

# French Lesson: What the United Kingdom can Learn from the French Experiment with Gender Parity

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## Introduction

POLITICALLY speaking, France and the United Kingdom have much in common. They are countries of similar size in terms of population, wealth and international status. They are long-established democracies, with one member of parliament elected in each constituency—a system also known as single-member districts. They each have party systems dominated by a main party on the left and a main party on the right, although France's party system contains a greater number of minor parties. Regarding women's representation, the two countries are also similar. Both countries compare relatively poorly to their European neighbours for women's presence in parliament. In the 1990s, both countries had more than 90 per cent men in their parliaments. The United Kingdom edged ahead in 1997, when the number of women MPs doubled overnight to 18 per cent following the Labour election victory. France has also improved since then, with modest rises in 1997 and 2002, followed by bigger increases in 2007 and 2012. The United Kingdom currently has 22 per cent women in parliament, while France stepped into the lead with 27 per cent following the legislative elections in June 2012.

How has France managed to overtake the United Kingdom in terms of women's representation? The answer lies in France's adoption of a 'parity' law. Based on a constitutional amendment in 1999 and legislation passed in 2000, this law requires all parties to field an equal number of male and female candidates to nearly all elections. In essence, it is a gender quota, and it was the first in the world to be set at 50 per cent. For a country with low levels of women's representation and an electoral system that is not conducive to the usage

of quotas (for reasons explained later in this article), introducing a 50 per cent quota was an ambitious move. More than a decade later, parity has a mixed track record. It has led to significant improvements in the presence of women in local politics, although the executives of local institutions remain stubbornly male-dominated. At the national level, the proportion of women has more than doubled, but with 27 per cent women in the lower chamber and 22 per cent in the upper chamber of parliament, France is still far from achieving its stated goal of political parity.

Although the French experiment with parity has not been entirely successful, it still has the potential to offer useful insights to policy makers in the United Kingdom. British attempts to increase women's representation have been even more modest in their success, with Labour's policy of all-women shortlists standing out as the only policy that has made a significant difference to the number of women elected. Rejection by the Conservative and Liberal Democrat parties of measures designed to guarantee equality of representation has resulted in stagnating levels of women MPs within these parties. The low success rate of 'positive action' measures has led to calls to consider moving towards some form of gender quota. Any movement in this direction would need to be made carefully. Insights provided from the French experience illustrate the challenges that would be faced by such a move, the potential pitfalls to avoid, and ways in which hurdles may be overcome.

This article focuses on three areas in particular. First, it considers how a gender quota might be brought onto the political agenda and how much support (and resistance) it might receive from different actors. Second, it evaluates French attempts to introduce a quota set at 50 per cent, and debates whether a

similar move would be appropriate for the United Kingdom. Finally, it discusses how a quota would need to be designed to ensure effective implementation.

## Putting quotas on the agenda

The first challenge for anyone contemplating introducing gender quotas is to get them onto the political agenda. Ensuring their effective passage through parliament requires that they be supported by a political party that is willing to show leadership on the issue. Such leadership is more easily achieved if the public have indicated that they are willing to follow. Popular mobilisation in favour of women's representation would need to be brought about by a well-orchestrated campaign by women's movements and pressure groups. Such mobilisation, if facilitated by a sympathetic press, would provide the ideal conditions in which to garner public support for quotas and place pressure on politicians to take action.

France witnessed such a scenario in the 1990s, as many different women's organisations came together to form a well-coordinated parity movement. Launched in 1992, the movement was vocal in its demands for gender parity, and initiated a series of high-profile campaigns that sought to raise public awareness and keep the issue on the political agenda. Successive opinion polls indicated that a large proportion of the electorate was favourable to women's equal representation. Women activists within the major political parties put pressure on their parties to support the call for parity. The campaign was facilitated by the fact that France is a semi-presidential system, with an elected president as well as a prime minister. The presidential elections are the most important event in the political calendar, and they afford an excellent opportunity to lobby candidates and push issues onto the agenda. In 1995, parity activists succeeded in forcing all the major candidates to take a stance on parity. Anxious not to alienate women voters, Jacques Chirac expressed support for parity, as did the defeated left-wing candidate, Lionel Jospin. When the latter became prime minister in 1997, he put parity back on the political agenda, while the former supported it despite some reluctance from his party. The peculiar

circumstances of semi-presidentialism led to a president and prime minister of different parties who were working together while being former and future rivals for the presidential election. Neither of them wished to oppose a popular measure, and this competition within the executive helped to bring about the parity law.

Alas, no such scenario is a realistic prospect for contemporary Britain. While some women's movements, such as Fawcett, the Campaign for Women and Democracy, and the umbrella movement Counting Women In, are supportive of gender quotas and are trying to raise awareness of the issue, there is no equivalent in the United Kingdom to the campaign for gender parity in France. Nor is there widespread public support on the issue. An example of the suspicion with which quotas are met in Britain is a recent YouGov poll, in which more than half of respondents opposed the use of quotas to increase the presence of women on the boards of large companies.<sup>1</sup> Without this mobilisation at the popular level, political leaders do not have an electoral incentive to introduce gender quotas. In fact, parties might even face an electoral *disincentive* if they felt that the public would respond negatively to quotas, viewing them as patronising, anti-democratic or a negative example of 'political correctness'. There is also no equivalent in the United Kingdom to a presidential election contest; there is much less opportunity to push issues onto the agenda in British parliamentary elections, as elections focus more on parties than on individuals, with policies determined by manifestos rather than campaign pledges.

What hope, if any, is there of seeing gender quotas in the United Kingdom? The Conservatives and Liberal Democrats have both shown hostility towards quotas in the past, viewing them as unnecessary and discriminatory. David Cameron's attempts to promote women via other measures, such as having a more gender-balanced 'A-list' of candidates, were not well received by party members.<sup>2</sup> Meanwhile, the Liberal Democrats have the worst track record of all the major political parties, yet quotas sit uncomfortably with liberal ideology of individualism and *laissez faire*. Resistance to quotas within the party also stems from the internal party organisation, with quotas presenting a threat to

local party autonomy.<sup>3</sup> Positive noises made by all parties during the 2010 Speaker's Conference on Women's Representation did not translate into significant gains for women in the 2010 general election.<sup>4</sup> Current projections indicate that the Liberal Democrats may even have no women MPs at all after the next general election.

However, the current coalition government is also aware of the fact that it is losing votes among women voters. Budgetary cuts have had a particularly negative effect on women, who comprise the majority of the public sector workforce as well as being the primary beneficiaries of the welfare state. If women voters continue to desert the governing parties, they may need to contemplate gender quotas as a way of trying to win back their female electorate. Such a measure would likely meet internal resistance from their local party organisations, but would enable them to make a gesture towards women without shifting their economic priorities. In this respect, they would not be so different to their French counterparts.

In 1995, following Chirac's election as president, a government was formed with Alain Juppé as prime minister and a record number of twelve women ministers. These women were nicknamed 'Juppettes', a patronising play on Juppé's name that literally translates as 'short skirts'. Only six months later, the government was reshuffled and eight out of twelve women were sacked. This created enduring embarrassment for the government, which was seen to be out of touch and anti-women, and which was subsequently voted out of office in 1997. The need to restore credibility with women voters was one of the reasons why Chirac did not oppose the introduction of parity in 1999. As we shall see in the next section, parties might view gender quotas largely as a symbolic gesture towards women voters, especially if they are designed to be relatively easy to circumvent.

In contrast to the Conservatives and Liberal Democrats, the Labour party has a more genuine incentive to introduce gender quotas. It has already introduced all-women shortlists (AWS) to boost the number of Labour women MPs, and AWS were responsible for the doubling of women MPs in 1997. Labour has also engaged in positive action strategies, and changed the Sex Discrimination Act in 2002

in order to ensure the ongoing usage of AWS. Although women are still less represented in the party than men, Labour is the party that in theory and practice has shown the most support for women's representation. If the party returned to power, it might also have an incentive to introduce compulsory quotas, as this would disrupt candidate recruitment practices for other parties and offer an additional advantage to Labour. However, it would still need the support of popular mobilisation on the issue.

Overall, the prospects of gender quotas in the United Kingdom look slim. However, it should be borne in mind that there appeared to be no hope of gender quotas in France until the start of the 1990s, less than a decade before the parity law was passed. An earlier attempt to introduce quotas, in 1982, had been struck down by the constitutional council, setting a precedent that appeared to block the path to any future attempt at introducing gender quotas. The reframing of quotas as 'parity', combined with the inscription of parity in the constitution as well as in legislation, helped to overcome this problem. Nonetheless, it was only once activists mobilised on the issue that a viable solution was found. Thus, while quotas might seem an unlikely prospect in the United Kingdom right now, the French experience indicates that one should never say never.

## Setting the quota level

It is not coincidence that France was the first country in the world to introduce a 50 per cent gender quota. Quotas are traditionally introduced at lower levels in order to make them more manageable and less intimidating for parties. In France, this was not an option due to the constitutional ban on quotas. By reframing quotas as 'parity', gender equality advocates were able to posit that parity was not a quota, but simply recognition that citizenship has two sexes that should both be represented. Although this distinction was theoretically tenuous, it was sufficient to enable parity to be passed. A 50 per cent quota was also appealing to equality activists, both practically and symbolically. The practical advantage of such a quota is that it avoids the common problem of viewing quotas as a ceiling rather than a minimum target, such

that when a quota is met, it is rarely exceeded. Thus a 30 per cent quota might serve as an inadvertent cap on women's representation, whereas a 50 per cent quota aspires to equality from the outset. Similarly, the symbolic advantage of a parity quota is that it indicates clearly that only equal representation will do, and that 30 or 40 per cent women will not suffice.

However, a 50 per cent quota also has drawbacks. It is almost impossible to implement a 50 per cent quota immediately, and delayed implementation makes the quota appear weak and ineffective. Immediate implementation would require an overnight transformation of political personnel, with the compulsory exit of large numbers of male incumbents. However, parties have many reasons to wish to retain their incumbents. They have often built up local support bases who would resent the compulsory retirement of their MP in favour of a new, potentially unknown or less favoured candidate. Incumbents have also, in many cases, demonstrated their loyalty to the party and their ability to win election campaigns. They will have built up local name recognition and developed a rapport with their local electorate. Ousting these men in favour of a less known candidate might be perceived as electorally risky, as well as damaging local party relations. The ejected incumbent might even stand against his party as a dissident candidate, resulting in a split vote that allows the opposition party to take the seat. More long-serving MPs also benefit from experience and stature that might lead to their promotion to the front bench. The only positive for parties is that a quota would give them an excuse to push out MPs seen as undesirable due to their lack of loyalty to the leadership, their excessive tenure in office or similar. This has been witnessed in France, with the Socialist party being accused of using parity as an excuse to replace MPs of a dissident faction with those more loyal to the leadership.

The alternatives to ousting incumbents are all problematic. The first option would be to allow incumbents to remain, but to offer all open seats to women. The number of seats vacated at each election is too few for this measure alone to suffice, but it would have the merit of appeasing incumbents. However, it would instead incur the wrath of young

men seeking to enter parliament for the first time. These men cannot be held personally responsible for the historical overrepresentation of men in politics, and blocking their entry into politics is as unfair and unwise as preventing women from accessing politics. Men in the French Socialist party have complained that they are a 'sacrificed generation' who have been overlooked in the name of parity. While this claim is overstated, it has also taken hold in the United Kingdom. AWS were temporarily banned in 1996 after disgruntled men within the Labour party took their own party to court on the grounds that AWS breached the Sex Discrimination Act. This ruling was overturned only after Labour amended the Act in 2002 to allow AWS to resume.

Yet if parties refuse to de-select incumbents, and offer only half of new seats to women in order to ensure fairness for all new entrants, the rate of feminisation in politics will remain very slow and the anticipated fast-track provided by gender quotas will fail to materialise. An electoral system such as the one in the United Kingdom results in relatively slow political renewal. Most seats are considered safe for one party, and the incumbent MP can therefore hope to be re-elected for as long as they wish to serve in parliament. Opportunities arise only when an MP stands down, dies or when the political tide shifts and allows marginal seats to swing to another party.

It is common practice in both France and the United Kingdom for women to be placed in marginal seats.<sup>5</sup> While it may come as no surprise that women end up in these seats due to the male incumbent monopoly of safe seats, the consequence is that women are more likely to lose their seats at the next election. This has several repercussions for women. It gives the false impression that they are losing their seats because they are weak candidates, rather than because they were in vulnerable seats, resulting in a reinforcement of negative stereotypes about the viability of women candidates. It may deter women from entering politics if they see that women exit politics after only a short career. Most importantly, it prevents women from building up expertise and seniority within parliament, and thus from accessing the top parliamentary and governmental roles that can only be obtained with political longevity.

For all these reasons, a quota set at 50 per cent is hard to achieve, and France has not come very close to hitting the target. This has led to a certain amount of disillusionment with the parity law, although it has also led to demands for the law to be strengthened and reinforced. Yet if the quota is set at a more realistically achievable level, it risks being insufficiently ambitious and transformative. A compromise solution may be that offered by Belgium, where a quota law was introduced in 1994 that required a minimum of 33 per cent women. To facilitate implementation, the quota was set at 25 per cent for its first application in local politics in 1995, and it was not implemented at the national level until 1999. In 2002, the law was strengthened to raise the quota to 50 per cent. Although the target has never been met, the proportion of women elected has risen with each election. Setting a moving target allows parties to make more incremental changes while still showing the ambition and recognition of women's right to equal presence that comes with a 50 per cent quota.

## Quota design

When contemplating introducing a gender quota into the United Kingdom, several factors need to be taken into consideration. The use of single-member districts renders quotas more complicated than an electoral system based on party lists. On a list system, it is sufficient to insist that the stipulated proportion of women should be present on each list or else the list will be rejected. In single-member districts, it is not possible for women to represent a fraction of each constituency. It is also more difficult to require a placement mandate within single-member districts. Placement mandates are used to prevent women from being placed in unwinnable positions. The issue of incentives to comply with the quota also needs to be addressed. Let us consider each of these in more detail.

In single-member districts, it is not possible to provide a balance of men and women within each constituency. This makes the implementation of a quota significantly more challenging. There is the risk that each constituency will select a man on the assumption that someone, somewhere else, will select a woman. Avoiding this problem requires cen-

tral coordination of the candidate selection process and the willingness of parties to compel certain constituencies to select women. This may create problems for parties where national intervention is not welcome in local selection procedures. The use of AWS is one potential solution to this problem, although the experience of Blaenau Gwent serves as a reminder of the risks of parachuting women candidates in at the expense of the local male candidate.<sup>6</sup> Another option is 'twinning', whereby constituencies that are similar in terms of safety are paired, with a woman standing in one and a man standing in the other. This technique has already been deployed effectively in Scotland.

In France, there has been no systematic approach to resolving this dilemma, with different parties trying varying solutions. The French Socialist party have reserved some seats for women, extending a policy that was in place prior to the introduction of parity. The Communist and Green parties have used national selection committees to overrule local choices where local parties selected too many male candidates. Parties of the right have not taken any systematic measures to ensure a gender balance, and they have been the least successful in getting anywhere close to parity.

The number of women selected is not the only criterion of importance. In a system of single-member districts, it also matters where the women are standing. In France, parity applies only to the number of women candidates, without regard to how many women actually get elected. If women are placed disproportionately within unwinnable seats, the higher proportions of female candidates will be of little benefit for increasing women's presence in parliament. This is one of the main reasons why parity has not been more successful in French parliamentary elections. Parity has applied to a variety of elections in France, and has been much more successful in local elections that use a party list system. This is partly because compliance is easier to enforce in a list system, as stated above, but it is also because placement mandates are easier to introduce. Without a placement mandate, if a party wins three seats and the first three candidates on the list are men, it is of little benefit to women to know that they occupied the bottom 50 per cent of positions on the list.

France originally used the 'three in six' rule for local elections, whereby three in every six candidates had to be women. This system has now been replaced with zipping for all party list elections where parity applies. Zipping requires that every other candidate be a woman. In single-member districts, where such measures are not possible, there has been a much heavier tendency to place women within unwinnable seats. Twinning would help to resolve this problem, but it has not been used in France. As a result, the proportion of women candidates always significantly exceeds the proportion of women elected.

There is a second reason why parity has been less successful at the national level in France, and this is because the means of enforcing it are fairly weak. There are two main ways to get political parties to comply with a gender quota. The first is political will: if a party is genuinely motivated to support a quota, it will do so without any external pressure. This has been the case with voluntary party quotas in certain contexts, including the use of AWS. As the party is enacting the quota of its own free will, there is the risk that their motivation to support the quota may decline, but there is also some truth in the maxim that when there's a will, there's a way. However, when there is not enough will, the second method of compliance is required—namely the introduction of sanctions for parties who do not fulfil the requirements of the quota. In France, these sanctions have taken the form of a financial penalty. French parties are financed by the state, and they receive two blocks of funding: one for every vote received, and a second for every seat won. The former block of funding is crucial for parties who win few or no seats, but the latter block is more lucrative. French parties who do not respect parity lose a fraction of the first portion of their state subsidy, in proportion to how far they are from achieving parity. For example, a party with 40 per cent women candidates would lose 15 per cent of their funding from this block, while a party with 20 per cent women candidates would lose 45 per cent of their funding. For small parties, this financial penalty is sufficiently damaging that they have no choice but to comply with the law due to their lack of access to the second portion of funding, which pertains to seats won.

Yet this reveals the ineffectiveness of this mechanism: it is most respected by the very parties who do not affect the composition of the French parliament. The parties who win sufficient numbers of seats can afford to use the second block of funding, which is larger, to offset any losses from the first block resulting from a lack of parity. The bigger parties therefore have a loophole that enables them to bypass parity if they so choose. The resulting financial losses are still significant and undesirable, but they have been deemed the lesser of two evils by the main right-wing party, the UMP, which fielded only 20 per cent women in 2002, 26 per cent in 2007 and currently have 25 per cent women candidates in 2012. Their priority has been to protect their male incumbents, of whom they had many. Left-wing parties have come closer to respecting parity, and the proportions of women MPs are significantly higher within left-wing parties. From 2010 to 2012, France therefore mirrored the United Kingdom in that in both countries, the majority of male MPs belonged to a right-wing party but the majority of women MPs represented a party of the left. The rise in the number of women elected in France in 2012 was a direct result of the return to power of the left. There is now discussion within the new French government of the possibility of removing all state funding for any party not respecting parity. This radical move would force right-wing parties to select more women candidates or face financial annihilation.

Financial penalties cannot be applied in the same way to the United Kingdom because British parties are not financed by the state, so the state cannot withhold funding. Alternative measures might be more effective, but would also be unlikely to attract much political support. One such measure would be to prevent parties from filling more than a certain percentage of seats with men. For example, if there were a 40 per cent quota, parties would only be allowed to have a maximum of 60 per cent men in parliament, and any male MPs above this maximum would be obliged to forfeit their seats. This would motivate parties to ensure that women were placed in winnable seats in sufficient numbers in order to avoid the risk of sacrificing hard-won seats in parliament. From a democratic perspective, however, it is problematic to prevent a party from taking up a

seat if the constituents of that seat have expressed their desire to be represented by someone from that party.

A different solution would be to have reserved seats for women, whereby the shortlists of every party in that constituency were women-only. This approach would also be effective, and would be no less fair than the present reality where many constituencies are reserved for men in all but name. The practice has been relatively uncontroversial when used voluntarily by the French Socialists, but there has been no move towards making reserved seats a compulsory requirement.

## Conclusion

The French experiment with gender parity has produced mixed results. France introduced an ambitious 50 per cent quota as a result of widespread mobilisation by women's movements, public support for parity, an embarrassing gaffe by the right-wing government (the 'Juppettes' scandal) that left them ill-placed to resist parity, and a dual executive that encouraged both leaders to honour their electoral pledge to support parity. The law has worked well in local elections where a party list system has facilitated strong sanctions for non-implementation. At the national level, the use of single-member districts has made it harder to ensure that women are placed in winnable positions, resulting in more women candidates than women elected. The use of weak sanctions has also allowed the larger parties to evade parity.

What can the United Kingdom learn from all this? The first lesson is that gender quotas are unlikely to materialise without considerable political support. Electoral incentives, either due to widespread voter support for quotas or through the need to restore a tarnished image with women voters, may help to motivate the Conservatives to support quotas. At present, popular approval of quotas is lacking, so a sustained and coordinated campaign by women's movements is required. The coalition government has lost support among women voters, but it is unclear whether gender quotas would be considered an acceptable solution to this problem by the government or by women voters. On the other hand, Labour

have shown stronger ideological support for quotas, so any future legislation on quotas is more likely to be initiated by them.

The second lesson is that quotas will need to be designed carefully to ensure that they are an effective policy rather than a token gesture. There are risks associated with setting the bar too high or too low, so a moving target might be the best solution. Voluntary party quotas rely on political will to ensure effective implementation, but any move towards a compulsory quota would require robust measures to ensure compliance. In particular, the problem of single-member districts would need to be overcome through a measure such as twinning, and the problem of placing women in unwinnable seats would need to be avoided through a measure such as capping the number of seats that can be occupied by men. While the example set by France is not necessarily one for the United Kingdom to follow, the French have demonstrated that bold and courageous measures to boost women's representation are possible. The United Kingdom can take inspiration from the French example. At the same time, learning from the mistakes made in France will enable proponents of British quotas to avoid the pitfalls and loopholes that have prevented French parity from delivering all that it promised.

## Notes

- 1 YouGov poll for the *Sunday Times*, January 2011.
- 2 S. Childs and P. Webb, *Sex, Gender and the Conservative Party: From Iron Lady to Kitten Heels*, Basingstoke, Palgrave Macmillan, 2012.
- 3 E. Evans, *Gender and the Liberal Democrats: Representing Women?*, Manchester, Manchester University Press, 2011.
- 4 J. Ashe, R. Campbell, S. Childs and E. Evans, "'Stand by your man': women's political recruitment at the 2010 UK general election", *British Politics*, vol. 5, no. 4, 2010, pp. 455–80.
- 5 Ibid; R. Murray, 'The power of sex and incumbency: a longitudinal study of electoral performance in France', *Party Politics*, vol. 14, no. 5, 2008, pp. 539–54.
- 6 D. Cutts, S. Childs and E. Fieldhouse, 'This is what happens when you don't listen: all-women shortlists at the 2005 general election', *Party Politics*, vol. 14, no. 5, 2008, pp. 575–95.