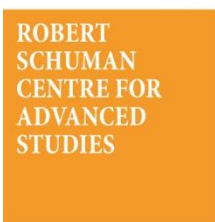




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Gender Quotas in Single-Member District Electoral Systems

Skye Christensen and Gabrielle Bardall

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European University Institute

Badia Fiesolana

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Abstract

Conventional knowledge on the effectiveness of gender quotas for enhancing women's political participation has, to date, been unanimous on the superiority of quotas in proportional representation (PR) systems. Yet this view overlooks the many possible alternatives to implementing gender quotas in single-member district (SMD) systems. This paper studies gender quotas (or temporary special measures, TSMs) in SMD electoral systems. Drawing on case examples from Uganda, France, India and elsewhere, we refute the myth of the incompatibility of quotas in SMDs. Our research investigates and presents multiple ways in which quotas can be successfully implemented in SMDs.

Keywords

Gender quotas, temporary special measures (TSMs), single-member districts, electoral systems, France, India, Uganda.

Introduction

Gender quotas are complicated or ineffective in electoral systems that use single member districts. This conventional wisdom on gender quotas in single-member districts (SMDs)¹ has influenced thought and policy for over a decade. Fortunately, this well-established assumption is incorrect. There are several effective ways to apply quotas in single-member district systems, as demonstrated by a growing number of experiences from countries around the world.

Given the importance of achieving gender balance in politics and the international commitments which 188 countries have made,² the option of “fast tracking” gender equality via quotas (also known as temporary special measures, TSMs) is of pertinence as a policy solution in many countries. Lawmakers and advocates must consider what type of quota package should be adopted and what the target representation should be (33%? 50%?). Despite the relative ease of implementing gender quotas in proportional representation (PR) systems, changes of electoral systems between PR and majority/plurality are highly infrequent. Academic evidence about the benefits of PR is of little help when faced with the political reality of immutable electoral systems. To meet gender equality goals in this area, countries with SMD-based electoral systems must find viable ways of increasing women’s participation within the parameters of majority/plurality systems.

The challenge of SMDs is no peripheral matter; over four-billion people live in countries employing SMDs to elect national parliaments. This includes 64 countries (53% of people living in countries with elected national parliaments) that use single-member districts as the means to elect their parliaments. The SMD tally includes large populous countries such as the US, India, as well as much of the commonwealth. An additional 39 countries use a combination of SMDs and MMDs (21 percent of global voters.) By comparison, multi-member district systems such as PR cover 83 countries but only 26% of the relevant population.

Table 1: Extent of single-member districts to elect national parliaments³

District Type	Population		Countries	
Single Member	3,044 m	53.28%	64	34.41%
Multi-Member	1,493 m	26.14%	83	44.62%
Both SMD & MMD	1,175 m	20.57%	39	20.97%
Total	5,714 m	100%	186	100%

The academic and practitioner communities alike remain constrained by stereotypes on this issue. Building on research suggesting that PR systems are more favorable for women and minority representation, international expert advisors frequently assert that PR systems are more compatible with quotas.⁴ That narrative, coupled with the prejudice that single member districts are unfit for quotas, is regularly repeated in contemporary research. “In general,” the most current EU Report on gender quotas argues, “it is much more complicated to construct gender quotas that are appropriate for single-member constituency electoral systems” (Dahlerup and Freidenvall, 2011). Observer organizations have weighed in with similar advice on the matter. The Carter Center explained the

¹ The Authors note that *constituency* is a more specific term than district since district is often a territorial administrative unit rather than an electoral area, but we will use district in this paper for consistency with previous work..

² At time of writing, 188 states have acceded to or ratified the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Article 4.1 of CEDAW provides the international normative framework for the temporary use of special measures such as quotas to achieve de facto gender equality.

³ Original dataset

⁴ Based on authors’ experience.

dramatically declining participation of women in Sierra Leone's elections as a result of the difficulty of applying a gender quota to Sierra Leone's single member district system. "The Center noted that women's quotas are found most often in proportional representation systems and are harder to implement in 'first-past-the-post' systems" (Carter Center, 2012).

Despite these arguments, successful examples of quotas in SMDs continue to proliferate around the world, including the nomination quotas used in France, the rotating districts applied to local government in India, the women's 'super-districts' used in Uganda and emerging approaches to alternate thresholds or "best loser" systems. Each of these systems has its advantages and drawbacks, as do the quotas used in PR Systems. A review of these cases reveals that quotas in SMDs are no more complicated or less effective than quotas used in PR.

The concern that quota systems in SMDs are 'complicated' fails to reflect the reality that electoral systems in general tend to be complicated. Many countries opt for hybrid mixes of proportional and plurality systems, include special tiers and reservations for minorities, preferential voting, thresholds, or numerous other 'complications.' The German system of mixed member proportional and the preferential systems used in Ireland and Australia are both complicated for many voters to understand (for example, see OSCE/ODIHR 2007 and OSCE/ODIHR 2013). Simplicity is a valuable normative criterion but it probably not the most important one. Though quotas add complexity to any electoral system, the cases in this paper illustrate that quota designs in SMDs need not be excessively burdensome.

The present paper does not contest the advantages of list-based PR systems that have indeed tended to favor representation of women and minorities. Instead, we investigate how TSMs can be effectively implemented under majority/plurality-based systems without compromising the efficiency of the system.

Our research examines and presents multiple ways in which quotas can be successfully implemented in SMDs. We review nomination quotas and four types of reserved seats: rotating districts, super-districts, PR Tiers and alternate thresholds ("best losers"). Drawing on examples from Asia, Europe, and Africa, we refute the myth of the incompatibility of quotas and SMDs. We argue that it is essential to look for solutions in these contexts, given the widespread use of majority-based electoral systems.

By providing research and analysis on quotas in SMDs, we also seek to contribute to enhanced policy options. The failure of the current literature to adequately consider quotas in SMDs often results in policy recommendations that are exclusively relevant to proportional list systems (in some cases, without categorizing them as such).⁵ Recommendations that are inappropriate to the systems in use can be misleading and counterproductive for practitioners and advocates working in this area.

Lastly, the established explanations for the advantage of PR systems also merit re-visiting in light of the evolving body of practice in enhancing women's representation in SMDs. We hope that this paper contributes to that evaluation.

Origins of the SMD –Quota Incompatibility Myth

Misperceptions regarding the application of TSMs in SMDs are based on three factors. The first two reasons reflect the comparative performance of proportional systems, on one hand, and a handful of highly visible cases where TSMs have been poorly applied in SMDs, on the other. The third reason is based on the experience with the first two: namely, that the activists driving quota legislation forward

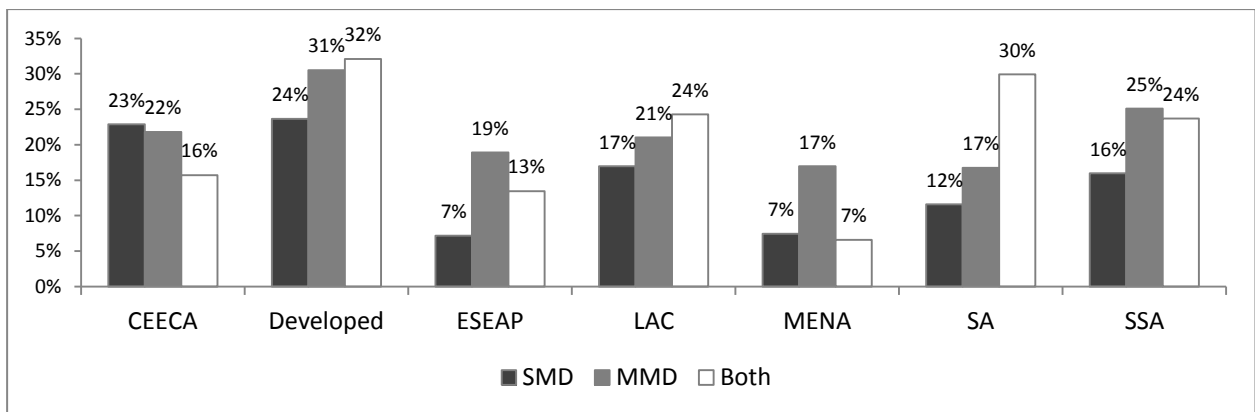
⁵ See for example quotaproject.org a comprehensive resource on quotas around the world. On the issue of nominations, the site underlines that rank order rules are the critical issue, even though such rules are only relevant to list PR and are irrelevant in most electoral systems, including all single member district systems.

have focused heavily on multi-member district (MMD) solutions because of a failure in the literature to provide a basis of understanding for other options.

Benefits of Multi-Member Districts

Structural elements of electoral systems have been recognized as influential factors affecting women’s representation in the literature for over three decades. The most significant factor affecting levels of women’s representation is generally considered to be the difference between party-list proportional systems and systems employing single-member districts (Duverger 1955; Lakeman 1970; Castles 1981; Rule 1981; 1987; Norris 1985; 1987). The gap has been documented statistically over time and across regions. Using a within-case analysis, Lancaster and Davis (Matland in Studlar, 1992) documented the difference in Germany’s mixed system where multi-member district lists resulted in twice the number of women elected than in the SMDs. In 1993, western democracies with List PR systems averaged 20 percent women elected to parliament while countries with SMDs achieved less than half this success, with only 9 percent women (Matland and Studlar 1996). Twenty years later the gap has shrunk significantly in developed countries, with proportional systems in electing almost 30% women to parliament and majority-based systems electing almost 24%.⁶ However single member districts continue to lag behind MMDs and mixed systems in global statistics. Outside of the developed countries, PR systems still elect almost twice the number of women as majority systems.⁷

Chart 1: Women in Parliament by Region and Electoral System⁸



The distinction between the systems is attributed to the effect of PR systems on party nomination procedures. There are several factors in play here. Where only one seat is contested, party nominations often converge around the candidates perceived to be most broadly acceptable to their constituency, often resulting in slates of male-only candidates. As the number of seats per district (district magnitude) increases, these pressures ease. Each additional seat available represents an opportunity for parties to attract votes from constituencies beyond their core; hence they are more likely to seek out a more diverse slate of candidates, including women. Likewise, within-party competition for nominations is lessened and women face a lower threshold to cross in seeking their party’s nomination (Engstrom 1987; Rule 1987; Matland 1993). Party list systems also tend to have more centralized nomination procedures (Castles 1981; Gallagher and Marsh 1988), which, it is argued, better enable them to respond to political pressures to increase women’s representation (Norris 1993).

⁶ Calculated from Parline.

⁷ Women currently represent 13% of MPs in non-developed countries with majority systems and 23% in countries with PR systems. This number includes both countries with and without quotas. (IPU - Parline)

⁸ *ibid*

The list of benefits of PR systems continues beyond these party nomination considerations. By voting for lists rather than individuals, PR systems shift emphasis away from individual candidates in favor of parties. If individual male candidates are better-established than women, a focus on party rather than candidate can benefit women. Furthermore, the higher levels of MP turnover associated with PR systems offer more opportunity for newcomers, such as women (Matland and Studlar 1995). Inter-party contagion is also considered to be more probable in multi-member districts such that parties compete to be more representative in their lists (Matland and Studlar 1995)

Early Setbacks with TSMs in SMDs: The Case of PR-Tier Quotas

To date, 20 countries that use either majority/plurality based electoral systems or mixed electoral systems employ a TSM to improve women's representation in their national elected bodies. Sixteen of them use TSMs in exclusively SMD-based systems. Despite the fact that the quota levels are generally set at lower levels than in MMDs, the surprising fact is that TSMs in SMD systems slightly outperform those in MMDs (24.5% to 24.7%).⁹

Yet this success often recedes in the shadow of highly publicized disappointments with quotas in SMD systems. Two cases, Pakistan and Tanzania were early adopters of a PR-Tier approach to quotas in their SMD systems. Under a PR-Tier approach, a tier of reserved seats is simply grafted to the existing FPTP system and filled through indirect elections. In this model, elections for general seats are held under FPTP, and each party submits a women-only candidate list for the reserved seats. Once the FPTP seats are allocated, the party or seat-shares from the FPTP election determine how many of the reserved women seats each party will then occupy.

In Pakistan's first five decades, the law reserved a small number of seats for women which fluctuated, but never exceeded 10%. These reserved seats were filled initially by indirect votes, and then subsequently through a party list as described above. This era of quotas ended in 1998 when the quotas expired and the numbers of elected women subsequently collapsed. Following the expiration of these temporary measures, women's rights leaders advocated a quota to be set at one-third of all seats from local government to parliament. The advocates preferred that the reserved seats be directly-elected using either a rotation system (similar to the Indian Panchayat, see below), or via super-districts (discussed in the Uganda case). Despite these demands, the system ultimately adopted (still in place today) reserves 19% of parliamentary seats to be indirectly elected from women's lists in accordance with party seat share in the national polls. Few women stand or are elected in unreserved seats. At the local level, reserved seats for women are directly elected in all but one province and the proportions vary dramatically by province and type of local body.¹⁰

The quota applied in Tanzania uses almost the same system. A 1995 law reserved fifteen percent of seats in parliament for women allocated through a similar formula as that used in Pakistan (where women are elected according to the proportion of total seats the party receives). Subsequent reforms to the constitution prior to the 2005 elections increased the percentage to 30 percent and changed the allocation so that it is based on the number of votes a party receives.

Although Pakistan and Tanzania have seen statistical progress in women's representation since the introduction of these systems (21% and 36% respectively), the approaches have been rightly criticized for making the reserved seats accountable only to party leaders, not to voters. The systems have diminished the political efficacy of the women elected and resulted in a "ghetto-ization" of women

⁹ Based on original dataset. Average excludes countries who have not yet held elections under their legal TSM systems (Eritrea, Samoa, South Sudan) or who do not have implementation mechanisms for their TSMs (Panama, Republic of Congo, Democratic Republic of Congo, Haiti).

¹⁰ As per draft legal frameworks (UNDP Pakistan 2013)

candidates. The criticisms are fair: without the legitimacy of winning an election or the political capital of a constituency base, the women occupying these seats may be at a disadvantage against directly-elected members.

This approach has also been criticized in terms of party-political representation. As the distribution of the quota seats is based on seats won rather than votes garnered, the quota may exaggerate disproportionate results of first-past-the-post by allocating additional seats to the larger parties at the expense of small parties and independents. In the most recent general elections in Pakistan, the quota accounted for about 9% of the total disproportionality.¹¹

These cases have been extensively documented and contribute to a less-favorable analysis of TSMs in SMDs, especially in contrast to simultaneous innovations in closed-list proportional districts.

Knowledge Diffusion and International Norms

The advantages of SMDs and the opportunities for implementing TSMs in systems using majority/plurality-based systems have been largely overlooked because of the way in which quota reform movements come about. Krook (2006) identifies four basic causal theories explaining quota adoption in the literature, namely that “[w]omen mobilize for quotas to increase women’s representation, political elites recognize strategic advantages for supporting quotas, quotas are consistent with existing or emerging notions of equality and representation, and quotas are supported by international norms and spread through transnational sharing.” In each of these approaches, the inadequate knowledge of solutions for SMDs systematically contributes to reinforcing the gap.

In cases where the introduction of quotas is driven by activist mobilization, the effectiveness of advocacy is at least partially based on the ability of advocates to clearly articulate how the quotas would work and point to examples where they have done so in the past. A mobilization effort without a clear understanding of the roadmap is unlikely to succeed. Regrettably, this is too often the case in the field where advocates and lawmakers have been let down by a literature which does acknowledge the reality of immutable electoral systems and fails to offer practical solutions to TSMs in SMDs.

The same can be said for Krook’s three other factors. Conventional wisdom that quotas are inappropriate for SMDs system could affect the calculus of political elites attempting to promote quotas for political benefits. Even where “quotas are consistent with existing or emerging notions of equality and representation”, the perception that quotas are inferior in SMDs can block this method of reform. The emergence of quotas through international norms and transnational sharing is likewise vulnerable when the very international organizations that promote quotas and facilitate international exchanges themselves have little “best practice” to rely on in single member district systems.

In sum, these factors – the effectiveness of closed PR lists and the shortcomings of some of the earliest national-level quotas in SMDs - form the basis for the diverging assessment between multi and single member districts systems in terms of women’s representation, and help to explain the strong preference for PR in the gender equality literature. Due to this literature, the benefits of SMDs to women’s participation have often been overlooked by national and international actors who most commonly advocate reform, largely due to a lack of information on options and solutions for TSMs in SMDs. We seek to fill this gap in the following pages by exploring methods for applying TSMs in SMDs.

¹¹ Computed using Loosemore and Hanby index of disproportionality. (1971: 467-77)

Windows of Opportunity in SMDs

The apparent superiority of PR systems and early setbacks of TSMs in SMDs such as Pakistan and Tanzania have given rise to a focus on electoral system solutions for women's political participation. The emphasis on electoral system solutions to women's representation arose because electoral systems are frequently viewed as a window of opportunity in contexts characterized by other, steeper entry barriers for women's political participation such as the cultural status of women in society or a country's development levels. In light of the challenge of such obstacles, electoral systems often seem more readily accessible policy entry points.

In reality, electoral system reform is not a policy option in most countries considering introducing a TSM. While electoral systems are more approachable entry points than long-standing cultural norms, political reality renders electoral systems 'sticky' and wholesale change is infrequent. Boix (1999) finds that electoral systems only change when there is a deep political challenge due to new votes or a dramatic change in voter preferences. There are often deeply vested interests in any given electoral system, and when change does occur, it is frequently driven by party interest and ideational change rather than by motives of increased gender equality in representation (Pilet 2007; Blais 2008).¹²

Electoral system solutions for women's representation also tend to overlook the fact that electoral systems reflect a number of socio-political trade-offs of which gender equality is only one objective among many (albeit a critically important one). For example, while PR (specifically closed-list PR) has many advantages, there is also value in the voter-choice aspects of open-lists, the comprehensive geographical representation ensured by single member districts, or the effective accommodation of localized political power in single non-transferable vote (SNTV).¹³ These other factors are regularly considered in decisions about electoral system choice and may understandably trump gender considerations. Furthermore, advocating change based on a single-issue, such as gender, may increase the probability of contestation and backlash (see Nanivadekar 2006, Tamale 2004, Dahlerup 2006 on backlash to quotas).

It is important to recognize that majority/plurality systems have specific, structural benefits in given contexts that may outweigh the structural benefits PR systems offer to enhancing women's political participation. These are commonly overlooked. Firstly, majority/plurality systems are, in general, amongst the easiest systems to understand and implement. Though complexity is not necessarily a disadvantage, ease of understanding and the ability to produce results quickly with minimum calculation is an important factor in some contexts. This is doubly true in countries where there is a history of using these systems.

Also, plurality systems have long been associated with certain positive political incentives such as favoring centrist 'big tent' parties at the expense of extreme parties (Norris, 2004). This is not only politically desirable in many contexts, but may also impact women's empowerment by reducing the seat-share of parties on the political-right, which are more prone to promote patriarchal social agendas. In Canada, for example, this characteristic of majority/plurality systems "bridge[s] the regional,

¹² The exception to this rule is the post-conflict environment. The Sudan Comprehensive Peace Agreement, for instance, saw the division of South Sudan from Sudan and the electoral systems in both states change from First Past the Post to triple-tier parallel systems with significant reservations for women. In such cases the process of political change is quite different from the stable systems that Boix studied and gender-equality advocates, the international community, and civil society actors can encourage consideration of gender issues in electoral system design. (<http://repositori.upf.edu/bitstream/handle/10230/506/812.pdf?sequence=1>) The United Nations for instance has published policy highlighting the potential for PR to fast-track gender equality in political representation. (http://www.un.org/wcm/webdav/site/undpa/shared/undpa/pdf/women_electoral_guidelines.pdf it should be noted that the UN does not promote any electoral system see for instance http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/68/164)

¹³ "Under SNTV, each voter casts one vote for a candidate but (unlike FPTP) there is more than one seat to be filled in each electoral district. Those candidates with the highest vote totals fill these positions." ACEproject.

linguistic, and racial gaps with policies, leaders, and candidates that appeal to as wide a cross-section of voters as possible...” allowing the country to “accommodate social difference through FPTP” (Elections Canada). Recent evidence suggests that, contrary to previous assumption, non-PR systems allow the same level of congruence between citizens and governments as in PR systems (see Blais and Bodet 2006; Golder and Stramski 2010).

A third and equally important benefit of majority/plurality systems for women’s representation is the reduced need for coalitions. Disproportionality in majority/plurality systems helps to create manufactured majorities and reduces the need for coalition governments in parliamentary systems (Norris, 2004). In coalitions, women are frequently passed-up for electable list-positions and key ministerial posts as male party leaders jostle for position, thus fewer coalitions may actually be better for women, especially at the highest levels of politics (Reynolds, 1999).

In addition to these three primary areas, majority/plurality systems possess other structural benefits to enhancing women’s political participation. Majority/plurality tend to be more stable and representatives may have longer terms of office. Although higher turnover can imply more opportunities for newcomer women, it may also be argued that greater stability allows representatives more time to gain political experience and build their legislative record among constituents. The clear geographical lines of accountability in majority/plurality systems connect the voter to their representative much more strongly than PR systems. This favors candidates with strong connections to their local communities and therefore benefits women who often begin their political career in local offices.

Thus we argue that it is important to study TSMs in SMDs because electoral systems are often immutable – legislators, women’s advocates and policy advisors must work with what they have. Although PR systems offer benefits, majority/plurality systems also have many advantages, some of which positively contribute to enhancing women’s political participation.

Implementing Quotas in SMDs

Based on this overview of the structural benefits of SMDs, we now turn to examine the practical options for implementing quotas in SMDs. The world of quotas are generally broken in nomination quotas (or input quotas) and reserved seats (output quotas). Nomination quotas set limits on who can be nominated for certain seats (for instance by setting a specific threshold for women or minority candidates), while reserved seats specify certain mandates for these categories of candidates. At present, there are six main families of approaches to introducing TSMs in SMDs (see table), based on both nomination quotas and reserved seats. Almost all the options perform at or near the same levels as averages in PR-List systems, when used in countries where they are effectively applied.

Among the nomination quotas, systems may either require a minimum percent of each sex among candidates for SMD races or they may create a separate ballot based on a proportional system. The first option is applied in pure majority/plurality systems and the second creates a mixed system with both majority/plurality seats and PR seats. Approaches that employ mixed systems by creating one or several separate PR constituencies to meet quota requirements are popular but not addressed here because they employ PR to fill their quotas.

Options for reserved seats are more varied. As discussed above, PR-Tier systems indirectly elect women candidates based on results in direct elections held under majority/plurality races. While effective in raising the numbers of women in office, the PR-Tier system is criticized for marginalizing and undermining the legitimacy of the women elected under the system. A handful of other models fill quota seats through indirect or non-electoral means, violating the principle that citizens shall directly elect the representatives in a legislature, and are not addressed here for that reason. Specifically, these include filling reserved seat quotas through indirect elections, either through a PR-Tier system or party voting (for example, Bangladesh).

Outside of these marginal or controversial approaches, three other options emerge as viable options: super districts, rotating districts and alternate thresholds/best losers. The following pages explore the four primary options for implementing TSMs in pure Majority/Plurality systems: nomination quotas in SMDs, super districts, rotating districts and alternate thresholds.

Table 2:
Quotas in Systems with Single Member Districts
(country - % women in parliament)

<i>Reserved Seat Quotas</i>								<i>Nomination Quotas (SMDs) </i>	
Super Districts		PR – Tier		Alternate Threshold		Rotating Districts			
Eritrea*	22%	Bangladesh	20%	Jordan	12%	India §	N/A	Bolivia	25%
Kenya	19%	Mauritania¶	25%	Samoa*	4%			France	26%
Uganda	35%	Pakistan	21%					Mexico	37%
		Swaziland †	6%					Mongolia	15%
		Tanzania	36%					Nepal	30%
		Zimbabwe	31%					Panama ‡	8%
								Republic of Korea	16%
								Senegal	43%
								Uzbekistan	22%
Average Women in Parliament									
25%		23%		8%		n/a		25%	
<i>(applied quotas only)</i>									

* These quotas have not yet been applied: in Eritrea parliamentary elections have been postponed since 2001; the Samoa quota will be applied for the first time in 2016.

† Quotas in Swaziland have not been fully implemented.

‡ In Panama, the nomination applies only to internal party elections, not candidate slates.

§ India's quota applies only to local government and is not included in national averages here.

|| Includes countries that only use SMDs (France, Uzbekistan) as well as mixed systems that apply quotas in their SMDs races (in addition to their PR races)

¶ Mauritania uses two quotas; a PR-tier which applies nationally and a nomination quota which applies to a sub-set of constituencies

Nomination to SMDs

Nomination quotas are the most common form of TSM in majority systems, however they are most frequently employed in systems that use both PR and majority. France and Uzbekistan are the only two countries in the world to use nomination quotas in purely SMD systems. Six other countries use nomination quotas in the SMD component of their mixed system.¹⁴ SMD nomination quotas have the broadest geographic representation (two Latin American/Caribbean countries, two each from the East and Southeast Asia (ESEA) region and sub-Saharan Africa, and one each from southern Asia and the Central and Eastern Europe-Central Asia (CEECA) region). As of December 2013, the average percent of women elected to parliament under systems using nomination quotas in SMDs was 25%.

Table 3: Performance of Nomination Quotas in SMDs

	Quota Stipulation	Sanction for Non-Compliance ¹⁵	Women in Parliament
Bolivia*	50%	List rejection	25%
France	50%	Financial	26%
Mexico*	40%	List rejection	37%
Mongolia*	20%	List rejection	15%
Nepal*	33%	List rejection	30%
Republic of Korea*	30%	List rejection	16%
Senegal*	50%	List Rejection	43%
Uzbekistan	33%	None	22%

* *mixed systems that apply quotas to their SMDs. Note, the PR quota in Korea is 50%.*

Nomination quotas regulate the gender balance of nominated candidates representing a certain group, or party. In most cases the quota is a minimum threshold with sanctions for non-compliant groups or an unenforced target.

The objective of nomination quotas is to ensure that female candidates are on the ballot and given the possibility to be elected. The quotas themselves create legal necessity or incentive structures that induce those who control ballot access (party leaders) to seek-out women candidates to stand for their parties. Nomination quotas normally do not ensure that women are elected, only that they are on the ballot.

The case of the French National Assembly demonstrates a quintessential nomination quota system functioning on a national scale for long term change. Progress towards gender equality in French political participation has been halting. It wasn't until 1944 that French women received the right to vote, nearly a century after their male compatriots. By the mid-1990s women represented just 6 percent of the seats in the National Assembly, lagging well behind the United States and most of Europe (IPU).

Candidate nomination quotas, implemented without wide-scale change to the electoral system, and the shift in power towards the Socialists in the last general election, have increased the number of women to nearly 27 percent. France has now become a notable example of the effectiveness of nomination quotas in single member district systems.

The National Assembly is elected from some 557 single-member constituencies, using a majority/plurality two-round system. If no candidate wins an outright majority, then a second round of

¹⁴ Numerous other countries that use mixed electoral systems also employ nomination quotas, but only use them in their PR component. For this reason, these cases are not covered in this text.

¹⁵ As per quotaproject.org

election is held with all candidates that achieved at least the 12.5 percent threshold of registered voters. The candidate with the most votes in the second round wins the mandate regardless of whether s/he takes the majority (50 percent plus).

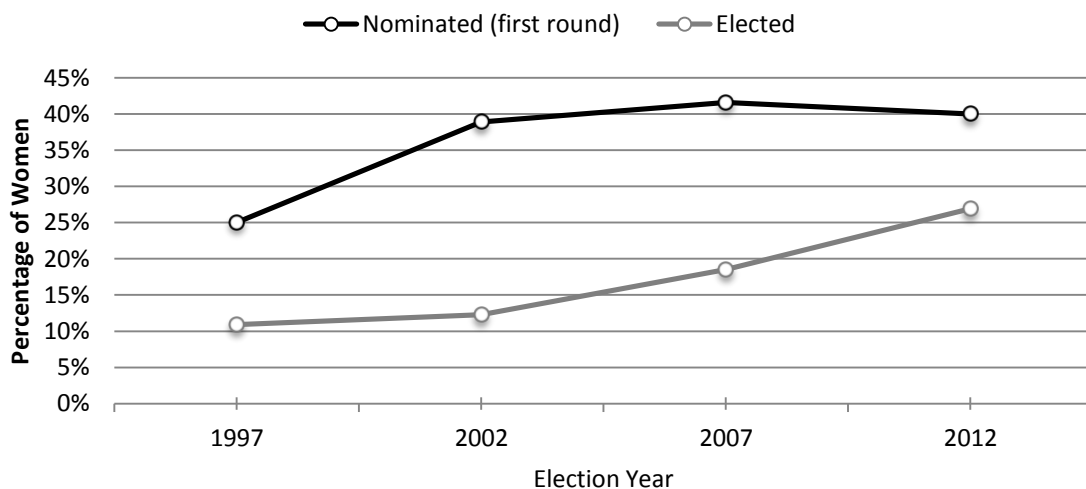
This system has historically underperformed dramatically in terms of gender representation. Parties tended to nominate men with the exception of some marginal small parties. The Socialist party, the only significant large party with internal quotas, often flaunted its own target of 30 percent (increased to 50 percent in 2007) (Opello, 2006).

The 2000 parity law was a simple innovation to incentivize parties to nominate equal numbers of men and women. Today, parties which do not present 50 percent of their candidates from each sex are sanctioned through a proportional deduction. According to French Law n° 88-227 du 11 mars 1988 relative à la transparence financière de la vie politique, as modified by article 9-1 of LOI n°2009-526 du 12 mai 2009 - art. 80, this deduction is three-quarters of the difference between the sexes in their public funding allotment. In 2014, the financial penalty was raised again to 150% of the gender gap.

Corresponding quotas have also been adopted at the sub-national level, including nomination quotas for PR-elected bodies. The electoral system for district councillors was changed to a two-round party-block vote with the stipulation that candidates are to be nominated in gender-balanced pairs. The system will be applied for the first time in 2015.

The impact of the parity law on nomination was significant, but the number of women elected has increased more gradually. The percentage of women candidates, which was less than a quarter in 1997 before the law, reached 38.9 percent in 2002, 41.6 percent in 2007, and dipped to 40 percent in 2012 (OSCE EOM 2012). The percentage of women among elected deputies was 10.9 percent in 1997, stagnated at 12.3 percent in 2002, reaching 18.5 percent in 2007, and finally 26.9 percent in 2012 (IPU Women in Parliament).

Chart 2: Gender Balance in National Assembly (France)



Maintaining this rate of convergence going forward is not certain, since the number of women elected depends significantly on party positions. The centre-right has tended to nominate fewer women and in less winnable positions than does the centre-left (Sineau 2008). The 2012 elections marked a strong performance of the centre-left, which had the effect of increasing the number of women elected.

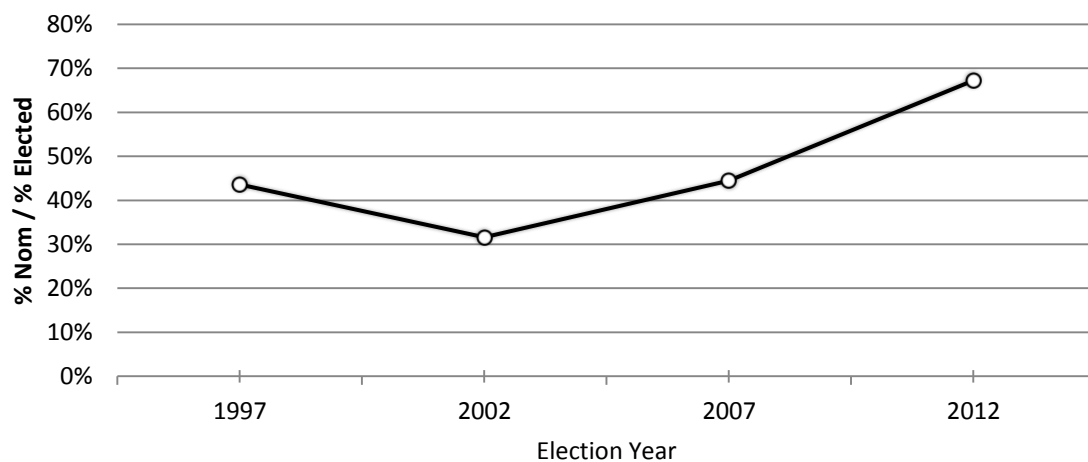
Party compliance with the law has been mixed, improving with time. In early elections some of the largest parties opted to forgo public financing rather than field a gender-balanced slate of candidates.

In 2002 the sanctions were 4m Euros for the UMP, and 1.3m for the Socialist Party (Sineau 2008). One of the main reasons for non-compliance has been incumbency - the largest parties have the greatest number of male incumbents who would have to be unseated and replaced by relative novices to comply with the quota, potentially leaving the party vulnerable in those seats (Sineau 2008). In subsequent elections the parties have increased the number of women nominated. The decade between 1997 and 2007 for instance, saw the centre-right UMP/RPR party increase its percentage of female candidates from 7.7 to 26.6 (more than a 300 percent increase). Parties on the left are approaching parity in their nominations, which represents a 100 percent increase over the same period.

There remain two notable gaps in the French quota system. The first is the gap between the nomination target (50%) and the actual nomination (40% in the most recent general elections). It remains to be seen to what extent this gap will be reduced over time, but generally, the quota has been quite successful in increasing the number of women elected. As the law continues to be examined and refined, larger sanctions or advocacy from within the parties may close this gap further.

The second gap is the electoral success of nominated women. The quota's initial impact was to increase the number of women nominated but not significantly increase the number of women elected. This drove down the average success of women candidates (many stood, few were elected). This is less the fault of the French voter than the fault of the parties and the structural reality of incumbency. What is most impressive about this case, and why it may stand as a model for others, has been the longer- term increase in women elected. Over time, the dynamics has changed and the success rate of women candidates (computed here as the percentage nominated over the percentage elected) is improving with each post-quota election. In the past, French parties may have systematically nominated women in less winnable constituencies than male candidates, but over time more and more women are being elected. This implies that parties have become better at recruiting and nominating women candidates, and/or that women aspirants have become better at securing nomination in winnable constituencies. By ensuring that women are on the ballot and in the campaign through effective incentive structures this quota system is on track to achieving gender parity.

Chart 3: Success of Women Candidates (France)¹⁶



Does the French case illustrate a successful model of nomination quotas in SMDs? The delayed impact of the quota meant that the initial literature has tended to cast the law as at least a partial, if not complete failure (Murray 2012). Criticisms focused on the design of the law and some have recommended a replacement of the electoral system with proportional representation (Dahlerup, and

¹⁶ Chart Data compiled from OSCE and Sineau (2008)

Freidenvall 2006). Our analysis of the convergence over time between the targets set for nomination, and the success of female candidates leads us to believe that history will look more kindly on the French model. The quota has significantly increased the number of women nominated and elected without significant change to the electoral system or without the ‘undemocratic’ elements of other potential quota options. While it hasn’t seen the dramatic increases in representation to Rwanda-style levels, the increases have been gradual and consistent.

So what are the challenges of nomination quotas in SMDs and how are they being overcome? Firstly, there is significant cross-national evidence of women candidates being nominated in areas where the party they are standing for is unlikely to win, while male candidates (often with the advantage of incumbency) are nominated in safer constituencies where their party is in an advantageous position (see Murray 2004). By running women candidates in less advantageous constituencies than their male counterparts, parties respect the letter of the law while denying the spirit of the law. Parties may exhibit bias in the allocation of constituencies because women candidates are not as successful in the internal competition for nominations or in the primary contests where they exist. Women may be seen as weaker candidates less deserving of a competitive or safe constituency. Where incumbents are more likely to be male, as is the case in most political systems, the natural reluctance to remove an incumbent may mean that newcomers brought into the race by the quota will automatically be placed in less secure constituencies.

Quota design has not yet come up with solid mechanisms to overcome this issue of women candidates being nominated in disadvantageous constituencies. In 1993, the British Labour Party passed a measure to introduce all-women shortlists in 50 per cent of all vacant and winnable seats, implementing the policy so that by January 1996 thirty-five women had been selected under its auspice. However the measure was ruled illegal according to sexual discrimination law the following year (Squires 2005).

Another attempt in Sierra Leone was one of the recent efforts to legislate advantageous constituencies for women candidates. A 2011 draft bill stipulated that women candidates should be nominated by parties in “safe seats”; those won by the party in the previous election (Dumbuya and Yukstas 2011, and Dalerup 2010). The draft never made it into law, in part because of resistance from incumbent male MPs. The ‘safe’ or ‘winnable’ seats criterion is problematic because it requires male incumbents to stand aside for female aspirants.

Beyond these gendered and structural nomination disadvantages, the impact of a nomination quota on the makeup of the elected body will ultimately be determined by the voters. Conventional wisdom has often had it that voters will prefer male candidates (Huddy and Terkildsen 1993), but evidence to support this common assumption is thin. Indeed, many studies have found evidence of the contrary (see Darcy and Schramm, 1977; Darcy Welsh and Clark, 1985; Burrell, 1996; Seltzer, Newman, and Leighton, 1997; Smith and Fox, 2001). Early studies in Norway showed voter bias against women (Matland 2005), but subsequent studies in the UK, US, Australia, Canada, Poland, Peru, and France have found that voters do not systematically favor male candidates (Matland and King, 2006; Norris, Vallance, and Lovenduski, 1992; Murray, Krook, and Opello 2006). In some cases women seem to have the advantage and in general the evidence is clear that parties tend to discriminate against women more than the voters themselves (Matland 2005). Recent adoptions of nomination quotas are encouraging; for example in Senegal, where a 2012 amendment of the electoral law introduced parity to nomination quotas for both PR and majority seats, bringing women’s representation in parliament to a historic 42 percent (Electoral Law 92-16 of 1992, as amended by law 2012-01 of 2012, Article L.145).

The geographical gaps in the research underline the need for greater study of the gendered preferences of voters in other, less-developed parts of the world to determine the potential function of nomination quotas in these polities. Despite the significant geographical gaps in the literature on voter

bias, the findings of existing studies support a fresh look at nomination quotas as a good way to improve political gender equality.

The benefits of this solution to introducing TSMs in SMDs are considerable. Nomination quotas may be less-disruptive to existing political systems than reserved-seats quotas, as they do not affect the delimitation of districts or the size of parliament. Likewise most electoral systems will have existing restrictions on nomination (nationality, age, criminal background, residency, education, etcetera) on which the gender balance criterion may be added.

Nomination quotas in SMDs may also be more politically acceptable than reserved seats quotas because the power remains in the realm of the voters. If elite bias against women candidates in party leadership structures is effectively removing them from the ballot, the quota can be seen as improving the range of choice on the ballot (and thus improving the ability of the voter to make a free choice between a range of options). While the issue of nominating women to winnable districts remains, the case of France suggest that this barrier can be overcome gradually in time. In sum, nomination quotas in SMDs present a viable, effective and generally politically acceptable option.

Super Districts

A second approach consists in creating an additional tier of women representatives elected on a separate ballot, but joining the same elected body. Uganda is the only case of this type of quota being applied at the national level.

Ugandan first adopted a quota for Parliament in 1998; one reserved seat was allocated to each district (consisting of several seats). These female MPs were indirectly elected through an electoral college consisting of local council members rather than by universal suffrage. This system, (in place from 1998 to 2005), was effective in ensuring that women were elected, but has been found lacking in terms of the women's impact on policymaking and their legitimacy as representatives of constituents (Goetz, 2002).

At the local level, Uganda applied a different system. One third of local council seats were to be reserved for women. The local councils were expanded to accommodate the new reserved seats and super-wards were created out of several existing wards. The voting to fill these seats also took place on a separate day, and polling was done by voters queuing up publicly behind the candidates of their choice. The unusual nature of voting, the separate day for polling (which suppressed turnout), and the add-on nature of the seats themselves did little to convey legitimacy on the women elected in the local councils. (The queuing was replaced with secret ballots in 2002).

In 2005 the national system was reformed – essentially by moving the local system of directly elected reserved seats in super-constituencies – up to the national level. The reserved seats are now directly elected on a separate ballot, and the balloting takes place on the same day. While the new system enhances the legitimacy of the elected representatives, the larger constituencies of the reserved seats make campaigning difficult. Having a presence in such a large constituency is comparatively more resource intense and the women are not allocated additional state or party resources to compensate for this. Some have criticized the model for putting women elected in the reserved seats at a disadvantage because of this larger constituency.

Challenges faced in Uganda are partially due to the single party dominance of Ugandan. In the 2011 elections, four of the reserved seats were elected unopposed – because opposition didn't find the candidates or resources to contest these elections (EU 2011).

The Ugandan model has notable advantages of legitimacy and voter involvement over reserved seats models such as Tanzania and Pakistan, where reserved seats are filled indirectly, but it also has significant drawbacks – particularly the practical issues of campaigning in a larger constituency.

Rotating Seats

A third approach is to introduce a rotational system. This approach is not reliant on new districts or tiers, instead a proportion of the regular single-member constituencies are reserved for women candidates one term out of three. Different constituencies fall under the reservation for each electoral cycle - through a rotation system - so that a portion of seats are reserved for any elections, and over subsequent cycles the impact is spread geographically.

The rotation system has only ever been used on a wide-scale in India, and never for national office. India had very low representation of women both at the national and local levels before the adoption of the rotation quota. Before the reforms in 1992, women's representation was just 5 percent lower councils (panchayats) (Chattopadhyay and Duflo 2004). Constitutional changes formalized a three-tier local government system consisting of village (Gram Panchayat), block (Panchayat Samiti) and district-level councils (Zilla Parishad). The reservation system was introduced as part of these broader decentralization reforms.

The reservation covers one-third of both chairperson positions and members in each village council (Constitution of India, Art 243C). In each election, roughly one third of seats are reserved for women. In the following election, a different third of seats is reserved, and in the third election the remaining third of seats is reserved. States have the power to change the way in which these seats are selected and to increase the threshold of the quota beyond one-third. In law, the reservations for women are permanent, while the similar reservations for scheduled casts and tribes are temporary (expiring after 70 years).

The reservation also applies to chairpersons, such that each Panchayat will have a reserved chairperson every third election. There are similar reservations for scheduled casts and scheduled tribes so that women of scheduled casts and tribes are also represented.

The reservations have resulted in dramatic increases in the percentage of women in local government which grew off of a baseline of 5% in 1992 to 40% in 2000. Many of India's states have increased the reservation to either forty or fifty percent (Chattopadhyay and Duflo, 2004).

India's system is unique but could theoretically be applied in other contexts both at the local and national level. Its benefits and challenges merit consideration in this light. Firstly, the rotation quota is a type of reserved seat, which has the advantage of a defined impact - in a perfect compliance situation, there is little chance that thresholds defined in law will not be reflected in the makeup of the elected body(ies). This is an important aspect differentiating it from nomination quotas.

A second characteristic of the rotation system is the inherent mechanism for gradual - or 'natural' - increase in women's representation beyond the threshold. The mechanism is the reallocation of incumbency benefits in favor of female candidates. Incumbency has been established as one of the most important independent variables in determining a candidate's success. Incumbency benefits are structural inhibitors to political change. Newman and Leighton show that incumbency can be one of the most significant inhibitors of women's political participation (1997).

Rotation systems ensure that male incumbents face a defined term limit (in the case of India this has been two terms.) The reservations also result in female incumbents who may benefit from the incumbency advantage in subsequent non-reserved electoral cycles, a dynamic which probably gradually increases the number of women standing for and being elected in non-reserved seats. India has seen increasing numbers of women standing and winning in non-reserved seats. Beaman et al. (2009) found that the number of women running increased by 3.3 percent following two rounds of reservations while the percentage winning unreserved seats more than doubled.

Finally, the rotational system has the benefit of maintaining the institutional structure of the parliament and balloting system in place. Other TSM options such as super-districts and tier systems require expanding the size of parliament and/or creating a separate ballot. Rotational quotas require

neither of these options, resulting in potential cost savings and simplifying the voting experience for the elector (the complexities of the system are borne by its administrators).

The most notable drawback of the rotational system is related to the effective term-limit it places on male incumbents. For popular incumbent candidates, the term-limit may be experienced as a restrictive limitation. In systems considering adopting a similar model, this effect could be overcome by introducing gender-neutral term-limit regulations for all seats.

Alternate Thresholds

A final option for introducing TSMs in single member district-based systems is the use of what we term an “alternate threshold”, also known as the “best loser” system. This option establishes two thresholds for being elected: one based on greatest absolute number of votes, the other based on greatest percentage of votes within a subset of candidates (in this case, women). Alternate threshold systems fill reserved seats in parliament with the unsuccessful candidates of a certain group (women, for example) that garnered the highest number of votes. Under this approach, all candidates (male and female) compete together in a single race and the candidate with the greatest number of votes wins the seat. Subsequently, an additional number of reserved seats are filled by those women candidates who received the highest number of votes without winning a majority/plurality in their district.

Few examples of this approach exist to date and the current average results (Table 2) do not reflect the potential performance of this system. One of the key examples, Jordan, has a parallel system with 108 seats elected using first-past-the-post (FPTP, 17 seats) and Single-Non-Transferable in 45 electoral districts, and 27 seats elected using national list PR. An additional 15 seats are allocated to the “best losing” women candidates competing for the FPTP/SNTV seats in the 45 electoral districts, one seat for each of the 12 governorates and the three Bedouin districts. The losing woman candidate with the highest percentage of votes in her district wins the seat for that governorate (Thiel 2014). The quota has shown incremental progress over time and has been progressively increased. In 2007, when the system was exclusively FPTP/SNTV, all women elected to parliament were elected via the quota mechanism (6 women). Under the same system in 2010, the quota was increased to 12, and one woman was directly elected. In 2013, three women were directly elected (two for SNTV seats and one for a list on the list-PR seats), and the quota was increased to 15 seats (Thiel 2014). The Jordanian case is unique, however, in that political parties are insignificant in the political system – for the 108 FPTP/SNTV seats, all the candidates ran as independents and for the list PR, the lists were ad-hoc creations for the elections and largely unrepresentative of registered political parties; less than .1% of MPs have declared party affiliation (Thiel 2014). Alternate thresholds are also used for women in Afghanistan where at least two seats per district are reserved for women in the lower house (68 out of 249) and at least 20% of seats in the provincial councils are allocated to women with the most votes (quotaproject.org).

The most famous example of alternate thresholds is in Mauritius, where some form of this quota has been used since the pre-independence elections of 1959 to ensure ethnic proportionality in parliament. The system is used in multi-member districts and uses a complex formula where an initial group of candidates is chosen irrespective of political party, and a second group is allocated according to the size of the parties they belong to (EISA). Analyses of the quota reflect its impact on institutionalizing ethnic divisions in the country and are therefore not helpful in assessing it for gender purposes. Singapore and Ecuador also use alternate thresholds, but not for gender, racial or ethnic representation.

Because the alternate threshold system has not been used extensively in multi-party elections, empirical examples and case-based analyses are limited. However the conceptual design of the quota holds great promise. Although alternate thresholds appear similar to mixed PR-list systems, insofar as a distinct group of reserved seats is set aside for women, the approaches are fundamentally different in the way in which those seats are chosen. Whereas mixed system PR lists establish a separate sphere of

competition between women and require voters to intentionally choose a female candidate, in alternate thresholds there is a single competitive arena for both men and women. Long-term effects of this cannot yet be measured, but the system holds the promise of integrating women into political competition rather than ghetto-izing them in competitive field of their own, as other quota designs may do. Likewise, it minimizes the effect of creating a ceiling for representation by opening the field of competition.

Drawbacks of the system reflect the way in which it is implemented. Unless the system is designed so that it adds the reserved seats to parliament (increasing parliament size), it effectively results in casting out elected men in favor of unelected women. This may increase the likelihood of resistance and rejection of the quota and decrease the perceived legitimacy of the women parliamentarians to govern. In the case where additional seats are added to parliament, the alternate threshold system fails to overcome the issue of decreased geographic representation for women as compared to their male counterparts. Seats added to parliament have much greater district magnitudes than regular seats (i.e., women elected under the quota may represent multiple regular districts). This poses a disadvantage to the candidate/MP because of the increased ratio to the voter and associated greater costs in necessary financial resources, travel time, availability to respond to constituent needs, etc. Under this system, women (and men) compete for regular districts – the larger districts connected to the reserved seats never appear on a ballot for popular choice. Thus voters are represented by two MPs – one they chose based on campaign appeal and another assigned to them, who may never have campaigned in their districts at all. This may also reduce the legitimacy of the quota MPs and their effectiveness to govern. Finally, a major drawback of this system is in its interaction with party politics. Unless designed in such a way as to reflect broader political party outcomes, alternate thresholds may skew political outcomes by attributing seats to women from political parties that did not win a majority in the district.

Conclusion

These five systems – nomination quotas to SMDs, supra-districts, rotating districts, PR-tier systems and alternate thresholds – constitute the primary forms of TSMs used in single-member district based electoral systems. Single member districts have unique structural benefits which multi-member and particularly proportional-list systems do not have. They ensure geographical representation, they are simple for voters and candidates to understand, they promote a link between constituents and their representatives, and they allow voters to chose candidates directly and hold them accountable rather than having to go through parties. Furthermore, they are the political reality for most of the world's democracies and, as such, must be studied in light of making them as responsive as possible.

SMDs have long been considered to be less favorable for women's representation and largely incompatible with quotas. Through the analysis and cases outlined in this paper, we argue that SMDs are fully compatible with gender quotas. Indeed, the evidence supports a conclusion that innovations (and overlooked successes) in SMDs offer sensible options to ensure gender equality in political participation. Well-designed quota systems in SMDs ensure that elected women face open electoral competition, have the legitimacy of having campaigned and been directly elected, and develop links with constituents. In all but the Uganda case, the systems have facilitated a gradual increase in the proportion of women elected towards parity. Time will tell if this growth continues or tapers off, but our analysis is that while the exact proportions may vary by election, the numbers of elected women in India and France is likely to increase over time. The systems both allow and facilitate growth.

In many contexts, these quota systems may be considered equally effective as those options available in MMDs. Indeed, all of the reserved seat options (with the exception of rotating districts and alternate thresholds with no added parliamentary seats) result in de facto multi-member districts. In practical terms, it may be more expedient in most contexts to implement a quota within an existing SMD system, rather than implementing wholesale systemic change.

There are several other points that have emerged across the case studies and indicate paths for future research. First, innovations in quotas may happen at the local level, as demonstrated in the cases of India and Uganda. More research is required to establish this, but one reason may be that local government electoral rules don't face the same competitive dynamics as national level elections. The legislative body which sets the rules (the national or provincial legislature) is not the one who will be impacted by them – and thus it may promote rules which are less protective of incumbents.

The case studies also establish that the incompatibility of SMDs and quotas is a myth. Quotas in SMDs overcome the shared mandate conundrum by either reducing the bias in candidate nomination, sharing the mandate temporally (rotating districts) or overlapping the mandate (super districts). Further research may reveal other approaches yet to be identified.

Third, from the experience of the case studies we discern two principles to be considered in the development of quotas in SMDs. First, quotas should not saddle elected women with a legitimacy gap. This means that women elected by quota should have competed in an election, at minimum against a restricted field of women-only candidates, but preferably in a field open to both sexes. To maximize the political efficacy of women elected via quotas, they should have been directly elected and should have a tangible constituency to which they are accountable. A final principle is pragmatic in nature; in general, quotas that don't impact parliament size are preferable to those that increase the size of the elected body. It is politically very difficult to change the number of districts or the size of parliament, so systems like the Indian and French systems – which don't impact size of the elected body are particularly advantageous in this regard.

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Author contacts:

Skye Christensen

Email: skyeschristensen@gmail.com

Gabrielle Bardall

Email: gabrielle.bardall@umontreal.ca