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Women in Decision-Making in Public Life
Types, Usage, and Effects of Temporary Special Measures, Including Gender Quotas

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* The views expressed in this paper are those of the authors and do not necessarily represent those of the United Nations.

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By Drude Dahlerup, professor of political science and international adviser

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1. Introduction

The Sustainable Development Goal 5 includes the target to “ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in politics, economic and public life.”¹ According to the Beijing *Platform for Action*, 1995, changing of the historical under-representation of women in decision-making is “needed in order to strengthen democracy and promote its proper functioning.”² In order to fulfil this goal of full inclusion of women in decision-making in public life, Temporary Special Measures, including gender quotas are necessary tools, as this paper will show.³

Temporary Special Measures (TSMs) were first described in the CEDAW Convention from 1979, and today, TSMs or affirmative action are in use all over the world.⁴ Knowledge about when TSMs/affirmative action work effectively and when they fail is growing, and different types of TSMs are spreading from one arena of public life to another. Lépinard and Rubio-Marín talk about “the irresistible diffusion of gender quotas from one domain to the next” – but “when political circumstances are favorable”, they add wisely.⁵

Countries have adopted gender quotas for elected positions and corporate gender quotas at different times, rates and sequences. A country may adopt one type of quota, such as legislated gender quotas for elections, while having no quota for public commissions or corporate boards or vice versa. For instance, Finland has an elaborate quota system for state and municipal commissions and committees but has never adopted gender quotas for elections.⁶ The adoption of legislated gender quotas for elected office has spread over the last three decades, with more countries having initiated corporate quotas after the turn of the millennium.⁷ Some countries, however, adopted TSMs as early as the 1980s–1990s to increase the number of women in leadership positions in public administration, including on public commissions and boards.⁸ A few countries, including Colombia (2000), Spain (2007) and Kenya (2010), have adopted all-inclusive gender equality laws with the same quota requirement for all public institutions: one-third, 40-60% and one-third, respectively.⁹

Today, we see a new wave of quota implementation with higher targets than the first wave of TSMs. Previous unambiguous or vague regulations without any sanctions are increasingly subject to public critique. With the growth of evaluations and research on TSMs, and with support of the international community, knowledge is expanding, yet is still insufficient. While there is extensive research concerning gender quotas for elections,¹⁰ there is much to learn about the implementation of gender quotas in other arenas. Consequently, this paper includes a comprehensive section on electoral quotas, followed by shorter sections on TSMs for public administration and corporate quotas, for which more research is needed.

This paper focuses on changing the *numerical representation*: that is, the numbers or share of women in political assemblies, in public administration and on corporate boards. The argument for full numerical representation of women in elected assemblies is that women constitute half of the world’s population and should have half the seats as a matter of rights, justice and democratic legitimacy. Yet, the general argument about the *unfair exclusion of women, and men’s privileged access* to public decision-making is related to the justification of all types of gender quotas, be it electoral, corporate or public administration quotas.

This paper will analyze the *types, usage, and effects* of TSMs,¹¹ and distinguish between three main types of quotas: (1) ‘hard’ legislated TSMs supported by sanctions for non-compliance, (2) ‘soft’ legislated quotas in the form of recommendations and/or targets with no or vague sanctions, and (3) voluntary TSMs established by political parties or business communities. The paper aims to answer several questions. Are the goals and arguments different, and how do different TSMs or affirmative action measures work? Are voluntary measures less effective than legislated measures? Who are the stakeholders in the different arenas? Table 1 provides an overview of how different types of TSMs are used within various arenas in order to change women’s under-representation in decision-making. Table 1 also specifies which arenas are included in this report.

Table 1. Overview of types of TSMs to include women in decision-making in different arenas

Arena:	Type of TSM: Hard TSMs by law, including sanctions	Soft TSMs by law, no sanctions	Non-legal TSMs	Target range
Elections for parliament, regional and local councils	Candidate quotas or reserved seats quotas; legal sanctions	Candidate quotas without sanctions for non-compliance	Party quotas for electoral lists and internal party organs	15-50%
Public administration:				
1. leadership positions	None	Targets or ‘Bias blockers’, i.e., change of procedures		From ‘more women’ to 50% of leadership
2. commissions and boards	Quotas, monitoring or sanctions, e.g., ‘empty seats’	‘As gender-balanced as possible’; limited monitoring		From ‘more women’ to 50% women and men
Public and/or private companies	Corporate quotas with sanctions, e.g., financial penalties or dissolution	Targets and recommendations. “Comply or explain”	Corporate governance codes. No sanctions, but awards or public shaming	From ‘One woman’ to 50%

2. Defining Temporary Special Measures

Temporary Special Measures were originally described as that of “accelerating the de facto equality between men and women” (art.4, CEDAW Convention). However, in some countries, the aim is to *start*, rather than *accelerate*, change. In general, the use of TSMs is based on the understanding that full gender equality does not manifest automatically with development or time, and that despite progress in women’s empowerment, male dominated structures may continue to exist or even rematerialize. Gender quotas include a quantitative regulation, setting a minimum representation of women or, most typically, gender neutral, i.e., minimum and a maximum of both genders.

Inspired by the extensive feminist mobilization of the time, the 1995 Beijing *Platform for Action (BPfA)* represented a shift from previous arguments about women's (alleged) lack of qualifications and resources to a new focus on addressing "discriminatory attitudes and practices" of institutions and organizations and "unequal power relations" (Art. 181–82). This is also the foundation of TSMs' contemporary usage: if there was a level playing field, there would be no need for affirmative action.

The CEDAW Convention states that "adoption by State Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention" (Art. 4). Similar formulations have been inscribed in numerous constitutions, gender equality laws, and declarations all over the world, sometimes as a response to court cases, which had ruled TSMs unconstitutional and discrimination against men. The use of electoral gender quotas helps address the fact that political decision-making everywhere is still dominated by men from among the dominant ethnic, social, and economic elites. Carol Bacchi argues that affirmative action is not "special help" for outgroups but an attempt to redress entrenched privilege.¹² Rainbow Murray turns the question around, arguing for the need for (maximum) quotas for men since men's over-representation is the real problem to be addressed.¹³ Such a ceiling for men could be obtained through gender quotas.

2.1. Setting targets

The targets set for women's representation have changed over the years in international normative frameworks. Adopted in 1990, the UN Economic and Social Council (ECOSOC) recommended setting targets for increasing the proportion of women in leadership positions to 30% by 1995 and 50% by 2000 – targets which were not met. The BPfA introduced the new goal of 'gender balance,' 'equal participation' and 'equitable distribution of power and decision-making at all levels. Somewhat contradictory, however, BPfA also speaks of securing 'a critical mass' of women (Art.181-195). The concept of a critical mass, which at the time referred to about 30% women, was understood as the necessary minimum for allowing women to make a difference. Despite scholarly reservations about the idea of a specific 'turning-point' at which enough women can make change, the theory of a critical mass has been important for women's rights advocates, and especially for early quota advocates.¹⁴

SDG Goal 5, Target 5 seeks to "ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life." This Goal and Target, however, are open to interpretation: Does "full and effective participation" represent equality of result, while "equal opportunities for leadership" only indicate equality of opportunity? When are opportunities truly equal? While the Council of Europe defines balanced participation in political and public life as "not below 40% of either women or men", women's rights activists are engaged in "50–50 campaigns."¹⁵ In the Agreed Conclusions of the 65th Commission on the Status of women, 2021, States agreed to take appropriate mechanisms to track progress to achieve the goal of 50/50 gender balance at all levels of elected positions." Undoubtedly, ambitions are rising. Previous claims for "more women" or "improvement of women's representation" have been exchanged for appeals for gender balance, full inclusion of women, or *gender parity*. It seems sensible to define gender balance as 50–50 or 45–55. Such precise demarcations are important. A recent trend, especially seen in countries with relatively high representation of women in elected assemblies, is to describe a case of 30–35%

women as gender equality having already been obtained, gender equality as a “closed case” and, consequently, TSMs as superfluous.¹⁶ Likewise, if the threshold for parity is set as 40-60, women will likely need to be content with 60% men.

Table 2 (below) shows that one-third (30-39%) is still the most frequently used target, used by almost half of the countries with candidate quotas by law. Even if men have dominated politics historically, we have only seen 50-50 campaigns for gender balance in political decision-making, never for women to be in a majority. Table 2 also demonstrates that today, 16 countries have adopted a 50-50 quota by law for their candidate lists, including Tunisia, France, Senegal, Lesotho, Guinea, Belgium, Panama, and Ecuador. However, none of the mentioned countries have yet reached 50-50 among the elected, since a quota of say 30% women among the *candidates* on the list, does not guarantee the *election* of 30% women. There are a few examples of provisions of ‘*at least 50% women*’, e.g., the Commission of the African Union shall consist of at least 50% women among its 10 commissioners.¹⁷

The relatively new concept of *parity*, *parité*, *paridad*, etc. is becoming more common and is included in many languages beyond English, French, and Spanish. For many women’s rights advocates, a quota of, say, 50% is no doubt parity politics; however, many French and Spanish speaking women’s rights advocates ascribe a particular meaning to the concept: “*parité* (parity, meaning equality or balance) seems to reconcile the irreconcilable: equality between the sexes and gender difference,” Mariette Sineau maintains.¹⁸

2.2. Temporary

What does it imply when a gender equality measure is named “temporary?” The use of the concept of temporality in gender equality actions and measures gives rise to critical questions. The concept derives from the CEDAW. convention. The duration of special measures should be determined by its functional result, no matter how long it takes, and not in terms of time, e.g., 2, 3 or 4 years. Temporality was – together with the concept of “special” – subject to discussions when drafted. “Special” implies that the measure is designed to serve a special goal.¹⁹

An analysis of gender quota laws reveals that such laws normally *do not* have a sunset clause, indicating when the regulations will stop. Quota laws, consequently, have the same permanence as all laws and can be subject to change as usual. There are, however, exceptions, such as the recently adopted quota law in Chile, the scope of which is limited to four elections. The 2012 Italian law on gender quotas for the governing boards of companies is a temporary measure valid only until the third renewal of the board.

2.3. Gender neutrality

Many special measures and, indeed, most gender quota regulations, are formulated as “gender-neutral” measures. In public debate, however, references are usually made to ‘quotas for women’ and ‘quota women’, even if the actual rules are gender-neutral like ‘no less than 40% of each gender’ or a ‘minimum 30% and maximum 70% of each gender’. Gender-neutral quota regulations set a maximum for both genders, while quotas for women specify a minimum for women, and thereby a maximum only for men. Gender-neutral formulations indicate that gender balance is the goal, and that men do

not have to fear that women ‘will take over.’ Women’s rights advocates aim at power sharing. In general, quotas may be most important for women, being the under-represented gender, but a few men in left and green parties with many active women have benefitted from gender-neutral quota regulations having been moved up on the party lists. While TSMs have recently begun to address transgender rights, current gender quota laws operate with a gender binary of women and men.

2.4. Evaluating TSMs’ effects

Assessments of the effects of gender quotas vary considerably, sometimes even in studies of the same country. Were the first generation of legislative quotas and corporate quotas mainly “toothless” and “symbolic”?²⁰ Any assessment should consider that TSMs, including gender quotas, are not stand-alone equality measures. This discussion is related to the debate among activists and researchers about the extent to which gender quotas can be ‘transformative’ or just represent temporary changes on the surface, while patriarchal structures remain intact. Evaluations of TSMs need to make a distinction between the *direct* descriptive effects in terms of numbers and shares, on one hand, and the *wider, indirect* effects on the substantive representation of women in terms of policies and symbolic representation of more women as political leaders on the other.²¹ Different perspectives and evaluation criteria often lead to disagreements about the TSMs’ effects.

This paper mainly focuses on how TSMs have changed the descriptive/numerical representation of women, be it for legislative assemblies, the executive (including commissions and boards in public administration) or for corporate boards. A shorter analysis of indirect effects of gender quotas related to the substantive and symbolic representation of women is included. The general effects of TSMs, including gender quotas, are related to changes in culture, structures and norms, including policy changes and changes in perceptions of women in public life and political mobilization of women citizens. From a methodological point of view, it is important to keep in mind that factors other than specific quota regulations play a role in the outcome, including the political and electoral system, changing discourses on women’s positions in public life, and the strength of women’s rights advocacy.

2.5. The diagnosis: Why are gender quotas needed?

Women’s under-representation is first and foremost the result of a lack of will and exclusion or “de-prioritization” of women by those who control the various nomination processes in political parties, government and companies. This in turn influences women’s opportunities and willingness to come forward: the supply. Structural barriers, including conscious and unconscious biases against women are built into the recruitment processes. Following the important #MeToo movement, sexual harassment is now globally acknowledged as a structural barrier with severe consequences. The legitimacy of affirmative action therefore depends on the diagnosis, on how the problem is described and perceived.

Research on gender and politics has pointed to several factors, which have contributed to this longstanding under-representation of women, including macro-level factors such as women’s general position in society, prejudice against women as political leaders, the political culture, and *die Zeitgeist*. However, inequality seems embedded in the walls of most political and public institutions. Contemporary research on gender and public life maintains that, far from being gender neutral, the procedures and norms of political life are filled with gender biases.

TSMs offer various policy options to address these biases. Recent management literature discusses the use of ‘bias blockers’ to close gaps in women’s representation, for example. Regulated demands for women candidates, e.g., through gender quotas – is another example of a policy that could be adopted as a stopgap measure while waiting for discriminatory norms to fundamentally change. In this way, gender quotas can help women jump over the many historical barriers. Gender quotas are therefore a *fast-track policy*, in contrast to an *incremental track policy*, that presumes women’s full participation in decision-making will come with development, in due time, and without backlash.²² Quota advocates also expect that gender quotas in themselves, and under the right circumstances, will contribute to changing underlying bias and norms by giving women a fair chance to be visible and act in public life.

However, gender quotas cannot stand alone since male dominance is integrated into systems, structures and institutions, norms and discourses and, consequently, many parallel forms of positive actions are needed in order to achieve sustainable change.

3. TSMs for legislative bodies: gender quotas

Gender quotas for elections to legislative bodies represent one of the most significant applications of TSMs in contemporary society. Gender quotas for parliamentary elections are in use in almost two-thirds of the countries of the world. The term ‘electoral gender quotas’ is used in order to distinguish gender quotas for public elections from other forms of quotas, e.g., quotas for public administration or for the corporate sector (see Table 1). The aim of this fast-track model is to bring about a rapid change and alter women’s historical under-representation in political decision-making. Electoral gender quotas require a certain minimum of women – or a minimum–maximum of both genders – among the *candidates* for election or among the *elected*. It was after the 1995 Beijing conference that the adoption of quotas for elections took off, and the spread of quotas accelerated after the millennium.²³ Most recently, many quota laws have been revised to improve meager results of initial quota regulations.²⁴

Table 1A. Overview of types of TSMs to include women in decision-making. Elections

Type of TSM:	<i>Hard TSMs by law, including sanctions</i>	<i>Soft TSMs by law, no sanctions</i>	<i>Non-legal TSMs</i>	<i>Target range</i>
Arena:				
<i>Elections for parliament, regional and local councils</i>	Candidate quotas or reserved seats quotas; legal sanctions	Candidate quotas without sanctions for non-compliance	Party quotas for electoral lists and internal party organs.	15-50%

The increased availability of data on women’s representation globally has stirred competition between countries. In the same way, the websites showing the different types of gender quotas adopted in politics have developed into important policy tools. First was International IDEA’s website on electoral gender quotas launched in 2003 (www.quotaproject.org). UN Women has also established, for now, an internal database on gender quotas in national parliaments and local deliberative bodies. Data on the historical development can be found in the QAROT database.²⁵ Today, no country must start from

scratch when introducing a new quota system – even if some countries still do. For the purpose of this paper, a special database (EGQ, 2020) was established, based on the two mentioned databases with some corrections.²⁶

3.1. Figures and diagnosis of the problem

Despite recent progress, the gender composition of parliaments is still systematically unequal, with men holding three quarters and women only one quarter of the seats.²⁷ Women’s representation in local, elected councils (deliberative bodies) is somewhat higher at 36 percent.²⁸ However, the pace of change has increased in the last three decades. In 1995, the global average was 11 percent, and only five parliaments had over 30 percent women members: Denmark, Finland, The Netherlands, Norway and Sweden. As of September 2021, 27 parliaments have 40 percent women or more, including Rwanda, Cuba, Nicaragua and Mexico, which all four exceed 50 percent. However, the pace of progress has slowed down, from 2019 to 2020 with an annual increase of only 0.6 points.²⁹ In general, the idea of continuous progress until parity is reached seems unrealistic today, given contemporary world crises and growing backlash against women, as women have become more and more visible in the public sphere.

Electoral gender quotas target institutions. In most political systems, the political parties are *the gate-keepers* to elected positions at all levels, since they control the nomination of candidates for election, and even of many appointed positions. Since political parties are situated with one leg in civil society and the other in the formal political system, the legal regulation of parties varies considerably, from party laws, which regulate nominations and party finances to almost no regulations at all.

The very demand for gender quotas represents a quest for more transparent and formalized nomination procedures in order to open this “secret garden of politics.” In most electoral systems, whether proportional representation elections, plurality/majority elections or mixed systems, the nomination of candidates is largely controlled by the party, since parties rank women and men candidates high or low on the electoral list (PR), and in ‘winnable’ constituencies’ (all systems). In addition, the influence of the voters on the election of individual candidates are minimal in so-called closed list elections³⁰, where voters can only choose between parties, however, larger in open list systems. Because of prejudice against women and minorities, recruitment of candidates tends to take place within narrow circles of ‘old boys’ networks.³¹ The incumbent MPs – being overwhelmingly male – are especially favored in the recruitment process.

Opponents of gender quotas in politics have argued that quotas will lead to the election of ‘unqualified’ women, and of ‘token’ or ‘proxy’ women, who just follow their party or the will of their husband or male relatives.³² From a different perspective, some women’s rights activists are skeptical of the adoption of electoral gender quotas because they fear that women elected will be known as ‘Quota Women’, and their political effectiveness, consequently, limited. There is a fear that electoral gender quotas will only treat the symptoms of women’s under-representation, not the causes. These are important arguments, which will be addressed later in the discussion about the effects of electoral gender quotas.

3.2. Types of gender quotas for elections

The three main types of gender quotas for elections are 1. legislated candidate quotas, 2. voluntary candidate quotas and 3. reserved seats. The two first types, candidate quotas by law binding for all parties and voluntary candidate quotas adopted by some individual parties both regulate the gender composition of the *candidate lists*. Candidate quotas do not assure the election of a specific number or share of women. Reserved seat systems, by contrast, guarantee *the election* of a specific number of women (or minorities) and are usually adopted by constitutional amendments.

Legislated candidate quotas have been adopted by over 60 countries in the world.³³ Candidate quotas, whether by party or law, are best suited to proportional representation (PR) systems with a list including many candidates. In 1991, Argentina became the first country to adopt candidate gender quotas by law with their *Ley de Cupo Femenino*. This example was followed by almost all other Latin American countries, which rendered Latin America the region with the most quota contagion in the world. In Europe, after the millennium, France adopted a gender quota law, followed by Belgium, Portugal, Slovenia, Spain, Poland, Croatia, and Ireland. In Belgium, Slovenia, and many countries in Southern Europe, individual parties, that had first adopted their own party quotas, now proposed quotas by law, binding for all parties in the country. In contrast, in Latin America as well as in many post-conflict countries in Africa, the candidate quota laws did not emerge from previous party laws, but often followed armed conflicts and reconstruction.³⁴

Table 2. Legislated candidate quota rules for national parliaments (2020)

Quota targets %	Number of countries	% Of total
10-19%	1	2
20-29%	5	8
30-39%	27	44
40-49%	12	20
50%	16	26
Total	61	100

Source: EGQ database, Oct. 2020. Only countries with candidate quotas by law are included.

Note: For 5 of the 66 countries with legislated candidate gender quotas, there is no precise target or multiple targets according to the size of the constituency (NA: 5).

According to Table 2, a target of 30-39% is used by almost half of the countries with legislated quotas (27 of the 61 countries), and just 16 countries have adopted a 50-50 quota by law for their candidate lists, including Tunisia, France, Senegal, Lesotho, Guinea, Belgium, Panama, and Ecuador. Many quota advocates overlook that a quota regulation of, for example, 30 or 40% women among the candidates on the list, does not guarantee that 30 or 40% of those elected will be women – in contrast, as mentioned above, to reserved seats systems.

Reserved seats are typically inscribed in a country's constitution and regulate the number or share by gender of those elected; that is, guarantee a specific minimum result in terms of women's representation. More than 20 countries have adopted reserved seats for national parliaments,³⁵ predominantly in the Arab region, East Asia, and East Africa, as depicted in Table 3. Reserved seats are typically applied

in plurality/majority systems or in mixed systems. There is a great variety of reserved seat quotas, but three main types include:

- 1) A special tier or list for women candidates, as in Morocco, Rwanda, and Uganda (where voters may cast two votes).
- 2) Rotation of the reservation between the districts or villages, as in India, where 33% of the seats for the local panchayats, and even 33% of the chairs, are reserved for women. This has taken millions of Indian women into local decision-making; and
- 3) The “run-off system”: for example, Jordan, where 15 seats reserved for women are allocated to the women candidates who received the highest percentage of votes in their constituency without being elected.

In general, the legitimacy as perceived by the voters of women holding reserved seats grows when the seats are won through election rather than appointment, which is increasingly the case. Further, it is an aspiration, for instance in Morocco, that women elected on the reserved seats should later become candidates for a traditional district seat, which is not always the case.³⁶ Reserved seat quotas for women are well-suited to open the political arena for women in strong patriarchal systems, where no or only very few women have ever been elected.

Voluntary party quotas, or simply party quotas, prescribe the nomination of a certain minimum of women candidates or a minimum-maximum of both genders: for example, 30–70%, 40–60%, or 50–50%. In around 30 countries without quotas by law, individual political parties represented in parliament have adopted voluntary gender quotas for their own electoral lists.³⁷ In the 1970s and 1980s, the Greens, Left Socialist, and Social-Democratic parties in the Nordic countries started using minimum quotas for women for their internal organization and their lists for elections. Today, party quotas are primarily found in Northern Europe, Southern Africa (e.g., ANC in South Africa) and the Pacific. In some countries, party quotas are adopted by conservative parties through a “contagion” effect, often after long deliberations and many conflicts.³⁸ However, because of the inflow and outflow of smaller political parties from parliaments, this figure will constantly fluctuate. While any party can start using gender quotas for their own lists the day they want, legislated quotas require a majority in parliament, since it is binding for all political parties.

3.3. Regional variations

Table 3 shows how different types of electoral gender quotas are used in different regions in the world. Table 3 combines the vertical dimension of mandate, i.e., legislated or party quotas with the horizontal dimension, showing where in the electoral process the quota provisions target. It starts with the short list of candidates, where potential candidates are identified (first column), followed by the actual candidates (second column), and finally those elected (third column). Quotas for short lists (primaries, aspirant quotas, and gender-balanced short lists) shall ensure that women are included at this initial stage; because of direct discrimination or unconscious bias, fewer women than men are identified by political parties as potential candidates. A well-known example is the British Labour Party’s contested use of *All-Women Short Lists*, which initially required that only women could compete for candidacy in half of the vacant seats, where the incumbent MP did not seek reelection (plurality/majority election).

Today, the party’s commitment is that 50% of all “winnable” parliamentary seats will be selected from the All-Women Short lists.³⁹ The sixth category should logically be empty; however, Morocco’s 2002-election constitutes an exception.

Table 3. Regional Variations of Types of Electoral Gender Quotas (national parliaments)

	<i>Aspirant quotas/ short lists</i>	<i>Candidate quotas</i>	<i>Reserved seat quotas</i>
Mandate by:			
Constitutions or/and law	Primaries, ex. Panama	Latin America, Southern and Eastern Europe, West Africa	MENA region, South & East Asia, East Africa
Voluntary Party Quotas	Ex. All-Women Short Lists, Labour Party, UK	Northern Europe, Southern Africa, Pacific	(Morocco 2002-election)

Source: Drude Dahlerup, *Women, Quotas, and Politics*. Routledge, 2006, updated.⁴⁰

3.4. Quotas for local elections

Most of the countries with legislated national gender quotas also have adopted gender quotas for the local level by law. All in all, 72 countries have adopted local quotas by law, see Table 4.

Table 4. Local gender quotas (2020)

	Number of countries
Countries with both national quotas and local quotas by law	60
Countries with local quotas by law, but no national quotas by law	12
Total local quotas	72

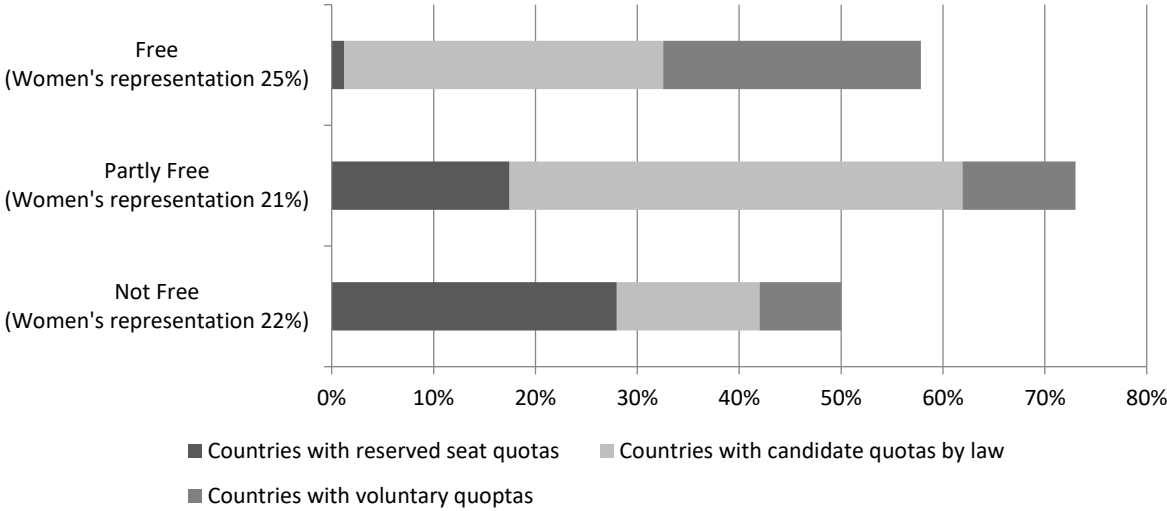
Source: UN Women’s local quota database and national quota database. Local quotas cover all tiers of local government as provided in national legislation. There is a significant correlation between the adoption of national quotas and local quotas.

Note: National quotas include in this table both reserved seats and candidate quotas by law. Countries with voluntary quotas are not included in this analysis. Among the countries with local quotas, but no national legislated quotas are India, Comoros, Mauritius, Namibia, South Africa, Sri Lanka and Vanuatu. For several countries with national quotas, local data are missing.

3.5. Gender quotas in all types of political regimes

Gender quotas for elections are adopted by all types of political regimes. One could have expected a more frequent use of gender quotas in democratic regimes, where governments may be more open to pressure from women’s organizations and public pressure through media, and where freedom of speech and assembly are more widespread. That is, however, not the case, see Figure 1.

Figure 1. Regime type (Freedom House) and quota adoption



Source: EGQ database, Oct. 2020.

Note: Figure 1 shows the different types of gender quotas, adopted by countries from three categories of political regimes. Own calculations based on Freedom House, 2020 (2019). Freedom House’s index is an aggregate score for countries based on 10 political rights and 15 civil liberties. Women’s representation in parenthesis is an average for countries within the three Freedom House categories, based on www.ipu.org

Some type of electoral gender quotas is in use by half or more of the countries within each regime type, as Figure 1 shows. The most frequent use of quotas is found among the Partly Free countries (73%). Most noticeable is that reserved seat quotas are not adopted by the ‘Free’, democratic regimes, but are frequently in use in the Not-free category. In countries which score the highest on the democracy scale, voluntary party quotas are the most frequent, followed by candidate quotas by law, yet a little over 40% have no quota regulations at all. Not least thanks to quota regulations, women’s representation today only varies moderately according to regime: 25% for Free states, 21% for Partly Free and 22% for Non-Free states. This interesting pattern may be explained, firstly by the fact that feminist activists and feminist bureaucrats (“femocrats”) today can be found within almost all types of regimes, creating pressure both from civil society and from within the political parties and institutions. Secondly, the new international discourse, which links women’s representation to democratic development is also influential in non-democratic countries.⁴¹

3.6. How to evaluate the effect of electoral gender quotas?

In this section, the direct effect of electoral gender quotas, i.e., the effects on the descriptive/numerical representation of women will be discussed, followed by a shorter discussion about the indirect or wider effects of electoral gender quotas on women’s substantive and symbolic representation. Factors other than the adoption of quotas evidently influence the gendered outcome of elections, but will not be discussed here: for instance, the overall gains and losses of parties with different gender profiles among their candidates, and the reaction of the voters to the candidate lists.

Gender quotas for elections specifically target an increase of women’s numerical/descriptive representation. However, the male-dominated parliaments that have passed quota legislation have done so with mixed motives and not necessarily out of consideration for gender equality. Motivations include,

for example, the need to respond to pressure by strong women's groups, or simply, leveraging women's representation as a part of a political bargain on other issues, or an interest in making the country look modern and democratic to the international community.⁴² However, many women's organizations, which fought for the adoption of quotas and the election of women, have usually done so because they want women politicians to influence policies and change the political culture with the expectation that elected women should make a difference. Disagreements about the benefits of gender quotas, which also occur among feminists, often derive from such disparate expectations and viewpoints.

Electoral gender quotas are nonetheless important for kickstarting or accelerating women's representation – and for preventing or delaying backslides, which is a real risk today. Research has shown that effectively designed and implemented electoral gender quotas have the capacity to increase women's representation, provided the type of regulation fits the electoral system in the country. Vaguely designed quota systems and those implemented without effective sanctions for non-compliance have little or no effect (sometimes intentionally). Some countries such as Finland and Denmark have managed to achieve a relatively high parliamentary representation of women without any quota regulations, not even party quotas, because gender equality is generally supported in those societies.

A significant correlation is found between women's parliamentary representation and the presence of electoral gender quotas by law: 26% women in parliament in quota law countries compared to 17% in non-quota countries (party quota countries excluded). The difference according to quota type is moderate, but such statistics do not control for factors that may have initially led to the adoption of one quota type or another.⁴³

Another approach is to study women's parliamentary representation in individual countries, based on historical data from before and after the first implementation of electoral gender quotas, as in Table 5.⁴⁴ Half of these countries started with a very low representation of women of less than 10%, which may have been the motive to adopt quotas. What was the result of the first election with quotas? Table 5 shows a large variation in electoral results following countries' adoption of quotas. After the first quota election, almost half of the countries in the sample (43.6%), experienced no or only a very modest increase (<5%). These initial meager results can be attributed to a combination of unambitious and vague quota rules – for instance, in Armenia which initially introduced a 5% quota – and lack of implementation, in addition to other factors. Decreases in women's representation are probably due to changes in the strength of various parties, rather than to quotas. However, almost one-third of those countries (29.5%) experienced an increase of between 5-20 percent units following their first election with gender quotas. Six countries (8.7%) made remarkable jumps, over 20 percentage units, notably in Rwanda and Senegal, which experienced historical leaps of 23 and 20 percentage points, respectively. For many countries, these initial quota results led to a later wave of adoption of much stronger quota laws.

Table 5. Global overview: Immediate effects of the first quota laws on women’s parliamentary representation. Change in percentage points (pp)

Change in No of women:	% Of countries:
Decrease or no change	14.1
Increase < 5 pp	29.5
Increase 5-9.99 pp	11.5
Increase 10-19.99 pp	18.0
Increase > 20 pp	8.7
No previous election, N/A etc.	19.1
N = 78	100.0

Source: Dahlerup 2018a, Table 3.3, p.82. The table shows changes in women’s representation before and after the first adoption of a quota law for the 78 countries, which in 2014 had implemented quotas by law (legislated candidate quotas and reserved seat quotas).

Voluntary party quotas also vary in their results. Examples of successful uses of quotas among a selection of Social-Democratic/Labour parties after the first elections with party quotas, include: the Netherlands (1987), which saw an increase from 19 to 31%; Germany (1988) from 16 to 27%; Sweden (1994) from 41 to 48%; and the United Kingdom (1994) from 14 to 24%. All these countries have later kept or further increased their relatively high representations of women in their parliamentary share.

The introduction of quotas challenges previous theories about the level of women’s representation: the theory that women’s representation in politics is highest in the most industrialized and richest countries is no longer valid. While the electoral system in use, political culture, the strength of (left) political parties, the discourse on women’s position in society, among others remain important factors for analyzing or predicting the level of women’s representation, the quota system in place should now be added to the list as well.⁴⁵

3.7. Strategies for improving effectiveness of electoral gender quotas on women’s numerical representation

The concepts of legislated hard and soft quotas (Table 1) refer to how the quota system is created. The QAROT project has constructed a single measure of “effective quotas”: strong enforcement mechanisms, strong placement mandates, a threshold greater than 10%, and specified mechanisms for filling reserved seats.⁴⁶ One could add the need for a socially favorable context, which would limit resistance at the implementation stage.

3.7.1. Rank order rules

For candidate quotas, rank-order rules have proved essential, also called *vertical quotas*. Even a 30-40% quota may result in few women elected to parliament if all women candidates by their party are placed at the bottom of the candidate list (most relevant in PR systems). Table 6 demonstrates various rank-order rules. The 4th type of rank-order rule (one out of every group of 3, 4, 5, etc. candidates must be a woman) is the most used rank-order regulation. Some countries use a hybrid approach to rank-

order rules, see Belgium. In Spain, for example, candidates of either gender shall make up at least 40% of the whole list, but also two out of every five candidates horizontally.⁴⁷

Table 6. Rank-order rules

Only for candidate quotas, by law or party
1. Zipper or Zebra system – alternation of women and men throughout the list (vertical quotas for PR systems). E.g., many parties in Sweden. By law in Tunisia and the Republic of Korea.
2. Horizontal quotas for plurality/majority systems. E.g., Bolivia, Mexico, or PR systems, e.g., Tunisia.
3. The top two candidates cannot be of the same sex. E.g., Belgium, incl. 50-50 for the whole list
4. One out of every group of 3, 4, 5 etc. candidates must be a woman

The rank-order rules of a Zipper/Zebra system render the best results, be it at national, regional or local level. This system is now introduced by law in several countries, including Costa Rica, Ecuador, Lesotho and France (only for local bodies). Many individual parties also apply this system, e.g., Green parties all over the world. The Zebra/Zipper system requires equal numbers of women and male candidates as well as an alternation between women and men throughout the list; the only decision left is whether the list should be headed by a man or a woman candidate. A few countries have decided to always place a woman at the top of the list, as for Zimbabwe’s Senate or in the form of party quotas in the Green Party Germany, where women candidates shall have all *uneven* seats, i.e., no. 1, 3, 5 etc. Rules about who gets the number one spot on the list are of special importance for women’s representation in small parties in PR systems, since small parties may only win one seat in a constituency.⁴⁸

Box 1. Zipper-system in Tunisia

A zipper-system clearly exemplified in Tunisia during its 2011 Constituency Assembly election which followed the country’s historic political regime change and subsequent electoral reforms. The new electoral law for the election to the Constitutional Assembly included the zipper-system, alternating women and men throughout the electoral lists (PR). However, the result of this election returned a disappointing 27% of women (compared to 28% in previous elections under the former regime). After the ban on former President Ben Ali’s previously dominant party, more than 80 new parties stood for election. All of them, except for the winning moderate Islamist Ennahda Party, won either no seats or just one seat per electoral district, and 93% of all lists were headed by a male candidate with a woman as the list’s losing number two.⁴⁹ The lesson learned was that while zipper/zebra systems ensure vertical parity between women and men on party lists, it does not guarantee parity in election results.

From Drude Dahlerup: *Has Democracy Failed Women?* 2018a, pp.66-68.⁵⁰

Horizontal quotas go some way to rectify this imbalance. France was the first country in the world to introduce *parité* by law for parliament in 2000. The law required parties to have an equal number of women and men candidates across all the single-member districts. However, the first election in 2002 resulted in only 12% of women elected to the National Assembly because women candidates tended to be placed in unwinnable districts by their parties. Some countries, including Bolivia, Senegal and

Mexico later introduced a formula to solve the lack of convergence between the single-member districts part of their mixed electoral systems and effective quotas. In order to prevent the placement of women candidates in predominantly losing districts, the Mexican federal electoral authorities divided the electoral districts into two, sometimes three, categories according to the success of each party in the previous election. It is required, that the political parties for the country overall nominate 50% of women and 50% of men candidates in each of the categories. The result is that an impressive 48% of women were elected to the Mexican Federal House of Deputies and 49% to the Senate in the 2018-election.⁵¹

3.7.2. Sanctions for non-compliance

Quota rules must be properly implemented for quotas to work effectively. Table 7 brings examples of sanctions for non-compliance in use today. It is first and foremost the application of sanctions for non-compliance, which makes a legislated quota regulation “hard” and effective.⁵² Outright rejection of a candidate list for election has proven to be by far the most effective, provided that the relevant electoral bodies in a country have the authority to reject the list. The *raison d’être* of political parties is to get candidates elected, and consequently, parties tend to comply, sometimes after being given a limited time to correct their lists; in Argentina, parties have 48 hours to correct their lists and in Mexico, 48+24 hours.

Table 7. Sanctions for non-compliance

Only for legislated quota systems

1. Rejection of the list by the Electoral Authorities. Many examples, include Mexico, Argentina, Poland, Niger, Belgium, the Republic of Korea, Slovenia, Mexico, and France (at the local level).
2. Financial penalty. Ex. France national level.
3. Financial incentives. Ex. Georgia, Chile, Ireland.

Financial penalties are a long-standing, but less effective type of sanction, since the required fines are usually set too low. In contrast, *financial incentives* are a relatively new gender equality instrument for elections. The incentive is that political parties receive additional public funding if they meet a specified minimum of women among the party’s *candidates*, as in Georgia, Jordan, and Moldova, or among those *elected* as in Chile and Colombia.⁵³ Such measures can result in full compliance, as seen recently in Ireland, but they may also have although it has had a limited effect, as seen in Georgia. In general, with both financial penalties and financial incentives, the effect of the behavior of the political parties depends on the amount of money at stake. In France at the national level, for example, the biggest parties would rather pay the fine than comply with the 50% quota rule, since the financial penalty is low. By contrast, political parties in *Ireland* successfully complied with what was labelled as ‘financial incentives’ in the 2016 election, partly due to the high amount of money involved. Seen from the outside, the Irish rule rather looks like a financial penalty, since the law states that 50% of the (extensive) state funding of parties will be reduced unless women compose at least 30% of the candidates and men – to be increased to 40% in coming elections.⁵⁴ In conclusion, even a high quota percentage, say 40-50%, does not automatically result in a significant increase in women’s share of seats in an elected assembly without strict rank-order rules and effective sanctions for non-compliance.

3.8. Wider, indirect effects of electoral gender quotas on women's substantive representation

Research on the effects of gender quotas on women's substantive representation is growing.⁵⁵ These indirect, wider effects respond to commonly asked questions such as: Do women politicians act in the 'interest of women'? Or can we trace policy changes and changes of male-dominated political cultures and institutional proceedings back to an increased number of women politicians as a consequence of electoral gender quotas? Evidently, it is difficult to distinguish between the effects of quotas and of all other factors leading to policy changes, including the adoption of gender quotas. The results are undeniably quota and context-specific and depend on what is understood by 'women making a difference.'

Numbers do matter in politics, and apart from a couple of countries, women MPs are everywhere in minority. It is extremely rare to see women and men parliamentarians vote against each other as two groups. The influence of women within each political party is decisive, but more difficult to trace. The *capacity* of women politicians to be able to do their job, the way they want, depends on structural changes of norms and procedures in political institutions, including in political parties. International organizations have developed guidelines for 'gender sensitive parliaments', including gender-sensitive practices within institutions. This highlights, once again, that gender quotas should not be a standalone measure.⁵⁶ However, at the same time, it takes an increased number of women to carry through such changes of institutional procedures and culture.

Experience demonstrates that *not all women politicians are feminists, and not all feminists are women*. Yet, all research shows that more women than men politicians are engaged in and support gender equality politics.⁵⁷ The relation between gender and feminist engagement is a longstanding debate. In the following examples, however, the focus is on the impact on being elected based on gender quota rules, not the impact on women politicians on policymaking in general. The examples show that results vary and are mixed, depending on how effects are defined, and which methodology is chosen, and that women elected by quotas are sometimes met with resistance.

3.8.1. Reviewing the results

In one of the early critical books on quota adoptions, based on in-depth studies of the South African and Ugandan cases, Anne Marie Goetz and Shireen Hassim argued that there are *No Shortcuts to Power* (2003). They specifically defined "effectiveness" as women politicians' capacity to produce gender-sensitive policies and better public accountability to women. The study pointed to many shortcomings in translating remarkable increased participation and representation of women into effective policies for women.

A positive conclusion was found in Chattopadhyay and Duflo's research project (2004), which covered 265 Indian villages in which 33% seats of *Panchayats* (local councils), including of the powerful position as chair, in turns are reserved for women as per a 1993 constitutional amendment. The longitudinal study compared the type of public goods provided in reserved and unreserved Village Councils. The result was that reservations did affect which types of public goods were provided. Specifically, leaders invested more in infrastructure that was directly relevant to the needs of their own gender.

In a study based on interviews with parliamentarians in Mozambique, South Africa, Namibia, Uganda, Rwanda, and Senegal, Bauer and Britton (2006) looked at the vibrant political activism and intellectual debate across Africa, which has influenced remarkable increases of women in parliaments, partly through gender quotas, even though women lag in other socioeconomic indicators. The book brings examples of what the authors call a 'virtuous circle of representation' between women's presence and policy change, despite the difficult conditions for women politicians in advancing gender equality policies.

In a newer study, Clayton and Zetterberg (2018) have tested the effect of gender quotas on subsequent changes in government spending priorities in 139 countries during the peak period of quota adoption and implementation (1995–2012). This project found that what the authors labeled "a substantial quota shock," i.e., a large increase in women's representation in parliament, is followed by an increase in government expenditures toward public health and a decrease in military spending and other spending categories.

3.8.2. Resistance to women elected through quotas

Negative labels such as 'quota women' and 'token/proxy women' are heard in many countries. Women elected through gender quotas are sometimes considered to be 'token' women, who have no independent agenda of their own, or 'proxy' women, who supposedly follow the political will of their husbands or political leaders.

Franceschet and Piscopo (2008) make use of two distinct concepts of the effect of quotas on substantive representation: legislative agenda building and policy outcome. Their study shows that quotas generate mandates for women legislators to represent women's interests, but also reinforce negative stereotypes about women's capacities as politicians, as in the Argentinian parliament. Overall, the effect was contradictory. In their study of the Argentinian parliament, all women elected seem to have been labelled 'quota women,' no matter how they were nominated in the first place.

It is worth asking if such negative labelling is the consequence of a specific quota design. Or does it simply reflect a generally negative attitude toward women as political leaders? Arguably, where quotas with parity targets (i.e., 50-50) are in place, as in the law in Tunisia, France, Senegal, Lesotho, or as party quotas in green and left parties in Sweden and South Africa, all women as well as all men candidates are in fact elected through some form of quota. However, the consequences of such negative labeling are, perhaps intentionally, the disempowerment of women politicians.

These negative consequences are one of the reasons why even some feminist organizations, especially in less democratic regimes, are critical of gender quotas or women's inclusion in male-dominated political institutions in general. Instead of giving up on gender quotas because of resistance, one may seek to change these negative perceptions not based in fact. Negative and even violent reactions to women as political leaders, no matter how they are elected, also seem to be growing, including hate speech on social media and sexual violence during campaigns, which may deter women from running as candidates.⁵⁸

Box 2. "I am a quota woman"

In November 2020, 44 high ranking German women politicians, including the president of the European Commission, Ursula von der Leyen, launched a video, in which they all proudly declare: "Ich bin eine Quotenfrau" (I am a quota woman). #quotenfrau; *Stern*, 25 November 2020.

3.8.3. Are Quota women' less qualified?

'Quota women' have furthermore been accused of being less qualified, implying that their election violates the principle of merit. A counter argument is that, firstly, political representation was never a question of education level, but of *representation*. Secondly, several studies of elected politicians have shown that women politicians, including those elected through quotas, in general, are just as educated and experienced as male politicians are.⁵⁹ However, these accusations may harm the perceived capacity of women politicians to perform their job.

A study of the 'quality' of 'quota women' by Allen et al. (2016), compared the large number of women MPs, who were elected in the UK in 1997 after having been nominated from the British Labour Party's All-Women Short List to other MPs. The study found no significant difference between these two groups: British voters did not punish 'quota women'; these women were just as qualified for political office as their non-quota colleagues; and there was no significant difference in the post-election career trajectories of these women compared to their colleagues within the House of Commons.

The study of Beer et al. (2016) of the impact of Mexico's gender quotas, did show an initial drop in the level of the elected women's education and political experiences following quota adoption. This, they found, was because, prior to the initial quota regulations in the 1990s, only elite women who were more 'qualified' than their male colleagues were able to pass the barriers to elected positions. The increased demand because of quotas created a more diverse pool of women candidates. However, following two electoral cycles the elected women were just as 'qualified' as their male colleagues.⁶⁰

The perceived legitimacy in the eye of the voters may be connected to the very design of the gender quota system. Women on reserved seat, elected separately from the traditional district elections, might in some cases experience that they lack a power base of their own (in a district or through a special electorate). This can limit their influence.⁶¹

Further, it is a widespread criticism, that so-called 'quota women' should get their seats without competition. This is, however, incorrect, especially when it comes to candidate quotas, since all *candidates*, no matter how they have been nominated, must present themselves to the voters in an election. Even when it comes to reserved seat quotas, elections are increasingly becoming the norm, in contrast to the historical appointments to reserved seats. However, the criticism may be relevant in some reserved seats quota systems, when several women MPs are added as members of the national parliament or county assemblies *after* the elections without having participated in the election but taken from a list that the political parties presented to the electoral commission in advance of the election. This unpopular procedure might harm these women's position in the assembly.

There is a special *raison d'être* of reserved seats for women as a special temporary measure in strong patriarchal regimes, where women have no or very limited chances of getting nominated and elected, as in the Indian countryside and in many Arab countries. In such countries most elections *de facto* are enacted based on competition among men only. The competition, for reserved seats for women, however, are increasingly based on competition between women candidates. This implies a *de jure* exclusion of male candidates in certain elections, however, often only temporary.⁶²

3.9. Wider, indirect effects of electoral gender quotas on women's symbolic representation

'Symbolic effects' is here discussed as changes in the perceived meaning of representation, including changes in the perceptions by the voters of women as politicians and political leaders. It is still a research field under development, and the results are often contradictory, as the following examples will demonstrate.

Beaman et al (2009) shows a positive change in voters' perceptions of women as political leaders after 10 years of seat reservations for women in local councils in India. Exposure can reduce bias, she argues. In contrast, Clayton (2015) found a negative reaction in Lesotho, partly as a reaction to how the quota was designed. Covering 48 countries, Allen and Cutts (2018) found a positive effect, but one that was *not* dependent on the adopted quota type. Discussing the critique that gender quotas are a violation of the principle of merit and of the free will of the voters, Dahlerup (2007) identifies those quota types, which are based on competition at elections, including competition between women only, and the few quota systems without competition, a vital issue for the legitimacy of gender quotas.

Longitudinal studies add a new perspective to this issue. Based on a uniquely comprehensive data set of elected local councilors, O'Brian and Rickne (2016) show an acceleration effect of the adoption by the Swedish Social Democratic Party of the zipper system. The analysis shows a clear causal relationship between quotas, increased representation, and women's selection to political leadership. Based on data from seventeen Latin American countries, Zetterberg (2008) studied the effect of gender quotas on attitudes, political engagement and participation in the population in general, but finds no general proof of attitudinal or behavioral effects. On the other hand, Kittelson and Schwindt-Bayer (2012), using cross-national and country-specific analyses (New Zealand, Russia, France, and Uruguay), conclude that the presence of gender quotas is related to a narrower gender gap, when it comes to political interest, persuading others, and campaign work, but not on other dimensions. Women are an "under tapped constituency" into the democratic process, they argue.

In a critical voice, referring to the situation in South Asia, Ahmed (2018) asks if inclusion matters in ineffective institutions lacking good governance traditions? In their studies on the MENA region in the post-Arab Spring – era, Shalaby and Moghadam (2016) and Darhour and Dahlerup (2020), reveal a contradictory pattern of women's empowerment and, at the same time, increased resistance to women's emancipation—a twin reaction also found in contemporary global politics.

3.10. Intersectional perspectives

Everywhere, political decision-making is dominated by middle-aged men from the dominant ethnic, social and economic elites. This implies that an intersectional perspective on political representation is important, as newer research shows.

Even if there is a historical tradition for reserved seats for national minorities, few constitutions or laws combine electoral quotas for women with quotas for minorities.⁶³ There is a unique combination of reservation for women and for scheduled castes in India. According to Nepal's constitution, political parties shall include women (50), including Dalits, indigenous tribes, Madeshi and other groups for closed electoral lists. It is, however, important, that this intersectional perspective is not only applied to women candidates. As Rainbow Murray (2014) points out, the main problem is the lack of diversity among the ruling *male* representatives.

Around 30 countries in the world have adopted quotas to increase the political representation of minority groups, based on religion, nationality, ethnicity, language, or race. When general gender quota provisions are adopted in countries, in which the political power is shared among ethnic groups, geographically and/or within joint assemblies – as in Bosnia-Herzegovina, where “one of the sexes is represented with a minimum of 40% of the candidates” – in addition to the special list of candidates representing national minorities then spaces are also provided for minority women. When gender quota laws requiring a certain share of women on all candidate lists are adopted in countries, where political parties are formed along ethnic lines, as in North Macedonia, also minority women will be represented. ‘Tandem quotas’ combining gender and other categories exist, for instance in Morocco and Tunisia (gender + age).⁶⁴

By comparing the normative arguments and quota designs in countries with both gender quotas and quotas for ethnic minorities, Bjarnegård and Zetterberg (2014) conclude that quotas for minorities usually aim to increase the autonomy of ethnic groups through the construction of special, separate tiers or overlapping constituencies (i.e., reserved seats), whereas the intention of gender quotas is to integrate women into existing political systems. However, in strong patriarchal societies such as the Indian countryside, reservations for women, which is combined with reservations for specific categories of the population, has primarily functioned to give women, including low caste women, a voice to look after women's interests – for instance, in providing more wells closer to the villages – rather than to integrate them with men politicians.

Quotas for a combination of categories, however, risk diminishing the influence of those under-represented. In *Tunisia*, for example, a new candidate quota for youth combined with the existing zipper system for men and women candidates (proportional representation system) brought many young women into parliament, but at the expense of the election of the more experienced women politicians, Belschner (2020) shows. Consequently, senior men continued to dominate the positions as chairs of parliamentary committees.

3.11. Recommendations for the use of electoral gender quotas

1. Electoral gender quotas are one of the most effective measures to rapidly change an unwanted inequality in women's and men's numerical representation in legislative assemblies. However, effective quotas require an ambitious target, vertical quota regulations for proportional-representation elections, horizontal quota regulations for all electoral systems.
2. There should be hard sanctions for non-compliance, the most effective being the rejection of the party's list by the electoral authorities.
3. Financial penalties or incentives can be effective if meaningfully designed to have an impact on political parties' funds.
4. Relevant electoral authorities should be diligent and act in accordance with the legislation when implementing sanctions for non-compliance.
5. Political parties are the gatekeepers to elected positions, and their selection and nomination processes should be internally formalized and transparent to avoid recruitment within 'old boy's networks.'
6. Intersectional approaches are important to bring more women and other underrepresented groups into power but should apply to both men and women representatives.

4. TSMs for the executive: cabinet, public administration and public commissions/boards

4.1. Goals

The Beijing Platform for Action (BPfA) encompasses not only decision-making in parliaments and other legislative bodies. Under Strategic objective, G.1, it includes “measures to ensure women’s equal access to and full participation in power structures and decision-making”, and recommends that governments should take the following actions:

- a) Commit themselves to establishing the goal of gender balance in governmental bodies and committees, as well as in public administrative entities, and in the judiciary, including, inter alia, setting specific targets and implementing measures to substantially increase the number of women with a view to achieving equal representation of women and men, if necessary, through positive action, in all governmental and public administration positions (BPfA, art.190).

The BPfA then presents a long list of institutional mechanisms for the advancement of women. The goal is “gender balance”, even if BPfA somewhat contradictory also spoke of the goal of obtaining a ‘critical mass’, usually associated with 30-33% women: “Take positive action to build a critical mass of women leaders, executives and managers in strategic decision-making positions” (art.192a).

The SDGs have a greater focus on inclusivity, since its goals and targets are to “ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in politics, economics and public life” (SDG 5.5). While “full participation” undoubtedly covers a goal of gender balance in public commission and boards, SDG 5.5 is open to interpretation, when it comes to women’s share of leadership positions, since the formulation here is ‘equal opportunities’, not equality of result. Consequently, the target for women in leadership positions in various sectors of the public administration varies considerably, including in relation to the number of women employed in the different sectors.

The section starts with a short discussion of women’s representation in cabinets, followed by an analysis of various TSMs for increasing women’s shares of leadership positions in the public administration, and finally, TSMs for the gender composition of the many public commissions and boards will be discussed.

Table 1B. Overview of types of TSMs to include women in decision-making in different arenas. Public administration and public boards.

Type of TSM:	<i>Hard TSMs by law, including sanctions</i>	<i>Soft TSMs by law, no sanctions</i>	<i>Non-legal TSMs</i>	<i>Target range</i>
Arena:				
Public administration:				
1. leadership positions	None	Targets or 'Bias blockers', i.e., change of procedures		From 'more women' to 50% of leadership
2. commissions and boards	Quotas, monitoring or sanctions, e.g., 'empty seats'	'As gender-balanced as possible'; limited monitoring		From 'more women' to 50% women and men

4.2. Women’s representation in cabinets

In general, the gender balance of governments/cabinets is not formally regulated, since the appointment of cabinet ministers is the prerogative of presidents and prime ministers. However, there is increased public pressure for appointing more women as cabinet ministers, today, even a growing demand for parity governments. In country by country, “the acceptable minimum of women” in a government has gradually evolved from ‘the obligatory one woman minister’, to over 2-3 ministers, to 20-30%, or even parity.⁶⁵ The global share of women cabinet ministers is 21.9%.

Research on women in the executive is growing,⁶⁶ yet still far behind research on women in legislative assemblies. As of 1 January 2021, 13 countries have a gender balanced cabinet (50%+), including Nicaragua, Sweden, Canada, Austria, Belgium, Albania, Rwanda, Costa Rica, Andorra, Finland, Guinea-Bissau, France and Spain.⁶⁷ The Finnish government is a coalition government of 5-parties, all of which have a woman as party leader.

The distribution of portfolios among cabinet ministers is still traditional, but changes are underway. Today, women are ministers of defense and finance, portfolios long associated with male prerogatives. The ministry of *environment* is now at the top of the ministerial positions of women. The number of women foreign ministers has jumped from 17% to 26% in just one year (IPU, Jan.2021).

A study by Sylva Claveria (2014), covering 23 advanced industrial democracies, identified several important factors for the number of women in government, such as the political ideology of the government, but also, that women are more likely to receive a ministerial post when the governing party has adopted gender quotas. The study also found that having an increased number of women in parliament boosts women in cabinet.

4.3. TSMs for women in leadership positions in public administration

Since research on the use and effects of TSMs for public administration is so scarce, and mostly consists of desk reports, the following discussion on TSMs for public administration will primarily present some important issues for future discussions and research.

Public administration refers to all public-funded agencies, policies, and public services, in charge of the management and implementation of policies. It is “the bedrock of government and the central instrument through which national (and local) policies and programmes are implemented.”⁶⁸ It is also a major employer for women in the labor market, and even in many countries, the main employer for women. Nevertheless, there are fewer women than men in leadership positions, and women are generally under-represented in public administration decision-making.

A wide range of gender quality measures has been adopted for public administration since the 1980-1990s. Unfortunately, cross-country data on women’s positions in public administration are largely unavailable or unreliable due to dissimilarities in size and scope of the public administrations. While the focus of this section is the national level, the local level is equally important, and further research is needed in this area.

4.3.1. Figures and diagnosis of the problem

TSMs for public administration are highly relevant in order to break male dominance of leadership positions. The share of women working *at all levels* in public administration globally is estimated to vary between a few percentage points to over 70%, with the highest share(s) in OECD countries and the lowest in the Arab States.⁶⁹ But almost everywhere, women are still in the minority in leadership positions, seen in relation to their presence as employees in public administration – and in spite of their increased level of education.⁷⁰ The highest share of women in *leadership* is found in Latin America and the Caribbean (43%) and the lowest in Africa (25%). In the top two tiers in the EU-countries’ national public administrations, women’s share of leadership positions has increased from 23% in 2006 to 43% in 2019. Within the EU institutions, women make up 34% of the senior administrators.⁷¹ Even if reliable, comparable statistics are scarce, the general picture is that in most countries, women are continuously under-represented among public administration leaders.

Governments and international institutions are increasingly under pressure to analyze which factors contribute to progress or setbacks for women’s under-representation in public administration leadership, and to adopt measures to improve the situation. Many intersecting factors contribute to women’s under-representation, which creates multiple policy options for targeting change – the lack of consideration for work-family balance, no provision of parental leave, unequal pay, no part-time work options, or antiquated recruitment practices and office culture.

Like with electoral gender quotas, the arguments of both proponents and opponents of the use of TSMs for leadership in public administration are predominantly based on issues of *qualifications and merits*. While opponents believe that TSMs violate the principle of merit and are discriminatory towards men, proponents point to the present structural barriers and direct discrimination that women face. For TSM advocates, the aim is to create a true meritocracy for all genders.

Gender quotas as we know them for legislative assemblies (see section 3 above) may not always be an appropriate measure for public administrations. When it comes to changing the gender composition of a whole group, gender quotas seem to be the most effective form of TSM. But when it comes to the hiring of individuals, this measure may be problematic. Some regulations state, that in case of ‘equal qualifications’, an applicant from the under-represented gender can be given priority. Yet, it often turns out to be problematic, because defining equal qualifications is not always clear-cut.⁷² In these

cases, a better strategy may be setting targets and introducing measures, which aim at changing procedures and removing biases. Researchers talk about *glass ceilings* and *glass walls*, that is, a combination of vertical and horizontal gender barriers, which prevent women from reaching leadership positions. Consequently, TSMs for public administration aim at breaking both the glass ceilings and the glass walls.

The Wilson Center's *Roadmap to 50x50*⁷³ has made a review over women's representation in public administration, as well as in governments. The result is an interesting, yet perhaps surprising categorization of countries. In "*Balanced Parity Countries*," women are found in all types of positions at the highest levels and across policy functions. Balanced Parity countries include the Scandinavian countries, as well as Canada, France, Peru, Iceland, South Africa, and Uruguay. In *Flat Parity Countries*, women are not as present in the highest positions of leadership but are making gains across policy functions. Flat Parity countries include South Korea, the United States, India, and Romania. In *Siloed Parity Countries*, women hold positions of leadership but tend to cover primarily social-cultural policy functions, which are traditionally women-dominated sectors. *Siloed Parity* countries include North Macedonia, Israel, Greece, the Philippines, and Argentina. Finally, in *Pursuing Parity Countries*, women are seldom represented in leadership positions or in charge of non-traditional policy areas and thus have the largest opportunities to rise to leadership and break through to new functions. Pursuing Parity countries include China, Saudi Arabia, Russia, Brazil, and Azerbaijan, according to the Wilson report.

4.3.2. Bias blockers and other measures

In recent decades, multiple kinds of TSMs have been introduced in order to increase the number and share of women in positions of leadership in public administration. These include courses for future women leaders, mentorship programs, databases that track women leader pipelines, measures against sexual harassment, as well as initiatives to address gender stereotypes and unconscious bias towards women as leaders. The excellent new concept of bias blockers refers to procedural changes within offices to block biased and discriminatory ideas about gender equality to circumvent slow-to-change social norm change.⁷⁴ Bias blockers include changing recruitment processes through, for instance, anonymous applications, setting a minimum number of women on headhunters' shortlists, or establishing gender balanced recruitment committees. The idea is that we cannot just sit and wait until gender stereotypes and discrimination disappear 'by themselves'. In addition, bias blockers are presumed to contribute to permanent behavioral changes in an organization.

For TSMs to work in public administrations, permanent monitoring of the implementation is necessary, not least to overcome resistance within administrations. Lombardo et al (2019) have shown the constant stretching and bending of the intention of gender equality policies during implementation. However, hard quotas and 'in-house' penalties for non-compliance are unusual, as depicted in Table 1. Too often, gender equality measures are introduced as short-term, experimental *projects*, which at the end of the experiment will be evaluated as 'successful' by those implementing it. What is needed are external short-term and long-term evaluations. Unfortunately, many of the above-mentioned measures and bias blockers used in public administrations are introduced without sanctions for non-compliance, or adequate monitoring. In their analysis of the case of Spain, Verge and Lombardo (2018) show how problematic this is, because the effects of these measures are, consequently, overly reliant on the political will of the government, individual ministers or administrative leaders.

More specific targets, combined with highly specified procedures, may therefore produce better and more effective outcomes. In Sweden, for example, where since the 1990s, half of all newly appointed directors for public entities and authorities must be women. This requires complex coordination procedures within the government, but today, women have almost 50% of those positions, and Swedish people are used to seeing women as top leaders in public administration.⁷⁵ In contrast, TSM regulations that appear all-inclusive in the policy's description, but lack specified procedures and targets for specific public entities, seldom lead to the realization of the stated goal for women's representation in public administration leadership. Countries with all-inclusive targets include Kenya, where the 2010 constitution demands no more than two-thirds of the same gender in all public bodies. Colombia's 2000 law on women's effective participation in decision-making in all entities of public authority requires a general minimum of 30% women. Spain's general goal from 2007 of a 40-60 % distribution, has by researchers been labelled "contentious politics of policy failure".⁷⁶ The problem being, that if not followed by specifications for each sector, such all-inclusive goals may have little effect.

The general conclusion is that many types of affirmative action/TSMs are in use in public administrations in order to increase women's position in leadership. However, monitoring is often weak and evaluations of the effects of TSMs are under-prioritized, especially in terms of longitudinal studies. Sanctions for non-compliance may not work in the public administration (firing of the leaders?), therefore well-defined targets and specifications of the measures to be applied are necessary.

4.4. TSMs for gender balance in public commissions and boards

The demand for full inclusion of women in public decision-making must also encompass public commissions and boards. These numerous agencies represent a less publicly known, but nevertheless important arena of public decision-making, for which gender quotas could be an appropriate measure to break traditional male dominance.

With great variations, the tasks of these entities include policy development and preparation as well as executive and administrative tasks. What happens in a commission behind closed doors may sometimes be more consequential than negotiations in an open parliamentary committee proceeding, especially when a broad range of stakeholders, including businesses, trade unions, and influential NGOs, are invited to work together in a commission or board with civil servants from several administrative units. The appointments are usually the responsibility of a cabinet minister or local authorities.

4.4.1. Figures and diagnosis of the problem

However, statistical information about who sits on all these boards is scarce in most countries.⁷⁷ Two to three decades ago, few women were sitting on the boards of central banks, steering boards of public airports, local harbor committees, public utility boards, advisory boards for TV and radio, or constitutional commissions, to name some examples. But changes are underway, albeit slowly.

Table 8 shows the example of women on the boards of governors in the Central Banks. There has been an increase in women's representation on these boards during the last decade. During this period, half of the Central Banks have implemented a gender diversity programme; however, few of these independent, public institutions have implemented gender quota regulations in order to rapidly increase the number of women, and consequently, today 75-80% of the governors are men. For Central Banks

within European Union, women’s share varies from 57% women in Bulgaria to zero in Austria, Rumania, Slovakia, and the Czech Republic (2020).

Table 8. Women on the Central Bank’s board of governors. A global sample and EU averages

Global Sample of Central Banks:	2002: 10%	2018: 20%
Central Banks, EU-countries:	2003: 17%	2020: 25%

Source for global figures: a balanced sample of 49 non-EU Central Banks from Masciandaro et al, *Do Women Matter in Monetary Policy Boards?* (October 2020). Thanks to the authors for providing this project with updated data on non-EU central banks.⁷⁸

Source for EU figures: EIGE Gender Statistics Database, *Men and Women in Decision-making*.

Where statistics over boards and commissions are available, they show that there is gender segregation between policy areas, with more women on boards of public bodies in educational and social sectors. Based on their proven efficacy in other areas of decision-making, the introduction of gender quotas would be a suitable strategy for improving women’s representation on boards and commissions. Frontrunners in terms of having specific targets for women on public commissions and boards have set the bar relatively high with 40-60% or ‘gender balance’ (e.g., Spain, Norway, and Sweden) and 30% (e.g., Kenya, Greece, and Colombia). However, the targets are seldom met without the introduction of special measures.

The first quota regulations for public commissions and boards were presented as special regulations, and through a special law. Gradually, such measures were included in more general gender equality laws. This was the case, for instance, in all the five Nordic countries in the 1980s where the gender composition of public/state-owned commissions and boards was subject to special regulations, later to be integrated into the countries’ general gender equality laws. Leading up to the first reforms, Nordic feminists and “femocrats” had successfully demanded transparency over the composition of public commissions and boards through annual reports publishing the name, gender, and affiliations of the thousands of their members.⁷⁹ At first, the requirements varied considerably between the Nordic countries and ranged from ‘at least 40% for each gender’ (Norway) to ‘as far as possible a balanced composition of men and women’ (Denmark), and the minimalistic, ‘there shall be men and women in all committees’ (Finland).⁸⁰ This was just the start of a long battle, and over time nomination procedures were targeted and reformed. The result is that today, women occupy around 40-45% of all public committee seats in each of the Nordic countries.⁸¹

4.4.2. Nominate one man and one woman for each seat

A persisting challenge is how to implement the rules associated with these regulations for public boards and commissions and ensure targets are met in practice, particularly when the nominating organizations, such as parties, trade unions, industry and NGOs are only entitled to one seat each and used to nominate a man from their organization. The relevant procedure adopted in the Nordic countries, followed by several other countries, is that each nominating organization or public entity is asked to nominate both a man and a woman for each seat they are entitled to fill. This enables the responsible minister or ministry to compose a gender balanced committee. However, organizations have often protested, or simply nominated their chairman (male) and a lower ranking woman, in some early cases,

simply his secretary ((woman) as their representatives. Nordic experiences show that organizations, including trade unions or industrial associations, often have asked for exemption due to lack of ‘qualified’ women within their organization, they would argue. Exceptions are usually granted exclusive male representatives from fishery and mining industries, where there traditionally are few women. Unfortunately, many cabinet ministers turn a blind eye to the bending of the rules by many organizations.⁸²

A hard and potentially effective sanction for non-compliance with gender balance regulations, today adopted by several countries, including Germany and Denmark,⁸³ is that of *empty seats*, i.e., ‘your seat in the committee will remain empty if your organization does not nominate one of each gender.’ Even in these cases, the representation of women depends on the political will of the appointing minister to introduce ‘in-house’ sanctions for non-compliance. Consequently, by the government, ‘one woman, one man’ nominations may be turned into soft quota provisions. Public pressure and monitoring are needed, but they require transparency around appointments. Monitoring might be carried out by different institutions, as is currently done by the National Gender Equality Commission of Kenya and the Ombudsman in Finland.

Beyond national-level commissions and boards, those at *regional and municipal levels* should also be considered when exploring the need for TSMs and not least gender quotas, in order to increase women’s representation in all public decision-making. This is already the case in several existing laws and regulations, e.g., in Germany and Norway.

Women’s representation in *international governance organizations* is furthermore critical for influencing global decision-making but is even lower than at the national level.⁸⁴ Quotas are a well-known tool in international organizations when it comes to the representation of countries. Yet only few international organizations apply gender quotas in practice. Examples include *the Inter-Parliamentary Union (IPU)*, which reduces voting rights and cuts the number of delegates by one when national parliaments fail to nominate women to participate in delegations at IPU-assemblies, as well as *the African Commission* whose statutes as mentioned above stipulate that the Commission shall consist of *at least 50% women*.

4.5. Recommendations for the use of TSMs for the executive: cabinet, public administration and public commissions/boards

1. When a new cabinet is formed, the appointing Prime Minister should strive for gender balanced appointments, being held accountable to the goals of the Sustainable Development Goals, 5.5.
2. When appointing members of public commissions and boards, cabinet ministers and other appointing authorities should strive for a gender balanced composition, e.g., by quota regulations.
3. For leadership positions in the public administration, an increased use of TSMs, including quotas, specific targets, and bias blockers is recommended.
4. Permanent monitoring and external evaluations of the effects of TSMs are required. It should be clear and transparent who is responsible for monitoring and supervising the implementation of gender equality regulations, also within the cabinet.

5. In case of general, overall targets, for instance that no gender shall have more than 2/3 representation in all public bodies, there is a need for specified plans for the fulfillment of the target in the different sectors and policy areas.

6. State parties should provide yearly statistics on women in leadership positions in public administration.

7. State Parties should regularly publish statistics with names, gender, and affiliations of all members on public commissions and boards (and not just the newly appointed).

5. TSMs for business: Women on corporate boards

A new focus on the scarcity of women in economic leadership has led to calls for affirmative action policies in business, including corporate gender quotas. Section 5 will look at gender quotas and targets related to the gender composition of company boards of directors. ‘The higher up, the fewer women’ trend is also valid for the economic sector. Compared to the political arena, women’s representation on corporate boards is considerably lower, and gender equality measures have started later. The aim of TSMs in this sector is to change the historically male-dominated composition of boards. The policy of corporate gender quotas is a fast-track one, whose purpose is to accelerate or, more often, to start a serious process of women’s inclusion on boards.

A bouquet of TSMs has been adopted in the corporate world to increase the number of women in leadership and on corporate boards, some of them known or borrowed from the political arena. These include courses for potential or newly elected/appointed women leaders and board members; compilation and maintenance of ‘pipeline’ databases of experienced women to counter the allegation that there are not enough qualified women to recruit; businesswomen’s networks to counterbalance ‘the old boys’ networks; and *bias blocker* initiatives mentioned above in the context of public administration.

Table 1C. Overview of types of TSMs to include women in decision-making in different arenas: Corporate Quotas.

Type of TSM:	<i>Hard TSMs by law, including sanctions</i>	<i>Soft TSMs by law, no sanctions</i>	<i>Non-legal TSMs</i>	<i>Target range</i>
Arena:				
Public and/or private companies	Corporate quotas with sanctions, e.g., financial penalties or dissolution	Targets and recommendations. ‘Comply or explain’	Corporate governance codes. No sanctions, but awards or public shaming	From ‘One woman’ to 50%

5.1. The goals

Marking a departure from the text of the 1995 *Beijing Declaration and Platform for Action* and the MDGs, SDG Target 5.5 goal includes women’s leadership and decision-making in economic life in addition to political and public.

An examination of the goals inscribed in existing corporate quota laws and corporate governance codes shows some variations as depicted in Table 1. In 1999, Israel passed a law requiring that all publicly traded companies should have at least one woman on the board, adding demand of 50-50 in 2007, but only for state-owned companies. In India, the Companies’ Act of 2013 requires that at least one woman must serve as a board director (art.149.1), which is called by its critics as the ‘One Woman Quota’. Since 2010, Kenya has demanded that no more than two-thirds of the same gender be on the boards for state-owned companies.

Gender neutrality is the norm for many hard corporate quota laws, which maintain a rather ambitious goal of 30, 40 or 50% of each gender, rather than for women explicitly. However, most laws allow for

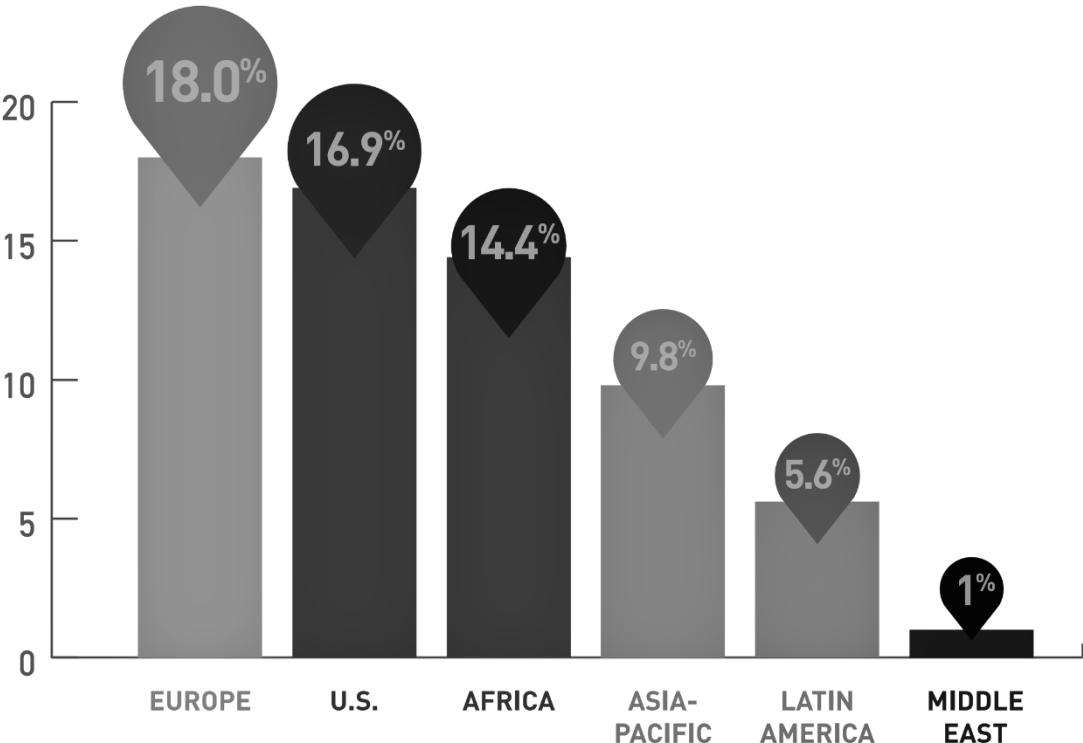
gradual implementation of quotas, e.g., according to the Italian law, 20% women are required for the first board mandate, and 30% for the second renewal of boards of directors.⁸⁵

Based on the Belgian example of multiple quota regulations, Petra Meier points out that differences between the rules adopted for different arenas (e.g. legislative assemblies, public administration and business) can probably be best explained by the time factor: that is, the gradual demand over time for stronger regulations.⁸⁶ Nevertheless, many codes of corporate governance still only include vague formulations of the principle of diversity or consideration for the gender composition of the boards. In general, the written goals do not in themselves guarantee a higher representation of women on company boards, and the result of corporate quotas is still far below that of electoral gender quotas. The outcome depends primarily on the design of the TSMs, the implementation of the rules, and the character of sanctions for non-compliance.⁸⁷

5.2. Figures and diagnosis of the problem

Statistics on women on *private* company boards are still scarce compared to data on *state-owned* companies. Global comparisons represent a challenge because of a lack of comparable definitions of corporate boards, and the world average is not available in global gender indexes. Only scattered information is available. A study of 67 countries in 2013 showed a variation in the percentage of women on corporate boards from 0% in Morocco to 42% in Norway, with an average of 10.3%.⁸⁸ The African Development Bank's study, "Where are the Women?" (2015), which is based on selected regional data from 2013, reveals a generally very low level of women's representation, but with considerable sub-regional variations in the percentage of women on the boards of listed companies, see Figure 2. In this investigation, the share of women among board members increased with the size of the companies; yet it was highest in the smallest, family-owned firms. In addition, women's board representation varies according to industry. The World Economic Forum's *Gender Gap Report 2020* shows a selection of countries with great variation in what they vaguely define as "company boards," starting with France's top score of 43%, and followed by Norway at 42%, New Zealand at 30%, South Africa at 21%, Luxembourg at 12%, and the Russian Federation, Japan and Indonesia at only 7%, 5%, and 3%, respectively.

Figure 2. Large companies compared globally – women on company boards in %



Source: African Development Bank: Where are the Women: Inclusive Boardrooms in Africa’s top listed companies? 2015. The sources are described as the following:
Europe: EU Commission (Data covers all blue-chip companies in 28 member-states, October 2013).
U.S.: 2013 Catalyst Census: Women Board Directors of Fortune 500 Companies.
Asia-Pacific: Korn-Ferry Institute, 2013 Board Diversity Scorecard: Measuring Board Composition in Asia-Pacific (Data covers 100 largest companies in 9 countries).
Latin America: 2012 CWDI Report on Women Board Directors of 100 Largest Companies in Latin America.
Middle East: Hawkamah, Diversity and the Boardroom, November 2012 (Data includes all listed companies in GCC countries).

The last decades have seen increases in women’s positions on corporate boards, however moderate, in many parts of the world: for example, in 2005, France had only 7% women on listed company boards, which increased to 33% in 2015, following the introduction of a quota law requiring 20% by 2014 and 40% by 2017.⁸⁹ The average in the EU (28 states) went from 9% women in 2003 to 29% in 2020.⁹⁰

There are still many boardrooms around the world without a single woman present, but their number is shrinking. There is a growing impatience with this slow pace, and a diminishing belief in the so-called time lag theory, according to which gender equality in leadership would probably happen by itself with the influx of so many women into business schools and into the business world.

What accounts for the scarcity of women on company boards today? The diagnosis of the problem is subject to heated debates. Again, the explanations for the causes of inequality are important for the choice of strategies and usage of TSMs. The widespread argument that quotas cannot work, because there are insufficient numbers of “qualified” women, is increasingly challenged based on actual experiences. A seat on a company board requires senior experience in business, which more women have today than ever before. An alternative explanation of the few women board members, which points

to the need for TSMs, is what researchers see as the prevalence of ‘old boys’ networks,’ where recruitment takes place within narrow circles, including in family or men-only clubs and circles. Loyalty to the company and familiarity with its leaders also contribute to this.

Piscopo and Muntean argue that the call for equality measures in the private economic sphere goes beyond the well-known rights-based language of more political participation.⁹¹ Corporate quota advocates point primarily to unfair and biased mechanisms that perpetuate *the exclusion of women*. Politicians who support quota laws increasingly share the view that male dominance today is losing legitimacy. An additional key argument is that it is wasteful to not use all the talent available in society because of traditional norms and prejudices against women and minorities. One key element is the need for “plugging the leaks in the talent pipeline”, says Geraldine Fraser-Moleketi of African Development Bank.⁹² The *business case for women* has become an increasingly powerful argument: that is, that diversity on company boards is good for business since it tends to improve both the work of the board and ultimately the economic results. There is a lot of ongoing research to test this argument, (see section 5.6).

5.3. State-owned and/or private companies

The adoption of corporate quotas for private companies did not start until after the millennium, while rules for state-owned companies started earlier.⁹³ Today, some countries still target only public companies, while others include both private and public companies under such regulation.

1. *Publicly owned companies* - TSMs for inclusion of women as members/directors on the boards have been successful in several Nordic countries since the 1990s. Today, in some countries, the scope of corporate gender quota laws is still limited to companies, owned by the state or regional and local municipalities, as is the case in Kenya, South Africa, Finland, Austria, and Ireland. Fierce resistance from the private sector has limited the scope to publicly owned companies.

2. *Publicly-owned or –controlled firms and private firms* – around ten countries have today laws on corporate gender quotas for their largest companies, first introduced by Israel and Norway, and later joined by Spain, Iceland, France, Belgium, Italy, Denmark, Germany, and Portugal.⁹⁴ New rules on representation of employees on private and public boards have also helped bring some women into corporate decision-making. The last decade’s claims for more gender-balanced boards, even for *private* companies, have stirred strong debates, both pro et con.

The tendency to privatize previously public companies, such as companies providing public utilities, for example, has stimulated calls for the inclusion of private companies under gender quota rules. Globally, businesswomen’s organizations and networks have been at the forefront of the campaigns for including more women in business leadership. Many businesswomen, who originally were against gender quotas for company boards have recently changed their minds because of the slow pace of improvement or, as in Norway, because the actual corporate quota law function well.⁹⁵

However, the effects of gender quotas for the company boards depend, as we shall see, on the design of the quota regulations, and sanctions for non-compliance.

5.4. Types of corporate quotas and targets

To evaluate the effects of the different forms of quotas and targets in use, it is imperative to distinguish between two forms of legislated corporate quotas, *hard quotas* and *soft quotas* as depicted in Table 1, because their different effects, as well as *voluntary corporate governance codes*, which are adopted as recommendations by the business community itself.⁹⁶ Today, such codes often include targets for the inclusion of women or a vague quest for diversity. A key question is whether legislated regulations always give a better result than codes initiated and adopted by the business community itself.

1. *Hard quotas* refer to legislated quotas with strict sanctions for non-compliance as found in, for instance, France, Norway, Belgium, and Italy. The level of compliance is normally high; however, it also depends on monitoring and implementation. The first wide-reaching corporate quota provision for both public and private larger companies was passed in Norway in 2003, requiring at least 40% of “the under-represented gender” to be included among board members. Other countries have followed suit in subsequent years. This type of gender quota law typically requires that a certain percentage of board members also called board directors, be women, or most commonly, a minimum–maximum for each gender. A gradual implementation over a couple of years is common. Hard quota laws may cover both private and public companies.

2. *Soft quotas*, as defined in this paper, cover public regulations by law, as in the case of hard quotas; however, these are in the form of vague goals/quotas without any sanctions. The wording can range from “more women,” to “as close as possible to equal representation,” “set measurable objectives for gender diversity,” “recommend representation of both genders,” or “must have representation of both genders.” Such non-binding equality measures usually require companies to set their own quantitative targets. The result is that there are no sanctions if the companies do not follow their own targets, but only an obligation to keep gendered statistics and report to the authorities (i.e., ‘comply or explain’). Soft corporate quotas by law are found in, for instance, Denmark, Austria, and Finland. Soft quota laws may cover both private and public companies.

3. *Corporate codes of conduct* or *codes of corporate governance* may include gender quotas, targets and other TSMs. In contrast to both hard and soft legislated gender quotas, they are established by business organizations themselves, sometimes with government backing, as in Morocco, or pushed by threats of state legal intervention if no progress is made.⁹⁷ Corporate gender codes can be a part of the general trend of self-regulated corporate social responsibility contracts. Overall, businesswomen’s organizations have played a significant role in integrating the diversity principle in these corporate codes. The Australian Stock Exchange was the first in the world to institute gender diversity on corporate boards as a listing requirement, (at least 30% women as of today), which includes demands for annual reports on the number of women on boards, in senior management, and in the workforce of relevant companies. Awarding companies for best practice, and shaming the worst, have played an important role in Australia. Kenya included gender diversity in its corporate governance code in 2002, as did South Africa’s 2009 *King Code of Governance Principles*. In its latest version from 2016, King IV, recommends that the composition of a board be based on the principles of independence, diversity, skill, and experience. The 2016 Code is considered to represent a move from the previous principle of ‘comply or explain’ to ‘comply and explain’.⁹⁸

5.5. Direct effects of corporate quotas on women’s numerical/descriptive representation

Corporate gender quotas and targets address the descriptive/numerical share of women, e.g., the gender composition of company boards. To what extent do corporate quotas, whether voluntary or legislated, increase the number of women on company boards in a direct effect? Piscopo and Muntean conclude that the first generation of corporate quotas are symbolic and ‘largely toothless’.⁹⁹ More studies are needed on corporate quota regulations, and a shortage of data makes cross-national comparisons difficult.¹⁰⁰ As with quotas for elections, the outcome depends on the ambition of the quota rules, their implementation and the sanctions for non-compliance. Table 9 gives an overview of hard quota sanctions with examples of countries that use them.¹⁰¹

Table 9. Examples of sanctions for non-compliance (hard, legislated corporate quotas)

-
- Fines until compliance, ultimately dissolution of company (Norway) or of the board (Italy)¹⁰²
 - Reduction or loss of director fees (France)
 - Suspend directors’ benefits (Belgium)
 - Lower chances of securing government contracts (Spain)
 - Empty chair sanction (Germany, Belgium)
-

Sources: Terjesen et al 2014; Lépinard and Rubio-Marín 2018; Piscopo and Muntean 2018 and own studies of individual laws.

The Norwegian case demonstrates the effectiveness of hard sanctions, starting with warnings and fines, and ultimately, the threat of the company’s dissolution. Despite initial resistance, all Norwegian companies complied before the deadline of the year 2004 for public and 2008 for private listed companies with the quota regulations of at least 40% of each gender.¹⁰³ The 2012 Italian regulation is a temporary measure valid only until the third renewal of the board: after a first letter of caution, a second case of non-compliance will result in a fine of EUR 10 000 to 1 million.¹⁰⁴

The ‘empty seats’ sanction is illustrated by the German case: according to the gender equality law of 2015, any election of a member to a corporate board, which does not live up to the requirement of 30% women among the total members of the board, is nullified. The empty chair sanction continues until a given seat is filled with the under-represented gender.¹⁰⁵

Introducing legislated corporate quotas rules, which include legal sanctions for non-compliance, is increasingly on the agenda. In general, the outcome of corporate gender quota rules is usually better for state-owned companies than for private companies, where resistance to actual implementation has often been strong. However, even hard sanctions must be implemented, and the results will depend on the respective monitoring authorities. For state-owned companies, the supervising authority is usually a government minister; for the private-owned companies, it may be private or public agencies such as the Antitrust Agency, as in Italy’s case. In general, the political will to implement and ensure compliance with corporate quotas may vary considerably.

Box 3. The Scandinavian case: Are quota laws always better than corporate governance codes?

The following comparison between Norway, Denmark, and Sweden, three countries with similar political and social systems, yet, different regulations, challenges the belief that legislated gender quotas always will give a better result than voluntary codes.

Norway's hard corporate quota law from 2003 demands that there be at least 40% of each gender on company boards starting from 2004 for state-owned and from 2008 for publicly listed companies. The law includes fines for non-compliance (and until compliance is reached), with the ultimate sanction being the company's dissolution.

Results for the share of women on boards of listed private companies, 2002-2018: 2002: 6%, 2005: 28%, 2018: 41%.¹⁰⁶

In *Denmark*, where there is generally strong resistance to all types of gender quotas, a soft quota law came into force in 2013. Its only demand is that that publicly listed companies shall make and report company targets for women's inclusion of women. Private companies will be fined for not reporting yearly, but there are no penal sanctions for not meeting their own targets.

Results for the share of women on boards of listed private companies, 2012-2019: 16%, 2019: 22%.

Sweden relies on a voluntary corporate governance code, adopted in 2005 and regularly updated. Under this code, private, listed companies shall "strive for equal gender distribution on the boards." Despite strong pressure, the country has not adopted any corporate quota law, primarily because of resistance from the largest companies against such state intervention. Yet, Sweden is, just like Norway, a country with a long tradition of and strong public pressure for active gender equality policies. For decades Swedish governments have threatened companies with legislation if there was no improvement, which has evidently seen some success.

Results for the share of women on boards of listed private companies, 2002-2020: 2002: 6%, 2020: 34%.

All three Scandinavian countries have for long operated laws for gender equality on the boards of *state-owned* companies with the result that today all three countries have over 40% women on the boards of their state-owned companies.¹⁰⁷

In general, even minor results (positive or negative) of these three different types of corporate quotas have long-term consequences, because as history has shown, they may help mobilize efforts to strengthen rules and implementation processes. Experience to date suggests that hard, legislated quotas may not necessarily be the most effective (see Box 3). The Scandinavian case demonstrates that a hard quota law, followed by a corporate governance code and last, a soft quota law, may be the most effective order of introducing corporate TSMs for women's representation. They show that under favorable societal circumstances, the result of corporate codes might outperform that of a soft quota law. However, the weakness of both soft gender quota laws and corporate governance diversity codes is that the results may vary from year to year, since there are no penal sanctions for non-compliance and in many cases, not even specific targets. Even corporate governance codes might be rather soft, as changes in the South African King's Codes showed. However, in countries where no measures whatsoever are adopted, the share of women on company boards is the lowest.¹⁰⁸ Therefore, research with a long-term perspective is needed for the evaluation of corporate gender quotas' effects.

5.6. Wider, indirect effects of corporate quotas and targets on policy results

The concepts of substantive and symbolic representation are also useful for analyzing the effects of corporate quotas, targets and recommendations. Yet, in this context, rather than referring to ‘substantive representation’, the concept of ‘policy change results’ is more appropriate since women and men on company boards do not represent the public at large. This is also linked to the *business case for women* – the argument that predicts that having more women on company boards as well as board diversity, in general, will improve a company’s culture, performance and even economic results, including a gradual increase in the occurrence of women CEOs and women in other high company positions.

Attempts by researchers to test the business case have produced mixed results.¹⁰⁹ It is a methodological challenge to try to distinguish the effects of increased board diversity from other factors of importance for company performance and economic bottom lines, including those factors which may have led to the adoption of corporate quotas or codes in the first place. In addition, the share of women on corporate boards may increase even without TSMs, following a general change in public debate or views on gender equality.

Available studies to date demonstrate variations in research findings of the business case for more women on boards. The reason why researchers deviate so much in their evaluation of the effects of increased shares of women among board members derives partly from variations in which cases are analyzed, and partly from disparate and inconsistent evaluation criteria. It seems that results vary according to company size and type, the general context, and the background of the women recruited.

Nonetheless, available research indicates policy change effects as a result of having more women on boards. A United States-based study, for example, found that the attendance rates of boards with more women increased, also among men, and that boards with more women were tougher in monitoring management, concluding that more “... [D]iverse boards add value in firms with otherwise weak governance.”¹¹⁰

Evaluation results of the Norwegian case, now in place for 10–15 years, vary to some extent, depending on the researchers. However, the statistics generally show that companies with gender quota legislation count over 40% women on company boards in contrast to 19% in companies not under the quota law (2020), even if the two groups differ somewhat as to size. Nevertheless, women constitute only 14% of the CEOs and 11% of the board chairs.¹¹¹ The general educational level of board members in Norway has increased with the influx of women, a rejection of the prediction that quotas would lead to the recruitment of unqualified women.¹¹²

A survey of the environmental performance of Fortune 500 companies in Europe concluded, that companies with women CEOs and women board directors tend to ensure that corporations are more environmentally responsible (Glass et al 2015). However, the study’s conclusions were mixed: on one hand, quotas increased the number of women on the boards of directors and greater board diversity appeared to improve decision-making processes and board attendance, but in general, the effect on the bottom line was unclear. In an overview over research, Smith (2018) found that boards with diverse

members might experience communication problems internally and with management and that quotas seem to have little positive effects on increasing the pool of women with senior-level experience. Contrary to the researchers' expectations, a study of Spanish multinational listed companies showed that being a multinational company with inspiration from many countries had no effect on gender diversity, and that gender (women) had a negative correlation with the firms' financial performance (Palacios et al. 2016).

However, other studies in Nigeria (Sani et al 2019) and Kenya (Ibrahim et al 2019) among other, have shown the opposite, that gender diversity does indeed enhance financial results. These diverse examples show that one unified conclusion is impossible, first and foremost because it is difficult to distinguish the influence of an increasing share of women board members from other factors, but also because of lack of a sufficient number of comparative analyses.

Despite mixed results of research on the business case for increased women's representation, women's rights advocates argue that gender balance on corporate boards is not a question of whether women will "make a difference," but rather a fundamental question and goal of achieving true equality of opportunity, which would require breaking up men's privileged access to company leadership.

As for *symbolic representation*, many studies have shown considerable public skepticism about corporate quotas, more among men than among women. Studying the Spanish case, Verge and Lombardo (2019) show that resistance can lead to poor implementation, and even to reinstatement of old prejudice. On the other hand, a survey among Norwegian women board members showed that many had changed their minds from initially being against or skeptical about quotas to seeing it as a necessary measure (Heidenreich 2013). In two comprehensive surveys of political elites in Norway in 2000 and 2015 Teigen et al (2019) found substantial changes in the support for corporate quotas and beliefs about the causes of male dominance. They conclude that even controversial policies can create positive feedback in terms of changing attitudes.

5.7. Recommendations for the use of corporate quotas and targets

1. State Parties should provide yearly statistics over the gender composition of all corporate boards, board chairpersons as well as over women and men in leadership positions in publicly owned and private companies.
2. Designing quota laws with clear targets and recommendations as well as sanctions for non-compliance should be considered.
3. Strict monitoring should prevent otherwise well-designed legislated hard quota regulations from being informally changed into soft and ineffective quotas as they are implemented.
4. In cases of self-managed corporate governance codes, transparency and strong monitoring is necessary, as is constant public scrutiny.
5. Further research from multiple perspectives is needed on the consequences of breaking male dominance on corporate boards.

6. Conclusions

This report has discussed the last decades' increased usage of TSMs and affirmative actions (used interchangeably in this report), including gender quotas. The extent of the global diffusion of gender quotas has been remarkable, given their initial, and to some extent persisting contestation. The types of available gender quotas are many and diverse, which suggests that in contrast to old debates of *for or against* gender quotas, contemporary discussions about TSMs such as quotas might focus more on *which type* of TSM is most suitable for elections, public commissions and boards, and corporate boards.

One reason gender quotas may be so popular is because under the right circumstances and with the right design – as shown in this report – quotas can quickly change undesired under-representation of women. They are a *fast-track policy* in contrast to an *incremental track policy*, that presumes women's full participation in decision-making will come with development, in due time, and without backlash. Gender quotas efficacy as an affirmative action measure may also be precisely one of the reasons why they are sometimes controversial.

So far, due to slow progress, TSMs, including gender quotas, have not really been 'temporary' and very few rules include a sunset clause. Arguably, sustainable representation of women occurs when gender quotas can be removed without a subsequent drop in the number or share of women, or without stopping a process of increase.¹¹³ Yet, whenever quota regulations lead to more transparent, formalized and inclusive recruitment processes, a most wanted permanent change has taken place.

Different types of TSMs are spreading quickly in contemporary society, not only from one country to another and within and between regions but also from one arena of public life to another. At the same time, the target or goal of affirmative action policies have increased from "more women in politics" to achieve a critical mass of women (say 30%) in a specific area of decision-making, to today's demand for 'gender parity' in elected assemblies, and in all public commission, committees and boards in the public administration, and on corporate boards.

This paper has analyzed the different effects of hard legislated quota laws based on sanctions for non-compliance versus soft legislated quota laws which only have recommendations and do not include sanctions, only the requirement to 'report and explain' the reasons for non-compliance. The conclusion is that soft legislated quotas are ineffective and only symbolic in nature, whereas, under certain circumstances, voluntary political party quotas for election or self-initiated and managed corporate governance codes may render the same or even better results than soft quota laws if pressure from civil society is strong. Public administration may also be sensitive to public pressure; however, increased transparency and yearly statistics over the gender composition of corporate boards, public administration leadership, and the thousands of public commissions and boards are still lacking and are needed for more complete analysis.

It is important to stress that without broader changes to institutional structures and social norms, gender quota provisions alone cannot increase the share of women's representation in decision-making, or an increase may have limited effects. Conversely, it cannot be ruled out that strong and rapid changes in the gender composition of elected assemblies, corporate boards and public commissions and boards can start a process of broader transformative changes for gender equality. Breaking male

dominance in public decision-making can lead to a 'gender shock', especially in countries with traditionally low levels of involvement of women in decision-making. Consequently, breaking through the walls of male dominance should be seen as its own special goal, which will at least have wider effects on the symbolic meaning of representation, and at best lead to further policy changes.

Further, the very demand for gender quotas has started a debate on why women are under-represented, which might help shift previous diagnoses of the problem away from traditional explanations: the main problem is not women's alleged lack of political interest and/or lack of 'qualifications', but rather the lack of inclusiveness towards women and underrepresented groups on the part of decision-making institutions, including political parties, elected and appointed bodies, and corporations. Unfortunately, contemporary society is also witnessing pushback against women's increased visibility in public life, even long before gender parity has been reached. These uproars demonstrate how male-dominance has been, and in many circles still is, considered the norm of public life.

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Documents, normative texts

- Convention for the Elimination of All Forms of Discrimination against Women, CEDAW*. 1979
- The Platform for Action (BPA)*. UN Declaration from Beijing World Congress on Women. 1995.
- Security Council Resolution 1325, on *Women, Peace and Security*. 2000.
- Council of Europe. Recommendation *Rec (2003)3*. Adopted by the Committee of Ministers, 12 March 2003.
- Economic and Social Council (2019): *Review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special sessions of the General Assembly*.
- UN: *Sustainable Development Goals, SDGs*, 2015
- Institute of Directors South Africa (2016): *King (IV) Report on Corporate Governance*.

Databases

- Inter-Parliamentary Union, IPU, www.ipu.org This database shows an archive over women's parliamentary representation, country by count, incl. world and regional averages every year and month since 1997.

Int. IDEA. The Gender Quota Database, www.quotaproject.org. This database shows the precise quota regulations country by country. Started 2003. Issued by International IDEA in corporation with Dept. of Political Science, Stockholm University and the Inter-Parliamentary Union, IPU.

Freedom House (2020): *Freedom in the House Annual Report*. <https://freedomhouse.org/countries/freedom-world/scores>

European Institute for Gender Equality, EIGE: *Gender Statistics Database, Men and Women in Decision-making*. <https://eige.europa.eu/gender-statistics/dgs/browse/wmidm>

World Economic Forum: *Global Gender Gap Report*, 2020. <https://www.weforum.org/reports/global-gender-gap-report-2020>

UN Women: Global Gender Equality Constitutional Database. <https://constitutions.unwomen.org/en>

UN Women: Database on local gender quotas, 2020.

UN Women: Database on gender quotas in national parliaments (under development). EGQ, Oct. 2020. The electoral gender quota data base constructed for this essay, based on a critical review of the databases of International IDEA and UN Women. EGQ does not include smaller territories. On EGQ, see note 26.

Notes

¹ UN Sustainable Development Goal (SDG) 5, target 5.

² 1995 Beijing *Platform for Action (BPfA)*, Art.181.

³ In contrast to the wording of SDG 5:5, the concept of ‘public life’ in this paper includes political and economic life. This paper is an updated and more comprehensive version of the UN EGM paper (Dahlerup 2020b).

⁴ The concepts of temporary special measures, affirmative action or positive action are normally, like in this paper, used interchangeable. However, the usage might differ between countries, see Kansal, 2013.

⁵ Lépinard and Rubio-Marín, 2018: 450.

⁶ Finland’s electoral system, which involves voting for individual candidates only, not parties, does not fit very well with a quota system. In addition, Finnish women today have 46% representation in parliament.

⁷ Hughes et al 2017.

⁸ ‘Public’ refers to state, regional and municipal authorities, while ‘public life’ or ‘public sphere’ even includes the business world, voluntary organizations etc., but not the family.

⁹ An example: According to the Constitution of Kenya from 2010, Art. 27 (8) “the State shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender”. In addition, some countries’ parity laws even regulate some parts of the civil society associations, for instance, Costa Rica and France.

¹⁰ For an annotated bibliography over research on electoral gender quotas, see Dahlerup, 2020a.

¹¹ Research on the factors leading to the adoption and spread of gender quotas is not included in this essay.

¹² Bacchi 2006.

¹³ Murray 2014.

¹⁴ On the critical mass debate, see Dahlerup 2006b, 2018a, Krook and Childs 2008.

¹⁵ Council of Europe. Recommendation *Rec (2003)3*. Adopted by the Committee of Ministers, 12 March 2003.

¹⁶ See Dahlerup 2018b.

¹⁷ The Green parties have systematically worked to change male dominance in politics. The Frauenstatut/Women’s statute of the German Alliance 90/The Greens states, that two female party leaders are allowed, but not two male leaders. However, the most common for Green parties is a leadership of one woman and one man.

¹⁸ Sineau 2011: 69; Vogel-Polsky, 1996. See also Piscopo, 2015a, on the shift “from quotas to parity” in Latin America.

¹⁹ Kansa, 2013.

²⁰ Piscopo and Muntean 2018:285.

- ²¹ This distinction is inspired by Hanna Pitkin's classic book, *Concepts of Representation*, from 1967, even if Pitkin herself does not discuss the representation of women in the book. 'Substantive representation of women' indicates that women politicians 'act for women', in the 'interest of women', both contested concepts. 'Symbolic representation' relates to the perceptions of women as politicians, e.g., among the voters.
- ²² Dahlerup and Freidenvall 2005.
- ²³ Gender quotas for election are, however, not a totally new measure. Unpopular quotas for women existed in various forms in most communist countries, and was also in use previously in India, Pakistan, Bangladesh and Egypt, but with some interruptions (see Dahlerup 2006a).
- ²⁴ Bauer 2016; Dahlerup 2018a, forthcoming; Hughes et al 2017.
- ²⁵ The QAROT database is presented in Hughes et al 2019.
- ²⁶ The database EGQ, Oct. 2020 covers 196 countries and larger territories, and is based on International IDEA's and UN Women's databases, with a few corrections based on the author's knowledge on specific countries' quota systems. Countries with both legislated candidate quotas and reserved seats are categorized as R.S, the strongest measure.
- ²⁷ www.IPU.org, 1 Sept..2021, upper houses/senates and lower/single houses combined. The figure for lower/single houses is 25.8%, for upper houses/senates 25.1%.
- ²⁸ UN Women: Database on local gender quotas, 2020.
- ²⁹ Inter-Parliamentary Union, IPU (2021), *Women in Parliament in 2020. The year in review*. January 2021.
- ³⁰ In many Arab countries, the ballots do not even include names of the candidates, just parties and party symbols.
- ³¹ See e.g. Elin Bjarnegård 2013.
- ³² Nine arguments for and nine against electoral gender quotas are identified and discussed in Dahlerup and Freidenvall 2010; see also Dahlerup 2018a: 71.
- ³³ EGQ, Oct. 2020, 66 countries with gender candidate quotas by law.
- ³⁴ Goetz and Hassim 2003; Piscopo 2015a; Bauer 2016; Hughes et al 2017; Tobar 2008; Archenti and Inés 2008; Antic Gaber and Selesnik 2017; Terjesen et al 2014.
- ³⁵ EGQ, Oct.2020. 23 countries have adopted reserved seats for elections.
- ³⁶ See Darhour and Dahlerup 2014; Darhour 2020.
- ³⁷ EGQ, Oct. 2020. 30 countries, in which at least one of the parties represented in parliament has adopted party quotas for their own list for parliament election.
- ³⁸ See country examples of party quotas in Dahlerup and Freidenvall 2011; Dahlerup and Leyenaar 2013; Lépinard and Rubio-Marín 2018.
- ³⁹ Lovenduski 2005.
- ⁴⁰ There are many individual exceptions within the predominant regional patterns. In Morocco, following the court's rejection of gender quotas, the political parties made an agreement to reserve 30 seats for women on an already existing national list for the 2002-election. Later, this was formalized in a law, see Darhour & Dahlerup, 2013.
- ⁴¹ Tripp and Kang 2008; Piscopo and Muntean 2018.
- ⁴² Dahlerup 2018a, chap.3.
- ⁴³ Own calculations, based on EGQ database, Oct.2020
- ⁴⁴ Table 5 is from Dahlerup 2018a, p.82. It was based on The Gender Quota Database (GQD), released May 2014, Stockholm University. It is based on the 78 countries, which had adopted gender quotas for parliament at that point in time.
- ⁴⁵ Dahlerup 2006a, 2018a; Tripp and King 2008; Schmidt 2008; Krook 2009; Kittelson and Schwindt-Bayer 2012.
- ⁴⁶ Hughes et al 2019.
- ⁴⁷ Int. IDEA, The Gender Quota Database, accessed March 2021.
- ⁴⁸ It is possible in advance to make an exact calculation, which can show the minimum effects on women's representation of various ranking systems under different party magnitudes, see International IDEA, *Atlas*, 2013: 31.

- ⁴⁹ Dahlerup 2018a: 91-92.
- ⁵⁰ Dahlerup 2018a: 66-68. Information gathered during consultancy in Tunisia.
- ⁵¹ Information collected during a visit to Instituto Nacional Electoral in Mexico City, 2019.
- ⁵² Mona Lena Krook (2016: 274) has identified specific forms of resistance at different stages in the electoral process. Based on South Korean experience, Ki-young Shin 2014 rightly stresses that quota effects does not always come immediately or straightforwardly.
- ⁵³ See Muriaas et al 2020.
- ⁵⁴ Brennan 2020.
- ⁵⁵ The concept of substantive representation of women is usually connected to gender equality policies. However, with the growing gap in women's and men's attitudes beyond gender equality issues, for example, on climate change and economic inequalities, the potential effect of more women in decision-making widens.
- ⁵⁶ There are many projects on 'gender sensitive parliaments', see IPU, OSCE and UN Women.
- ⁵⁷ For some examples, based on surveys among MPs, see Lovenduski 2005; Wängnerud 2015; Dahlerup 2018b.
- ⁵⁸ See Krook 2020.
- ⁵⁹ Franceschet and Piscopo 2008.
- ⁶⁰ Beer et al 2016.
- ⁶¹ See Darhour and Dahlerup 2014; Darhour 2020.
- ⁶² Dahlerup 2007.
- ⁶³ Hughes 2011.
- ⁶⁴ Hughes 2011; Htun 2004, 2016; Freidenvall and Dahlerup 2020; Belschner 2020.
- ⁶⁵ Dahlerup 2018a. The 'acceptable minimum' refers to the lowest share of women in a government or on a committee, which at a given time and in a given country is necessary to prevent public protest.
- ⁶⁶ Jalalzai and Krook 2010; Bauer and Tremblay 2011; Leyenar 2016.
- ⁶⁷ Here defined as 50% women or more. IPU-UNW Map of Women in Politics 2021.
- ⁶⁸ *Gender Equality in Public Administration. GEPA-program*, UNDP, 2014. 'Local' added to the citation.
- ⁶⁹ GEPA Initiative Database. UNDP and University of Pittsburgh, 2019.
- ⁷⁰ See Hughes and Kökten (2020) on the difficulties of measurement and data harmonization.
- ⁷¹ European Institute for Gender Equality, Gender Statistics Database, Statistics over women in decision-making (2020).
- ⁷² After having turned down several national affirmative action measures for the hiring of staff, the European Court of Justice accepted this rather ineffective affirmative action measure for hiring under 'equal qualifications', see Kantola 2009.
- ⁷³ Wilson Center 2018.
- ⁷⁴ Muhr 2019, chap.8.
- ⁷⁵ Mål och myndighet – en effektiv styrning av jämställdhetspolitiken. SOU 2015:86, p.115.
- ⁷⁶ Verge and Lombardo 2018.
- ⁷⁷ Holli 2012.
- ⁷⁸ See also OMFIF's *Gender balance index*, 2020.
- ⁷⁹ The 'Nordic' region consists of five countries, Finland, Iceland, Denmark, Norway and Sweden, while 'Scandinavia' only includes the three later countries.
- ⁸⁰ Dahlerup 1987.
- ⁸¹ Niskanen ed. 2011.
- ⁸² Freidenvall et al 2006:61-62
- ⁸³ For Germany: Gesetz für die gleichberechtigte Teilhabe von Frauen und Männer an Führungspositionen in der Privawirtschaft und im öffentlichen Dienst, 2017. For Denmark: Ligestillingsloven af 03.07.2020.
- ⁸⁴ In the literature on the growing number and influence of international governance organizations, these are defined as various systems of international cooperation that are initiated through intergovernmental agreements between states, but increasingly work independently, see Dahlerup 2018a, chap.5.

- ⁸⁵ Donà 2018.
- ⁸⁶ Meier 2014. See also Hughes et al 2017.
- ⁸⁷ On the importance of implementation for gender equality policies in general, see Engeli and Mazur 2018.
- ⁸⁸ Terjesen 2014.
- ⁸⁹ Lépinard 2018.
- ⁹⁰ European Institute for Gender Equality: Gender Statistics Database, largest listed companies, 2005, 2015 and 2020.
- ⁹¹ Piscopo and Muntean 2018:285.
- ⁹² African Development Bank Group, 2015:2.
- ⁹³ ‘Listed’ companies (listed at the Stock Exchange) are not exclusively private, since also large state-controlled or state/private-owned companies may be listed.
- ⁹⁴ The categorizations, and consequently the numbers vary somewhat in the literature, see Terjesen et al 2014; African Development Bank 2015; Hughes et al 2017; Piscopo and Muntean 2018 and Lépinard and Rubio-Marín 2018 on Europe. Own investigations added.
- ⁹⁵ See survey data from Norway in Heidenreich 2013.
- ⁹⁶ Picopo and Muntean. This article uses the concept “soft” quotas for voluntary measures, and “limited hard quotas” identical to this article’s “soft quotas by law.”
- ⁹⁷ See Piscopo and Muntean 2018.
- ⁹⁸ Bouka et al 2019; African Development Bank Group 2015; Institute of Directors South Africa 2016.
- ⁹⁹ Piscopo and Muntean 2018:285.
- ¹⁰⁰ Reports on women on company boards have been issued by women’s business associations, government agencies, universities and others. South Africa was in the forefront with the 2000 report on *Women Directors of South Africa’s Top Publicly Listed and Government Owned Companies*.
- ¹⁰¹ Hard quotas are here defined according to what the law or regulation specify, not the actual outcome.
- ¹⁰² The Italian regulation is a temporary measure valid only until the third renewal of the board (Donà 2018).
- ¹⁰³ Teigen 2018
- ¹⁰⁴ Dona 2018.
- ¹⁰⁵ Lang 2018.
- ¹⁰⁶ In all three countries, public listed companies at the stock exchange can be both private and public-private owned, yet here only the figures for private listed companies are included.
- ¹⁰⁷ Norway: Teigen and Kitterød 2018, Teigen and Karlsson 2019; Denmark: *Erhvervsstyrelsen* 2019; Sweden: Freidenvall 2018, 2020 and forthcoming.
- ¹⁰⁸ An EU-comparison 2020 confirms this conclusion (EIGE 2020). Notice that the EU-statistics only include the ‘largest listed companies.’
- ¹⁰⁹ For an overview of research, see Vinnicombe et al 2008; Terjesen et al 2009, 2014; Hughes et al 2017.
- ¹¹⁰ Adams and Ferreira 2009.
- ¹¹¹ For a statistical overview over the Norwegian case, see <https://www.samfunnsforskning.no/core/english/our-research/gender-equality-and-career/index.html>
- ¹¹² Heidenreich 2013; Teigen 2018.
- ¹¹³ Darhour and Dahlerup 2013.