopted a 'twinning' policy. The system 'twinned' neighboring seats, taking into account their 'winnability',

so that each pair would select one man and one woman. This opportunity was uniquely available, given that there were no incumbent members. Under this system, local party selectors in the two constituencies would come together to pick candidates, and each would have two votes - one for a woman and one for a man.

Appendix C: Excerpts from Pakistan's Conduct of General Elections Order, 2002**Number of Seats in National Assembly.**

(1) There shall be three hundred and forty-two seats of the members in the National Assembly, including seats reserved for women and non-Muslims.

(2) The seats in the National Assembly referred to in clause (1), except as provided in clause (3), are allocated to each Province, the Federally Administered Tribal Areas and the Federal Capital as under:—

	General Seats	Women	Total
Baluchistan	14	3	17
Federally Administered Tribal Areas	12	—	12
Federal Capital	2	—	2
The North-West Frontier Province	35	8	43
Punjab	148	35	183
Sindh	61	14	75
Total :	272	60	332

(3) In addition to the number of seats referred to in clause (2), there shall be in the National Assembly ten seats reserved for non-Muslims as defined in Article 260 of the Constitution.

(4) For the purpose of election to the National Assembly,—

(a) the constituencies for the election on general seats shall be single member territorial constituencies; (b) the members to fill the general seats in the National Assembly shall be elected by direct and free vote;

(c) each Province shall be a single constituency for all seats reserved for women which are allocated to the respective Provinces under clause (2);

(d) the constituency for all seats reserved for non-Muslims shall be the whole country;

(e) the members to fill seats reserved for women which are allocated to a Province under clause (2) shall be elected through proportional representation system of political parties' lists of candidates specified in Article 8F on the basis of total number of general seats won by each political party in the National Assembly;

(f) the members to fill seats reserved for non-Muslims under clause (3) shall be elected through proportional representation system of political parties' lists of candidates specified in Article 8F on the basis of total number of general seats won by each political party in the National Assembly; and

(g) a political party securing less than five per centum of the total number of general seats in the National Assembly shall not be entitled to any seat reserved for women or non-Muslims.]

¹[6. **Number of seats in the Provincial Assemblies.**—

(1) Each Provincial Assembly shall consist of general seats and seats reserved for women and non-Muslims as herein below specified:—

	General seats	Women	Non-Muslims	Total
Baluchistan	51	11	3	65
North-West Frontier Province	99	22	3	124
The Punjab	297	66	8	371
Sind	130	29	9	168
Total :	577	128	23	728

(2) For the purpose of election to a Provincial Assembly,—

- (a) the constituencies for the general seats shall be single member territorial constituencies;
- (b) members to fill the general seats shall be elected by direct and free vote;
- (c) each Province shall be a single constituency for all seats reserved for women and non-Muslims which are allocated to the respective Provinces under clause (1);
- (d) the members to fill seats reserved for women and non-Muslims allocated to a Province under clause (1) shall be elected through proportional representation system of political parties' lists of candidates specified in Article 8F on the basis of total number of general seats won by each political party in the Provincial Assembly; and
- (e) a political party securing less than five per centum of the total number of general seats in the Provincial Assembly shall not be entitled to any seat reserved for women or non-Muslims.]

8F. Party lists for reserved seats, etc.—

(1) For the purpose of election to seats reserved for women and non-Muslims in the National Assembly and Provincial Assemblies, the political parties contesting election for such seats shall within the period fixed by the Election Commission for submission of nomination papers, file separate lists of their candidates in order of priority for seats reserved for women and non-Muslims with the Chief Election Commissioner or, as he may direct, with the Provincial Election Commissioner, who shall forthwith cause such lists to be published for information of the public at large.

(2) The parties' lists referred to in clause (1) may contain as many names of additional candidates as a political party may deem necessary for contesting seats reserved for women and non-Muslims to provide for any disqualification of candidates during scrutiny of nomination papers or for filling of any vacant seat during the terms of National Assembly and Provincial Assemblies, as the case may be.

(3) Where a seat reserved for women or non-Muslims in the National Assembly or a Provincial Assembly falls vacant for death, resignation or disqualification of a member, it shall be filled in by the next person in order of precedent from the party's list of the candidate submitted to the Election Commission under clause (1).

(4) Every candidate contesting election on a seat reserved for women or non-Muslims shall, alongwith the nomination papers and other relevant documents, submit to the Returning Officer appointed by the Election Commission in this behalf—

- (a) a copy of the party list of the candidate's political party for such seats;
- (b) declarations and statements as required by law or rules in support of the nomination; and
- (c) the fee required under any law for the time being in force for filing nomination papers.

Appendix D: Afghanistan Constitution, January 2004

The National Assembly consists of two houses: Wolesi Jirga (the House of People) and Meshrano Jirga (House of Elders).

Article Eighty-three Ch. 5, Art. 3

Members of the Wolesi Jirga are elected by the people through free, general, secret, and direct elections.

The number of members of the Wolesi Jirga, proportionate to the population of each region, shall be between two hundred and twenty, and two hundred and fifty.

Electoral constituency and other related issues shall be determined by election laws.

In the election law, measures should be adopted for so the election system shall provide general and just representation for all the people of the country, and *at least one female delegate should be elected from each province.*

Article Eighty-four Ch. 5, Art. 4

Members of the Meshrano Jirga are elected and appointed as follows:

- 1- From among the members of each provincial council, the respective council elects one person for a period of four years.
- 2- From among the district councils of each province, the respective councils elect one person for a period of three years.
- 3- The President from among experts and experienced personalities appoints the remaining one-third of the members for a period of five years. *The president appoints 50% of these people from among women.*

Table 1: Women's representation by type of electoral system, 2000

	% Of women in the lower house of parliament, 2000	Number of nations
All Majoritarian	8.5	91
Alternative Vote	11.2	2
Block vote	7.1	9
2 nd Ballot	9.6	24
First-Past-The-Post	8.5	54
All Combined	11.3	29
Combined Independent	8.7	21
Combined Dependent	18.0	8
ALL Proportional	15.4	64
Single Transferable Vote	10.6	2
Party List	15.6	62
TOTAL	11.7	182

Note: The percentage of women in the lower house of national parliaments 2000, 182 nations worldwide.

Source: Calculated from Inter-Parliamentary Union. 2000. *Women in Parliament Database.*
<www.ipu.org>

Table 2: Reserved seats for women used in the lower house of parliaments worldwide, 2000

	Election	Total number of MPs in the lower house	Number of seats reserved for women	% Of seats reserved for women	Appointed or elected
Uganda	2001	292	56	19.1	Indirectly elected
Pakistan	2002	357	60	16.8	Elected
Tanzania	2000	295	48	16.2	Appointed
Zimbabwe	2000	274	37	13.5	Appointed
Djibouti	2003	65	7	10.7	Elected
Bangladesh	2001	300	30	10.0	Appointed
Sudan	2000	360	35	9.7	Elected
Morocco	2002	325	30	9.2	Elected
Botswana	1999	44	2	4.5	Appointed
Jordan	2003	120	6	5.5	Appointed
Lesotho	1998	80	3	3.8	Appointed
Taiwan	1996	334	Varies	Varies	Elected

Note: *Reserved seats* in the lower house of the national parliament are defined as those that by law can only be filled by women, either by appointment or election. It should also be noted that in Nepal three seats are reserved for women in the upper house, according to the 1990 constitution. The new Afghanistan constitution has also now adopted the principle of reserved seats.

Sources: The Electoral Institute of Southern Africa (EISA) www.eisa.org.za; *Elections Around the World*. www.electionworld.org; International IDEA www.IDEA.int.

Table 3: Statutory gender quotas in use worldwide

Country	Date of Law	Gender Quota %	Legislative Body	Electoral system	List open or closed	% Women MPs before law (i)	% Women MPs after law (ii)	Change (i)-(ii)
France	1999	50	Lower House	Majoritarian	-	11	12	+1
Costa Rica	1997	40	Unicameral	Proportional	Closed	14	19	+5
Belgium	1994	33	Lower House	Proportional	Open	18	23	+5
Bosnia & Herzegovina	2001	33	Lower House	Proportional	Open		14.3	
Argentina	1991	30	Lower House	Proportional	Closed	6	27	+21
Peru	1997	30	Unicameral	Proportional	Open	11	18	+7
Venezuela	1998	30	Lower House	Combined	Closed	6	13	+7
Panama	1997	30	Unicameral	Combined	Closed	8	10	+2
Venezuela	1998	30	Senate	Combined	Closed	8	9	+2
Bolivia	1997	30	Lower House	Combined	Closed	11	12	+1
Mexico	1996	30	Senate	Combined	Closed	15	16	+1
Bolivia	1997	30	Senate	Combined	Closed	4	4	0
Brazil	1997	30	Lower House	Proportional	Open	7	6	-1
Mexico	1996	30	Lower House	Combined	Closed	17	16	-1
Indonesia	2003	30	Lower House	Proportional	Open	9	N/a	N/a
Macedonia	2001	30	Lower House	Combined	Closed		17.5	
Serbia	2002	30	Lower House	Proportional	Open	7.5	N/a	N/a
Dominican Rep	1997	25	Lower House	Proportional	Closed	12	16	+4
Ecuador	1997	20	Unicameral	Combined	Open	4	15	+11
Paraguay	1996	20	Senate	Proportional	Closed	11	18	+7
Paraguay	1996	20	Lower House	Proportional	Closed	3	3	0
Korea, North	-	20	Lower House	Majoritarian	-		20.1	
Philippines	1995	20	Lower House	Combined	Closed		17.8	
Armenia	1999	5	Lower House	Combined	Closed		3.1	
Nepal	1990	5	Lower House	Majoritarian	-		5.9	
Average		30				10	14	+4

Note: *Legal gender quotas* for the lower house of national parliaments are defined as laws which specify that each party must include a minimum proportion of women on party lists of candidates. Change is estimated based on the percentage of women MPs in the parliamentary election held immediately before and after implementation of the gender quota law. **Sources:** Mala Htun. 2001. 'Electoral rules, parties, and the election of women in Latin America.' Paper for the *annual meeting of the American Political Science Association*, San Francisco August 30 2001; Mala Htun and Mark Jones. 2002. 'Engendering the Right to Participate in Decision-making: Electoral Quotas and Women's Leadership in Latin America.' In *Gender and the Politics of Rights and Democracy in Latin America*, Eds. Nikki Craske and Maxine Molyneux. London: Palgrave; International IDEA *Global Database of Quotas for Women* www.idea.int.

Table 4: Voluntary gender quotas in party rules, used in EU-15 1996-2000

	Party	Country	Election year	Total number of party MPs	% Women	<i>Gender quota</i>
1.	VIHR	Finland	1999	11	81.8	✓
2.	PDS	Germany	1998	36	58.3	✓
3.	B90/Grüne	Germany	1998	47	57.4	✓
4.	Centerpartiet	Sweden	1998	18	55.6	X
5.	GroenLinks	Netherlands	1998	11	54.5	✓
6.	Miljöpartiet de Grona	Sweden	1998	16	50.0	✓
7.	Social Democrats	Sweden	1998	131	49.6	✓
8.	PvdA	Netherlands	1998	45	48.9	✓
9.	Ecolo	Belgium	1999	11	45.5	✓
10.	SDP	Finland	1999	51	43.1	✓
11.	D'66	Netherlands	1998	14	42.9	X
12.	Vänsterpartiet	Sweden	1998	43	41.9	✓
13.	Christian Democrats	Sweden	1998	42	40.5	✓
14.	SKL	Finland	1999	10	40.0	✓
15.	Socialstick Folkeparti	Denmark	1998	13	38.5	X
16.	Venstre Liberale Parti	Denmark	1998	42	38.1	X
17.	KOK	Finland	1999	46	37.0	✓
18.	Social Democrats	Denmark	1998	63	36.5	X
19.	SPÖ	Austria	1999	65	35.5	✓
20.	Folkpartiet Liberelna	Sweden	1998	17	35.3	✓
21.	Social Democrats	Germany	1998	298	35.2	✓
22.	IU	Spain	1996	21	33.3	✓
23.	KF	Denmark	1998	16	31.3	X
24.	Christian Democrats	Netherlands	1998	29	31.0	✓
25.	Dansk Folkeparti	Denmark	1998	13	30.8	X
26.	Moderata Samlings	Sweden	1998	82	30.5	X
27.	VAS	Finland	1999	20	30.0	✓
28.	PCP	Portugal	1999	17	29.4	X
29.	ÖVP	Austria	1999	52	28.4	✓
30.	PSOE	Spain	1996	141	27.7	✓
31.	KESK	Finland	1999	48	27.1	X
32.	VVD	Netherlands	1998	39	25.6	✓
33.	SFP/RKP	Finland	1999	12	25.0	✓
34.	Rifond. Comunista	Italy	1996	32	25.0	✓
35.	C.I.U	Spain	1996	16	25.0	?
36.	Labour	UK	1997	418	24.2	✓
37.	POSL/LSAP	Luxembourg	1999	13	23.1	✓
38.	PRL - FDF	Belgium	1999	18	22.2	X
39.	FDP	Germany	1998	43	20.9	X
40.	Party Socialist	Portugal	1999	115	20.0	✓
41.	PD	Luxembourg	1999	15	20.0	X
42.	CDU	Germany	1998	200	19.5	✓
43.	PDS	Italy	1996	156	19.2	X
44.	CVP	Belgium	1999	22	18.2	✓
45.	K.K.E	Greece	2000	11	18.2	?
46.	VLD	Belgium	1999	23	17.4	X

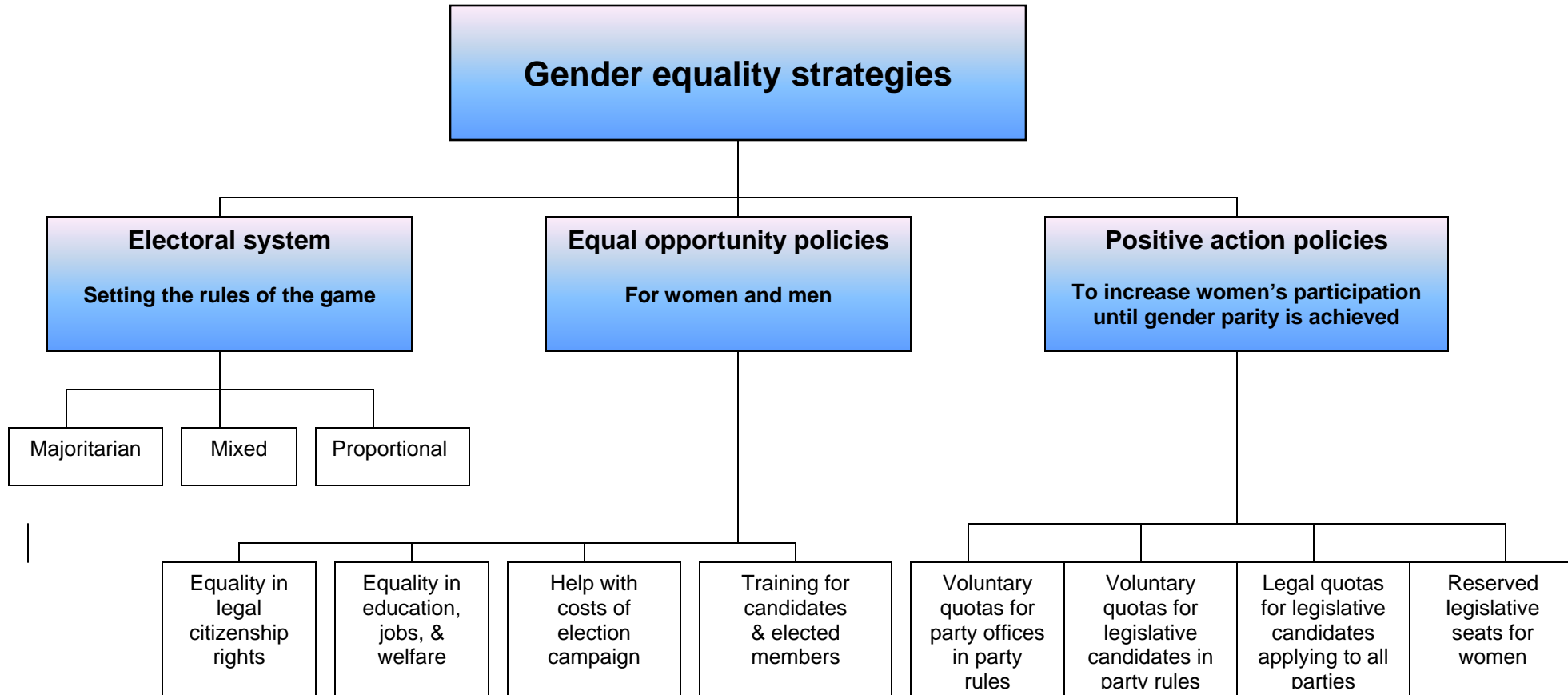
	Party	Country	Election year	Total number of party MPs	% Women	<i>Gender quota</i>
47.	FPÖ	Austria	1999	52	17.3	X
48.	Partie Socialiste	France	1997	251	16.7	✓
49.	PCS/CSV	Luxembourg	1999	19	15.8	✓
50.	Popular Party	Spain	1996	156	14.1	?
51.	PSD	Portugal	1999	81	13.6	X
52.	CSU	Germany	1998	45	13.3	X
53.	Labour	Ireland	1997	17	11.8	✓
54.	PCF	France	1997	36	11.1	✓
55.	Fianna Gael	Ireland	1997	54	11.1	?
56.	PASOK	Greece	2000	158	10.8	✓
57.	Party Socialist	Belgium	1999	19	10.5	X
58.	Fianna Fáil	Ireland	1997	77	10.4	?
59.	Lega Nord	Italy	1996	59	10.2	X
60.	PSC	Belgium	1999	10	10.0	X
61.	Verdi (Greens)	Italy	1996	21	9.5	X
62.	Forza Italia	Italy	1996	123	8.1	X
63.	New Democrats	Greece	2000	125	8.0	✓
64.	Conservative	UK	1997	165	7.9	X
65.	P-S-P-U-P	Italy	1996	67	7.5	X
66.	CDS-PP	Portugal	1999	15	6.7	?
67.	Vlaams Blok	Belgium	1999	15	6.7	X
68.	Liberal Democrat	UK	1997	45	6.5	X
69.	RCV	France	1997	33	6.1	?
70.	UDF	France	1997	113	5.3	X
71.	Alleanza Nazionale	Italy	1996	93	4.3	X
72.	Lista Dini	Italy	1996	25	4.0	X
73.	RPR	France	1997	140	3.6	X
74.	CCD-CDU	Italy	1996	30	3.3	X
75.	UUP	UK	1997	10	0.0	X
76.	SP	Belgium	1999	14	0.0	X

Notes: *Voluntary gender quotas* are defined as internal party rules, regulations, or constitutions specifying that the party should include a minimum proportion of women as candidates for elected office. The table only includes relevant parties (i.e. those with at least ten seats in lower house of the national parliament). The data, derived originally from the Council of Europe database, has some important limitations. It should be noted that the definition and meaning of 'quota' can differ among parties, and some may use this only for internal organizational posts rather than for candidate nomination. Parties without a formal quota may instead apply a 'gender target', adhered to more or less rigidly in candidate selection. Parties **in bold** are in countries using majoritarian electoral systems.

- ✓ Gender quota is currently used by this party for parliamentary nominations.
- X Gender quota is not currently used by this party for parliamentary nominations.
- ? Information on gender quotas is not available from this source.

Source: Meg Russell. 2000. *Women's Representation in UK Politics: What can be done within the Law?* London: The Constitution Unit Report. University College. The original data in the report was compiled from the Council of Europe 'Women and Politics Database' <http://www.db-decision.de/index.html>.

Figure 1: Gender equality strategies



Note: I am most grateful for the help of many MPA/ID students in the John F. Kennedy School of Government for collecting research materials on each country, including Ayesha Kahn (Pakistan), Ariel Kastner (South Africa), Daryl Martyris (India), Marisa Joelson (Bahrain), Karrie McLaughlin (Indonesia), Diane Segal (Morocco), and Salimah Samji (East Timor).