

# Do Quotas Matter ? Positive Actions in the Belgian Parliament<sup>1</sup>

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## I. Introduction

A superficial analysis of the increase in the number of women in Belgian Parliament would conclude that it was due to the new quota policy, put into operation during the elections of 13<sup>th</sup> June 1999.<sup>2</sup> However, as is often the case in social sciences, correlation does not imply causality. This article shows that the rise was not caused by an introduction of new quota legislation, but rather by the fact that the electorate chose to vote for parties which had more women in eligible and «fighting» positions (i.e. right behind the eligible places).<sup>3</sup>

This article briefly debates the positive and negative aspects concerning measures of this type. However, its aim is to study the effect of quotas in terms of sex balance, and especially the type of quotas used in the 1999 Belgian election. This type of quota gives priority to numbers, rather than to positions on the lists. What are the limits for quotas of this type ? To what extent is the increase or decrease in the proportion of female members related to a real will of parties and voters, in order to obtain more women representatives, or are they just reflecting the effectiveness of the mechanism itself ?

The article is structured in five parts. The first is devoted to a theoretical debate on the implementation of quotas and other positive actions, as well as to their impact

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<sup>2</sup> The 13<sup>th</sup> of June 1999 was not only the day in which Belgium held national, regional and European elections, but also the first time a quota legislation was implemented in one of the 15 EU Member States. There are five other countries in the world which have introduced quotas in their electoral legislation : Argentina, Brazil, Nepal, Philippines and the Democratic Republic of Korea. As for the EU, France has opted for the concept of representative parity between men and women.

<sup>3</sup> The Belgian electoral system allows to pick specific people from party lists. The rank of candidates within the party lists determines the likelihood of eligibility.

on the nature of representation. In the second section, the electorate's opinion on political equality between men and women is reviewed. The empirical findings for this part of the study turn the discussion in another direction : Is there a gap between the parties' supply and voters' demands ? In the third part, some key features concerning evolution and current situation of women's political status in Belgium are addressed. Thereafter, in the fourth section, positive actions undertaken by Belgian political parties are described. Finally, the fifth and last section shows the effects of the *Smet-Tobback* law (legislation on quotas) on sex distribution in the Belgian Federal House of Representatives.<sup>4</sup>

## II. The Theoretical Base to Use Quotas

One of the recurrent topics in literature of the last decades is the issue of certain groups' over-representation and other groups' under-representation. Bernard Manin has referred to this as «the aristocratic character of representation».<sup>5</sup> In the French *Manifest for parity* printed one year after the publication of Manin's book, «the aristocratic character of representation» is described as follows :

«Representative and executive functions are monopolised by a leading group, small in number, extremely homogeneous by its training, and with an early insertion in the main bodies of the State. Stable by its composition and lowly permeable in its access, such a leading group constitutes a 'democratic aristocracy' under cover of a republican elite.»<sup>6</sup>

This unbalanced situation has also been called 'Parliament's social bias'. Why is it important for different groups to be represented in accordance with their number in society as a whole ? Answers to this question seem to fall into two broad categories. The first claims that it is a matter of rights, i.e. that democracy is about equality (i.e. «one woman/one vote», and «every citizen has the same right to be elected»), and thus, the right to an equal social representation is a basic right. The second is based on more utilitarian arguments, i.e. in order to benefit from women's competence, this half of humanity should be part of the political system. Moreover, the entry of new actors (e.g. women) in the political arena will change and improve politics, bringing a «political renewal». This would not only mean the entry of new issues and priorities onto the political agenda, but would also bring politics and politicians closer to the people.

<sup>4</sup> The House of Representatives has been selected for the analysis because it is the stronger federal legislative assembly. The Belgian Federal Parliament is made up of two Chambers, namely the House of Representatives and the Senate. It is however an asymmetric system, where the distribution of competences strongly favours the House of Representatives. The focus on this House allows an analysis at the national level, together with comparisons within and between Francophone and Flemish parties.

<sup>5</sup> MANIN, B., *Principes du gouvernement représentatif*, Paris : Flammarion, 1996.

<sup>6</sup> See 'Le Manifeste des dix pour la parité', *L'Express* du 6 juin 1996.

Pippa Norris and Joni Lovenduski use a supply and demand model to explain why Parliaments remain 'unrepresentative' according to several criteria such as occupation, education, sex, race and age by distinguishing between two different types of factors : those that prevent the entry of certain individuals to the recruitment process, and those that stop decision-makers from choosing a particular type of individual. Two types of attitudes are a handicap for certain candidates, and thus help to reproduce 'social bias'. Firstly, a *direct discrimination*, defined as «positive or negative judgement of individuals on the basis of supposed characteristics of the group to which they belong, rather than on the basis of their own individual characteristics.» And secondly, an *imputed discrimination* which can be described as «the anticipated reaction amongst the electorate towards certain social groups.»<sup>7</sup>

A system based on social representation requires assemblies to reflect social composition. David Held refers to this as «statistical representation», or the method of election in which representatives are a sample of the group as a whole, chosen among «those who are statistically representative of key social categories including gender and race».<sup>8</sup> However, arguments that view social proportionality as an indicator of the degree of fairness within a political system are controversial. If a system is considered unfair because women remain a minority in Parliament even though they are 50 percent of the population, the same could be argued about other physically distinct groups such as ethnicity or age. The line of discussion has moved from the question of «why is it necessary to have representative assemblies and political equality» onto the more specific matter of «why should *gendered* political equality be introduced ?» One of the main arguments of this latter debate has been that since all societies have always been gendered, and thus have become an essential component of them all, it is different from the rest.

A number of temporary and definitive actions have been designed and applied by parties and Parliaments with the intention of achieving a sex-balanced legislative assembly. However, it is also essential to point out the conceptual differences between Belgian «quotas» and French «parity» when discussing this subject. From a distance, these two concepts could be seen as something similar, i.e. a temporary measure of correction, in order to reach a political balance between men and women. But this is not so. French «parity» is claimed to be a definitive measure that goes beyond quantitative aspects.

More than just being simple actions, necessary to reach political equality between men and women, each of the two concepts – quotas and parity – represent a particular vision of society. While the first views it as organized in groups with

<sup>7</sup> «Party members may personally favour a certain category of candidate [...], or a particular applicant [...]. But members may be unwilling to choose such a candidate because they expect they would lose votes among the electorate.» See NORRIS, P. and LOVENDUSKI, J., *Political Recruitment. Gender, Race and Class in the British Parliament*, Cambridge : Cambridge University Press, 1995, p.107.

<sup>8</sup> HELD, D., *Models of Democracy* (2nd Ed.), Cambridge : Polity Press, 1997, p.325.

well-defined interests, the idea behind the second is that politics has to mirror mankind's duality. The concept of *démocratie paritaire*, stipulates that political power should be shared on a «fifty-fifty» basis between men and women. Approved and inserted into French constitution, its critics stressed that the conceptual frame of *mixité* disguised a «50-50» quota. However, the fact of gender being considered as an essential component of all societies, prevents other social groups from pleading for a similar law, unlike that which would happen in the quota system. Even if the conceptual and philosophical basis of the two concepts are thus claimed to be different, it is not possible to distinguish between the two approaches when it comes to their practical implementation.

Despite provoking numerous debates in Belgium, the principle of quotas was seen as a 'natural' way with which to achieve a sex-balanced representation. This was due to the country's tradition in allowing different groups to share power. Therefore, as Eliane Gubin and Leen Van Molle (1998) argue, when the «*démocratie paritaire*» became a political priority of the 1990s, measures aiming to achieve a political balance between the sexes could not be postponed. It seemed natural to guarantee men and women equal representation, in the same way as it had traditionally been done with different language-groups.

### III. An Electorate with Positive Views on Gender Equality

Albeit the article's main aim to present the effect of quota law in the Belgian Federal House of Representatives and to illustrate variations in representativity, it is clear that quotas are only one of the factors, amongst others, which can influence the candidate and representative selection process. In a political system strongly dominated by the role of political parties, the mechanisms of recruitment within each of them are not to be neglected.<sup>9</sup> Sometimes, democratic processes e.g. elections within the parties, are not necessarily successful in giving new, under-represented actors a higher presence on the lists. To the contrary, the oligarchic system, i.e. decision-making made from the party's elite or top-down processes, could be more effective. Another important component is the strength and impact of women's branches within the different political parties, as they have often encouraged gender equality reforms.

However, even in a system dominated by parties, the electorate has had its say, especially in relation to preference votes. In the last instance, voters and not parties decide by which candidate they want to be represented. Thus, to have a gender-balanced Parliament is not enough to force parties to present sex-balanced lists, since voters also have to vote for both men and women.

Different campaigns have promoted the vote for women throughout the electorate. In 1988, before the local elections, Miet Smet set off the campaign *Vote for a balanced*

<sup>9</sup> For an analysis of the recruitment process see NORRIS, P. and LOVENDUSKI, J., *op.cit.*, 1995.

local council («Votez pour l'équilibre dans votre conseil communal»)<sup>10</sup>. In 1994, a new campaign was organized for local and provincial elections under the slogan *What about changing the face of Belgian politics* («Et si on changeait le visage de la politique Belge»). For the 1995 elections, the campaign *Vote for a balance between men and women* («Votez pour un équilibre entre les femmes et les hommes») was launched with the support of the authorities, women's party's and non-party's organizations. The Belgian Electoral Study<sup>11</sup> that was carried out in 1995 sustains that more men (38 percent) than women (28 percent) had heard about the campaign. Thus, only a third (around 33 percent) of all the interviewees were aware of it. The level of awareness was higher in Flanders (38 percent) than in Wallonia (28 percent).

To know about a campaign and to be influenced by it, are two different things. Of those voters who had heard about the campaign, 16 percent admitted that their vote was influenced by it. According to the interviewee's responses women (25 percent) were influenced twice as much as men (10 percent). The impact also seems to have been somewhat higher in the Flemish part of the country. These results suggest that the real impact of that type of initiative, although limited, should not be neglected.

How many more people voted for women in 1999 compared to 1995 ? Or, in other words, did people really want to see more women taking part of politics disregarding the political party for which they voted ? Between 1995 and 1999, the number of voters who chose 'men only' in Wallonia decreased by almost fifty percent (from 38 to 20). While the percentage that voted only for women essentially did not change (around 7 percent), the percentage that voted for both men and women increased by 20 percent (from 54 to 74). A similar, but weaker, tendency is found amongst Flemish voters. In 1995, 49 percent of the electors voted exclusively for men, a vote that was repeated in 1999 by 35 percent of the electorate (a decrease by 14 points). At this latter date, 12 percent voted only for women (an increase of 2 points with respect to the former date). The percentage of voters who chose both men and women increased by about 10 points (from 42 to 53 percent). The exclusive vote for men remains stronger in Flanders than in Wallonia.

Attitudes towards the female role in politics have also changed, becoming more positive, especially among the male voters. Both surveys<sup>12</sup> included a series of 5 point scales going from «completely agree» to «completely disagree» measuring attitudes towards women's roles in politics. The following concepts were presented : 'female politicians are more efficient in dealing with female interests', 'politics should be left to men', 'I have more confidence in male politicians', 'politics would improve if there were more female politicians', 'half of the elected politicians

<sup>10</sup> Miet Smet is a member of the CVP (Christian-democratic party) and was Minister of Labour and Equal Opportunities during the legislative period 1995-1999.

<sup>11</sup> Source data : ISPO-PIOP, 1995 and 1999 General Election Study Belgium, Leuven/Louvain-la-Neuve. Supported by the Federal Services for Technical, Cultural and Scientific Affairs (SSTC).

<sup>12</sup> In this case, data also come from the Belgian 1995 and 1999 Electoral Study.

should be women', 'women are as suitable in politics as men', and 'more women in politics, more democracy', the latter was only included in 1999.

According to a majority of the electorate, female politicians are better equipped to represent female interests – as opposed to male politicians. It ought to be noted that the percentage who thought so in 1999 was lower (62 percent) than in 1995 (65 percent). However, there has been an increase (from 67 and 53 percent in 1995 to 82 and 65 percent in 1999) in the numbers of those who disagree with the following statements 'politics should be left to men' 'I have more confidence in male politicians'. Both female (42 percent in 1999) and male (44 percent in 1999) Flemish respondents are hesitant on the statement that 'politics would improve if there were more female politicians'. In Wallonia, there is a similar level of hesitance (40 percent in 1999) among male respondents, but a relative majority of the female ones (41 percent) agree with the former statement that 'politics would improve if there were more female politicians'. More than 80 percent of the Belgian electorate believes that women are equally as suited as men for politics, and a relative majority (48 percent) also maintains that half of the representatives ought to be women. Finally, in contrast to a relative majority (49 percent in 1999) of Wallonian respondents 'more women in politics, more democracy', Flemish respondents are more sceptical about the statement. In 1999, 33 percent of them agreed, and 43 percent answered 'neither agree nor disagree'. The main conclusion to be extracted from the attitudes expressed is that most respondents want more women in politics. They do not want politics to be left exclusively to men, and consider women to be just as suitable for politics as men, thinking that half of the representatives should be women. Why do they have this opinion? Since the electorate does not seem to believe that women would improve politics and democracy these attitudes do not seem to be determined by utilitarian arguments. Can it be concluded that their attitudes are influenced by their beliefs about rights for certain groups?

Considering the electorate's positive attitudes towards female politicians, the number of women in the Belgian Parliament remains strangely low, only 23 percent. What is preventing more women from being elected to Parliament?

#### IV. Some Key Features of the Belgian Women's Political Status

In Belgium, women's right to vote and to be elected were achieved progressively.<sup>13</sup> In 1921, women obtained the right to be candidates in local, provincial and legislative elections. The same year the first woman was co-opted to be a member of the Senate. In 1948 the right to vote was accorded to all women.<sup>14</sup> They voted for the first time in 1949, twenty-eight years after men. In May 1994, almost fifty years

<sup>13</sup> See MATEO DIAZ, M. and AISH, A.-M., Femmes et démocratie. Les attitudes des électeurs wallons à l'égard des femmes en politique, pp. 121-159 in FROGNIER, A.-P. and AISH, A.-M. (eds.), *Des élections en trompe-l'œil*. Bruxelles : De Boeck, 1999.

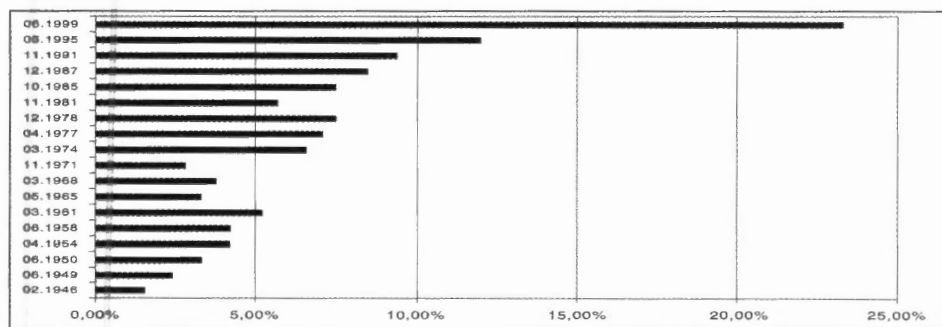
<sup>14</sup> See UNION INTERPARLEMENTAIRE, *Les Femmes dans les Parlements 1945-1995 Etude statistique mondiale*, Genève, 1995, p. 78.

later, the Belgian government decided to introduce quotas in the composition of the electoral lists as a legal action in favour of women's political rights.

Apart from the electoral system reforms, other specific bodies have been set up in order to fight against disparities between men and women. Since 1985, Belgium has a *Secrétariat d'Etat à l'Emancipation sociale*, with its own administration and budget. For this secretariat, «women's participation in the decision-making process constitutes one of the main axes of women's emancipation policy. The other two main axes are women's integration into socio-economic life, and the elimination of violence against women and children.» Since January 1987, there is an Advice committee for social emancipation in the House of Representatives, whose mission is to give recommendations, from its own initiative or following a request from the House.<sup>15</sup> The *Comité d'avis pour l'égalité des chances entre les hommes et les femmes*, belonging to the Senate, was founded on January 18<sup>th</sup> 1996 as a result of a proposal made by all female senators, after the U.N.'s 1995 Beijing conference on women's rights.

By looking at the evolution of the number of female MPs in Belgium (figure 1), we can observe that in general the percentage of women increased in each election between 1946 and 1999. The exceptions are the 1965, 1971 and 1981 elections. In these elections, the parties which lost mandates were those which used to have more women representatives.

Figure 1 : Evolution of the number of women MPs in Belgium between 1946-1999<sup>16</sup>



Today's proportion of women MPs is more than three times that of the mid 1970s. Gubin and Van Molle (1998) stress that the 1974 Belgian election turned out to be a significant change in women's political careers. In this election, political parties decided to increase the number of women on their lists, as a reaction to pressure

<sup>15</sup> See UNION INTERPARLEMENTAIRE, *Les Femmes et le Pouvoir Politique. Enquête menée auprès des 150 Parlements nationaux existant au 31 octobre 1991*, Genève, Rapports et Documents N°19, 1992, p. 50.

<sup>16</sup> Data come from : UNION INTERPARLEMENTAIRE, *op.cit.*, 1995, completed with IPU website figures consulted on the January 15<sup>th</sup>, 2001.



from the *Parti Féministe Unifié* and the campaign «Votez femme».<sup>17</sup> Nevertheless, there was not a strong increase in the number of women within the Belgian Parliament until the 1999 election. Women MPs constituted 6.6 percent in 1974, 12 percent in 1995, and 23 percent in 1999.

The approval of the legislation on parity in France has reopened and rekindled the discussion in Belgium. Under the label «double parity», Belgium is now on its way to adopting a progressive and provisory formula with which to reach sex equilibrium in the political arena. In addition, a committee for political renewal, constituted by members of both assemblies, the Senate and the House, has been created.<sup>18</sup> Its main objective is to deliberate concerning rules which may improve Belgian democracy in issues like institutions' functioning (i.e. Senate and House), party's lists composition by sex, enlargement of electoral constituencies, or the use of a referendum... It is interesting to note that women are seen and therefore expected to be a factor of change in Belgium's democracy.<sup>19</sup> Gender equality has become a potential source of political renewal.<sup>20</sup>

Before analysing the effects of the «Smet-Tobback» law in the 1999 election, the way in which quotas have been applied in each political party ought to be examined.

## V. Quotas in political parties<sup>21</sup>

What is the position of the diverse Belgian political parties towards quotas? Verzele and Joly classify them into four main tendencies: «parties defending an extension of precise measures in order to reach parity (i.e. Green parties, Christian-democratic parties and VU-ID); parties refusing quotas and proposing the suppression or neutralization of the 'top of the list' devolution effect (*effet dévolutif de la case de tête*)<sup>22</sup> as a solution to the problem of female under-representation (i.e. Liberal parties); parties in favour of parity, without proposing specific measures

<sup>17</sup> See CELIS, K., FLOUR, E., GODFROID, A., JACQUES, C. and PIETTE, V., *Femme et politique en Belgique*, SOPHIA, nr. 16, décembre 1998, p.35.

<sup>18</sup> See Intervention of Mr. Luc Pâque, PSC. In *Annales de la Chambre*, 21 December 1999.

<sup>19</sup> Belgian Senate, 28<sup>th</sup> of March 2000. Intentions of the general policy of Mme. Laurette Onkelinx, vice-prime minister and minister of Labour and equal opportunities between men and women. Advice given by the Advisory Committee on Equal opportunities between men and women. Report made by Mrs. Lizin and De Bethune.

<sup>20</sup> «Double parity will be progressively introduced. [...] This parity will be the first element of the political renewal which the government is looking for.» Minutes of the Cabinet Meeting, 19<sup>th</sup> of May 2000.

<sup>21</sup> Socialist parties: SP (Socialistische Partij); PS (Parti Socialiste). Christian-democratic parties: CVP (Christelijke Volkspartij); PSC (Parti Social-Chrétien). Liberal parties: VLD (Vlaamse Liberalen en Democraten); PRL (Parti Réformateur Libéral). Green parties: AGALEV (Anders Gaan Leven); ECOLO (Ecologistes Confédérés pour l'Organisation de Luttes Originales). Extreme right parties: VB (Vlaams Blok); FN (Front National). Regionalist parties: VU-ID (Volksumie). Socialist Party (since 1978 split into PS and SP, Francophone and Flemish respectively); Catholic Party (since 1968 split into PSC and CVP); Liberal Party (since 1971 split into PRL and PVV).

<sup>22</sup> The so-called 'devolution effect' gives priority to the candidates in top of the list.



(i.e. Socialist parties); a party wishing to abolish any idea about quotas, without any proposals on the matter (i.e. Vlaams Blok)».<sup>23</sup>

Before the adoption of the general law imposing quotas in the composition of lists, some political parties had themselves implemented quotas. In the 1995 elections, the Francophone Christian-democratic party (PSC)<sup>24</sup> applied a 2/3 maximum quota for each sex. Since 1992, the Flemish Socialist party (SP) has reserved a quarter of their seats to women on their electoral lists. Rather early, Flemish Christian-democratic women (CVP) were strongly committed to increasing the presence of women in politics. Instead of using formally binding quotas, since 1974 the CVP has promoted several measures in order to increase the number of women, such as recommendations concerning the positions, and to reserve a minimum of 20 percent to female candidates on list. Other parties have not implemented quotas as such. In 1993, the Flemish Green party (Agalev) ratified parity. However, not a single woman from this party obtained a seat in the Parliament (0/4) in the 1995 election. In 1992, the Flemish Liberal party (VLD) abolished statutory regulations imposing a minimum of 20 percent of women representatives in electoral lists.<sup>25</sup> In the following elections, the percentage of VLD's female representatives diminished considerably. It is important to stress that women's branches of those parties have undertaken most of the initiatives pursuing a sex balance in political parties (and often ending as recommendations or formally binding constraints).

The Francophone Green party (Ecolo) did not adopt any formal constraint, but recommended parity for the 1999 elections. The Francophone Liberal party (PRL), together with FDF<sup>26</sup> and MCC<sup>27</sup> (coalition parties), are against the quota system, but have had a positive attitude towards the abolition of 'top of the list' devolution effect. The Francophone Socialist party, the PS, has always been reluctant to adopt quotas when it comes to list composition. Despite having declared that parity between men and women is something desirable, the PS has never undertaken any particular measure towards it. The VU-ID's (i.e. Flemish regionalist party) women's group has always tried to place female candidates in good positions, even though the party has never had positive attitudes towards any particular action for obtaining a sex-balance. Finally, the Vlaams Blok (i.e. Flemish extreme right party) has always been against any type of quota. The following figures show the number of women MPs per party across time. These give a picture of the effectiveness of positive actions undertaken by each party, and allow comparison with the results of those parties that have not used such measures.

<sup>23</sup> See VERZELE, V. and JOLY, C., *La représentation des femmes en politique après les élections du 13 juin 1999. Evaluation de l'application de la loi Smet-Tobback*, *Courrier Hebdomadaire du CRISP*, 1662-1663, 1999, p. 79-80.

<sup>24</sup> Ratification d'un protocole additionnel au Congrès du 24 avril 1993.

<sup>25</sup> See VERZELE, V. and JOLY, C., *op. cit.*, 1999.

<sup>26</sup> Brussels regionalist party (Front Démocratique des Francophones).

<sup>27</sup> Francophone Christian-democratic party (Mouvement des Citoyens pour le Changement).

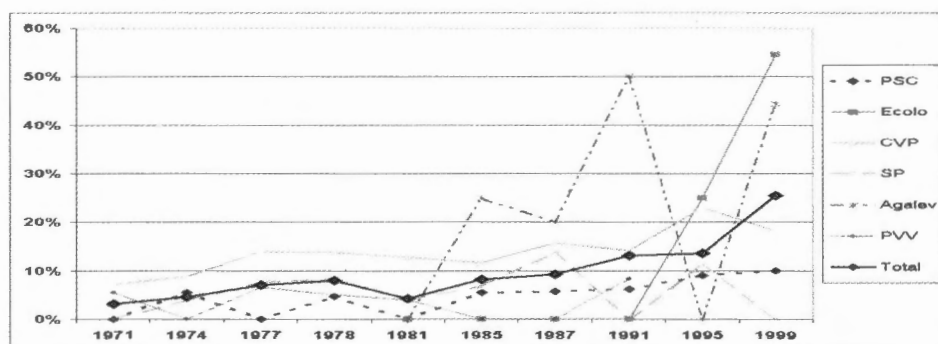
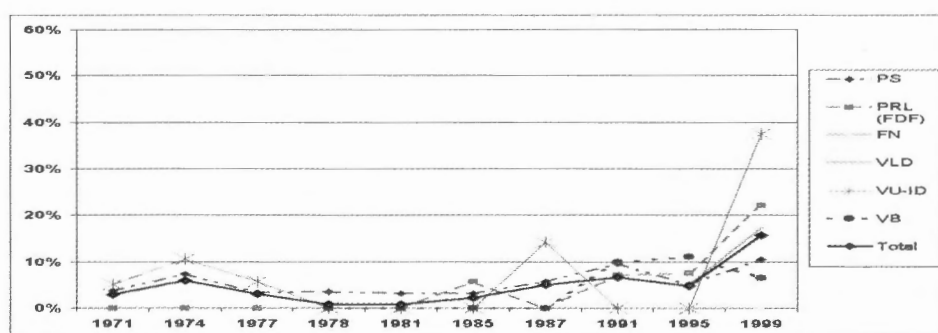
Figure 2 : Parties with formally binding or recommendations on quotas/parity 1971-1999<sup>28</sup>

Figure 3 : Parties without quotas/parity 1971-1999



After the 1999 elections, the parties with the highest percentages of women are the two Green parties (Ecolo and Agalev) and the Flemish regionalist party (VU-ID). The VU-ID has no quotas, and the two Green parties have a parity system (formally binding in Agalev and recommended in Ecolo). As VU-ID illustrates, the position of candidates on the lists seems to be more decisive than the number of men and women *per se*. The Francophone Liberal party (PRL) shows a large increase between 1995 and 1999, obtaining more than 22 percent female representatives without any quota imposition. With and without quotas, Flemish Christian-democratic (CVP) and Liberal (VLD) parties follow with 18 and 17 percent of women respectively.<sup>29</sup> PSC (i.e. Francophone Christian-democratic) with quotas and PS (i.e. Francophone Socialist) without quotas, both have around 10 percent. At the bottom of the list are the extreme right parties (VB and FN), and the Flemish Socialist party (SP).

<sup>28</sup> Data for all parties extracted from GUBIN, E. and VAN MOLLE, L. *Femmes et politique en Belgique*, Bruxelles : Editions Racine, 1998.

<sup>29</sup> As mentioned before, the VLD abolished quotas in 1992.

Thus, in relation to the women actually elected, it can be observed that some of the parties without quotas are among those which have a greater sex balance, while some of the parties with a quota system completely lack it. The quota *per se* does not ensure a sex equilibrium. A sex-balanced representation in Parliament is not only a question of number within the composition of lists, but also a matter of order for male and female candidates. In this sense, both Green parties (Ecolo and Agalev) have applied the zipper system in the elaboration of lists (i.e. alternation men-women), which is connected to the parties' interest in changing, with or without the imposition of measures like quotas.

There is the theory that «left-wing parties are more likely to nominate and elect female candidates to office».<sup>30</sup> As it has been demonstrated in this section, this is not always the case. In Belgium, the Socialist party was not the most supportive of e.g. women's suffrage. Even if inspired in an egalitarian ideology, the fear of an electoral backlash, due to the assumption that women vote conservative, made pragmatic sense take over.<sup>31</sup>

## VI. The 'Smet-Tobback' Law

The *Smet-Tobback* law on quotas intended to promote a balanced distribution of men and women on the candidate lists, by establishing a maximum limit per sex of 2/3 per group.<sup>32</sup> What was the effect of the law ? Or, in other words, do quotas matter ? And how do they matter ?

The law does not say anything about the order in which candidates should be presented on the lists. It was applied for the first time on October 9<sup>th</sup> 1994 in provincial and local elections. However, a temporary quota of ¾ instead of that of 2/3 was used at these elections. The law on quotas did not apply in the 1995 general elections. Quotas fully applied for the 1999 general, regional and European elections.

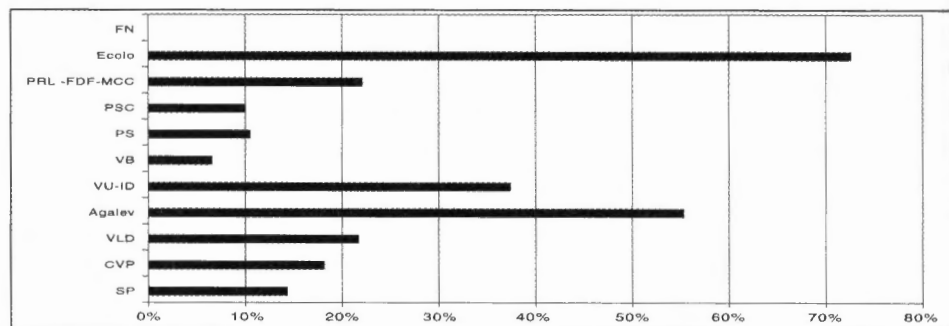
At first sight, quotas have quite strongly affected the Parliament's (i.e. Federal House of Representatives) sex composition. The number of women increased from 12.7 percent in 1995 to 23.3 percent in 1999. Figure 4 shows women's distribution by party after the 1999 elections.

<sup>30</sup> See NORRIS, P., *Breaking the Barriers : Positive Discrimination Policies for Women*, in J. KLAUSEN, and C.S. MAIER, *Has Liberalism Failed Women ? Parity, Quotas and Political Representation*. New York : St Martin's Press, 2000. See also CAUL, M., *Women's Representation in Parliament. The Role of Political Parties*, *Party Politics*, vol. 5, nr. 1, 1999, p. 79-98 and DUVERGER, M., *La participation des femmes à la vie politique*, Paris : UNESCO, 1955.

<sup>31</sup> GUBIN, E., *Le suffrage féminin en Belgique (1830-1921). Arguments et enjeux*, pp. 49-75 in H. Peemans-Poullet (dir.) *La Démocratie à l'épreuve du Féminisme*. Bruxelles, Université des Femmes, 1998, p. 69. See also PEEMANS-POULLET, H. (dir.), *La Démocratie à l'épreuve du Féminisme*. Bruxelles : Université des Femmes, 1998, p.16; COENEN, M.-T., 'Les femmes font-elles partie de la nation ?', in H. PEEMANS-POULLET (dir.) *op.cit.*, p. 42-44.

<sup>32</sup> *Le Moniteur Belge*, 1<sup>st</sup> of June 1994. Article 117bis of the Electoral Law.

Figure 4 : Percentage of women directly elected into the Federal House of Representatives by party, 1999



On average, Flemish parties are 2.5 points above Francophone parties, with 25.6 against 23.1 percent women MPs respectively. Flemish and Francophone Green parties have the highest number of women representatives, followed by VU-ID. Equal sex representation was reached and even surpassed by Ecolo. On the opposite side stand two extreme right parties (FN and VB) with a very low female presence, as have the Francophone Christian-democratic party (the PSC), and Flemish and Francophone Socialist parties (the PS and the SP). On the other hand, even though Liberal parties (VLD and PRL) have always been opposed to quotas, more than 20 percent of their representatives were women.

An explanation of this variation, which can clarify the effect of quotas as well as that of other factors, requires an in-depth analysis of the whole process, from sex composition of lists to the final composition of Parliament. The next four sub-sections present 1) the number of men and women on parties' lists, 2) the number of men and women in eligible places, 3) the number of elected men and women, and 4) the effective number of men and women in Parliament.

#### *A. The number of men and women on the parties' lists*

Lists presented by the parties are organized around two categories of candidates : effective and substitutes.<sup>33</sup> A substitute will enter Parliament only if one of the effective candidates has to resign after being elected (e.g. she/he has been appointed as a minister). For this first part of the analysis, positions within party lists are not taken into account.

<sup>33</sup> Art. 117 of the Electoral Law

Figure 5 : Women candidates in effective and substitute positions in parties' lists in the elections to the Belgian House of Representatives, 1999

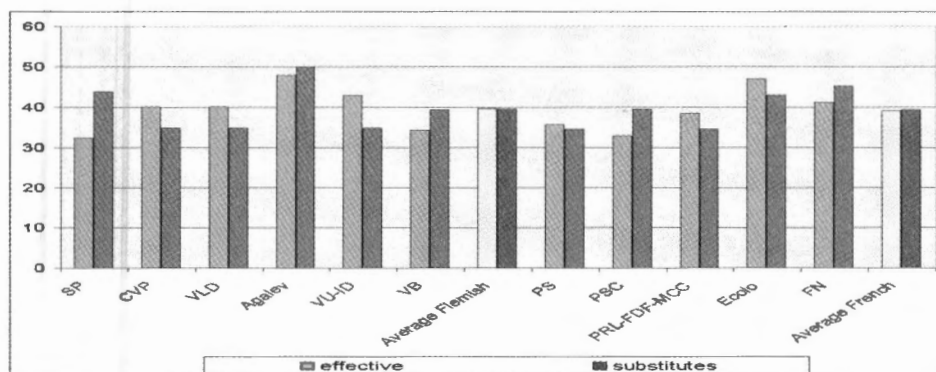


Figure 5 shows that all the lists fulfilled the 1/3 established by law. On average, both Flemish and Francophone parties have around 40 percent women candidates. The Green parties (i.e. Ecolo and Agalev) have the most sex-balanced lists. Compared to 1995, the percentage of list effective women candidates increased from 32 to 39 percent for the whole country. While in 1995 Francophone parties had slightly less women (3 percent) effective candidates than Flemish parties, in 1999 proportions were the same.

So far, there is little evidence of variation between parties. However, change in the number of effectively elected women per party in 1999 suggests that sex rating on lists really has little relation with the degree of sex equality of these lists. The position that candidates have on the lists is far from trivial. Given the importance of order in the Belgian electoral system, this is not unexpected. Since constraints are only related to the amount of women included on the lists, it is up to the parties whether or not they put women into eligible places.

#### B. The number of men and women on eligible places

When looking at the positions on lists, two major aspects ought to be considered. Firstly, the distinction between eligible and non-eligible places (i.e. *ordre utile*) should be made. Eligible places are calculated on the basis of seats obtained by the party in the last election. Secondly, the devolution effect that benefits candidates situated at the top of the list, in spite of the number of votes achieved.<sup>34</sup> These two aspects negatively affect candidates who are occupying the lists' lower positions, i.e. usually women. This negative effect is reinforced by the existence of two categories of candidates, effective candidates and substitutes, since women are very often given substitute places.

<sup>34</sup> Art. 172 of the Electoral Law.

## 1. TOP OF THE LISTS

Table 1 shows the number of women who occupied top positions on the lists presented by each party. Belgium has eleven Flemish and ten Francophone constituencies (*arrondissements*) which influence the number of lists presented by each party.

*Table 1 : Percentage of women at the top of the lists in 1995 and in 1999 (Absolute numbers between brackets)*

	Percentages Women Top list 95	Percentages Women Top list 99
VLD	0 (0/11)	0 (0/11)
PRL(FDF)	0 (0/10)	20 (2/10)
CVP	0 (0/11)	9.09 (1/11)
PSC	20 (2/10)	10 (1/10)
SP	0 (0/11)	0 (0/11)
PS	10 (1/10)	0 (0/10)
Agalev	54.55 (6/11)	36.36 (4/11)
Ecolo	10 (1/10)	50 (5/10)
VU	9.09 (1/11)	27.27 (3/11)
Vlaams Blok	0 (0/11)	0 (0/11)
FN	22.22 (2/9)	10 (1/10)
<b>Total</b>	<b>11.30 (13)</b>	<b>14.66 (17)</b>

There is a positive evolution of all parties' general average from 1995 to 1999. However, the number of women heading the lists is still very low (i.e. around 15 percent). Three parties, VLD, SP, VB, had no women at all in any of the elections. In 1999, the percentage of women at the top dropped for PSC, PS, FN and Agalev. Even if the percentage for Agalev has decreased between the two elections, it has the strongest tendency to put women at the top of the lists together with the other Green party (Ecolo).

It is obvious that a candidate should occupy one of the first positions on the list in order to improve his chances of being elected. However, to be in a top position does not really matter if the party has no chance of winning a seat in a particular constituency. This is why the analysis of sex balance at eligible positions on the lists can be more helpful in explaining the output : the number of women directly elected.

## 2. ELIGIBLE PLACES

The number of women occupying positions, expected by their parties to become seats, can be known by applying 1995 results to 1999 lists of candidates. This, of course, assumes that parties expected to maintain at least the results of the

previous election in each constituency. The same procedure has been used to calculate the percentage of women placed by each party in eligible positions in 1995, so that results from before and after the application of the law may be compared. The main problem when doing so, is that the number of 1991 Parliament seats (212) was different from that of 1995 (150). Which means that if party X obtained 5 seats in 1991 in a particular constituency, which was sized down from 20 to 14 seats, the number of seats with the same electoral result would not be 5 anymore, but 3.5. A way to solve this problem is to weigh the 1991 results per party and make them equivalent, in terms of number of seats, to those available in 1995 and 1999. Even if it makes sense mathematically, it faces several practical problems.

The first problem is the difficulty of figuring out how to distribute a half seat in a list of candidates. The second one can be explained with the above example. If a party presented women in positions four and five in 1995, it could be said that 40 percent of the candidates in eligible places were women. However, the party has now 1.5 seats less due to the overall reduction of seats by 30 percent for the whole constituency. When results were weighed, the number of women in eligible positions would still be over-estimated : 1.4 female candidates out of 3.5 seats is still 40 percent, but the real percentage would probably be of 0 percent. Due to these objections, the cases have been re-examined. A similar example has been treated with a reduction of 2 seats, which implies that no female candidates were in eligible positions. Generally speaking, if decimals were smaller than .5, the number of seats has been rounded off to the inferior unit. That means an under-estimation in the number of women in 'useful order'. To compensate for it, if party X had 1 seat in constituency B in 1991, it has been kept in 1995. This means that, if a woman candidate is in a top position in 1995, the party will have one out of one female candidate in an eligible place in this particular constituency. For those cases where the decimals were over .5, the number of seats has been rounded off to the superior unit. This second case gives an over-estimation of the number of women in 'useful order', and both errors are likely to cancel each other.

The figures suggest that the number of women in eligible positions between the two elections has slightly decreased. However, this difference has to be considered with precaution. It has already been mentioned, the size of the assembly changed from 1991 to 1995, which makes it difficult to know the exact number of eligible positions in 1995. Whatever the precise value of the difference, it is clear that real opportunities for women did not improve from 1995 to 1999. The Christian-democratic party (PSC), two Socialist parties (SP, PS), the Flemish Green party (Agalev) and the Flemish extreme right party (VB) did in fact reduce the percentage of women in eligible positions in 1999. The most outstanding change is that of Agalev, which had more than 60 percent of women in 1995, and went down to zero in 1999.



Table 2 : Comparison between the number of women in eligible positions on the lists presented by party in 1995 and in 1999<sup>35</sup>

	Number of women in eligible positions		Means of the Percentages of women/party in eligible positions	
	1995	1999	1995	1999
VLD	2	3	7.58 (11)	12.12 (11)
PRL(FDF)	4	3	9.72 (9)	13.33 (9)
CVP	8	10	24.24 (11)	34.85 (11)
PSC	3	2	25.93 (9)	16.67 (9)
SP	3	2	10.61 (11)	6.06 (11)
PS	5	3	15 (10)	10.83 (10)
Agalev	2	0	66.67 (3)	0 (5)
Ecolo	0	1	0 (5)	20 (5)
VU	2	2	37.5 (4)	40 (5)
Vlaams Blok	1	1	6.67 (5)	3.57 (7)
FN	1	0		0 (2)
Total	31	27	16.93 (78)	15.14 (85)

Note : Numbers in brackets represent the number of lists per party with eligible positions.

Apart from the quota itself, we can expect the sex balance to be affected by two other factors : (i) the increase or reduction in the number of a party's seats between two elections; and (ii) the party position regarding gender equality.

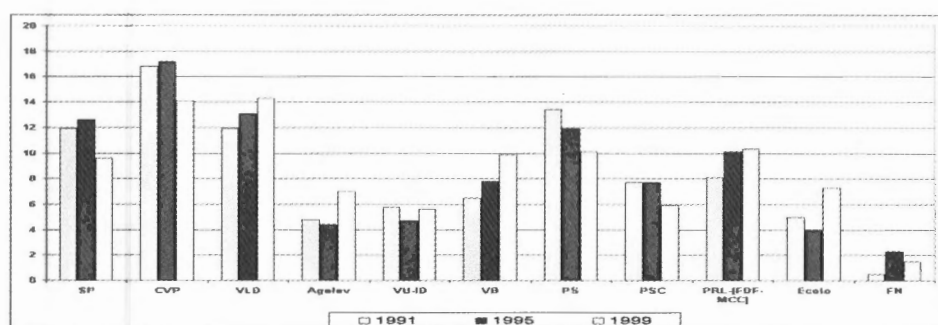
Concerning the first factor, and since the general tendency of parties is to place men in top positions on the lists and women in non eligible places, women have less chance of being elected, except in the case of a party's unexpected success during the elections. If this is true, we can expect that parties which gained seats between 1995 and 1999 will be those with a higher positive difference between the number of women directly elected and those in eligible places on the lists. The same would be true for the 1995 elections in comparison to 1991. The next figure shows the percentages obtained by each party in the 1991, 1995 and 1999 elections.

In comparison with the 1991 results, SP, CVP, VLD, VB, and especially PRL, and FN gained votes in the 1995 elections while VU, PS and two Green parties (Agalev and Ecolo) lost seats. From 1995 to 1999, the parties that gained votes were Ecolo, Agalev, VLD, VU-ID, Vlaams Blok and, to a lesser extent, PRL. Thus, if it is true

<sup>35</sup> The values in the third and fourth columns are the average of the percentage of women eligible per party and per constituency. This means that the percentage of women has been calculated out of the total number of eligible positions a party had in each constituency, and then the total average for the party was made. Another way to calculate it is to compute the total number of women eligible, and the total of eligible positions, and then calculate the percentage out of those two values. For example, in 1999, the VLD had 3 women eligible out of 21, that is to say 14.29 percent of women in eligible positions. If we do the same for each party and then calculate the average that makes a total of 15.65 percent of women in eligible positions (17.2 percent without including the FN).

that there is a relation between a party's electoral gains and the number of women elected, in 1999 there should be an increase in the difference between the number of women directly elected and the number of women in eligible positions within the above mentioned parties. The reverse tendency should be observed for other parties that were less successful in 1999, i.e. SP, CVP, PS, PSC and FN. Considering that women are often placed at the end of the lists, when parties gain more seats than expected, women take the so-called «fighting places» (*positions de combat*), i.e. the first places right after the eligible positions.

Figure 6 : Election results in 1991, 1995 and 1999 for the Belgian House of Representatives (in %)



A simple way to analyse whether or not these assumptions are correct is to correlate the difference between the number of women directly elected and in eligible positions, and the electoral gains/losses of parties between two consecutive elections. A negative coefficient (i.e. higher values in one axis result in lower values in the other) indicates that if a party makes electoral gains, there is a proportionally higher chance that its female representatives will be elected.

Table 3 presents the differences between 1991 and 1995, and the differences between 1995 and 1999. In the first row Pearson's correlations have been calculated for all the parties. Another aspect worth studying is the difference between the parties with and without positive actions. Thus, in the second row two supplementary coefficients have been calculated : one for the parties which had implemented positive actions for gender equality before the general law and another for those that had not.

Generally speaking, when parties lose seats, the number of elected women decreases by an unproportionally high degree, which suggests that women are occupying the lower portion of eligible positions, or «fighting positions».

*Table 3 : Pearson's Correlations for 1995 and 1999 showing the change in the number of parties' seats from 1991 and 1995 respectively and the differences between the number of women directly elected and in eligible positions*

	Difference between the number of women directly elected And in eligible positions			
	1995-Before quotas (N=115)		1999-With law on quotas (N=116)	
Difference between the number of seats (91-95 and 95-99 respectively)	-.589**		-.693**	
	Parties without pos. actions (N=62)	Parties with pos. actions (N=53)	Parties without pos. actions (N=62)	Parties with pos. actions (N=53)
Difference between the number of seats (91-95 and 95-99 respectively)	-.671**	-.467**	-.419**	-.813**

\*\* Correlation is significant at the 0.01 level (2-tailed).

\* Correlation is significant at the 0.05 level (2-tailed).

N= number of lists presented by the parties.

Does the use of positive actions within a party have an effect on the number of women who are directly elected or who are in eligible positions ? The coefficients in 1995 (-.671 and -.467) indicate that the difference between parties having implemented quotas or other measures, and other parties, actually is not large. However, this difference is more apparent in 1999. In this election the coefficient for parties applying gender equality measures (CVP, PSC, SP, Agalev and Ecolo) was very high (-.813). This indicates that the application of positive actions may increase the number of elected female representatives relative to overall party gain.

### 3. THE NUMBER OF ELECTED MEN AND WOMEN<sup>36</sup>

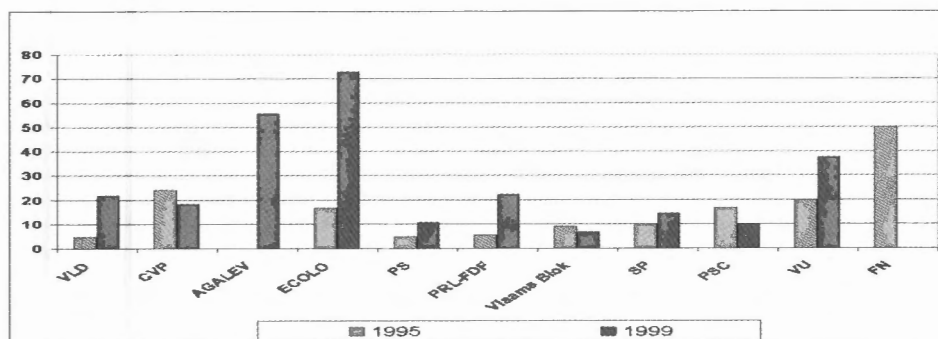
Even if the law only affects the lists of candidates, the ultimate goal is to obtain a more sex-balanced Parliament. The subtraction in the percentage of women MPs per party in 1995 from that of 1999 should, hypothetically, be positive for 1999. In addition, and since the law was the same for every party, the effect should also be the same for all of them.

Figure 7 shows that this is not the case. While some parties, like VLD, Agalev, Ecolo, PS, PRL-FDF, SP and VU, increased the proportion of elected women, others, such as CVP, Vlaams Blok, PSC and FN, had a decrease in numbers.

<sup>36</sup> Data for 1995 extracted from the «Relevé Statistique de l'Activité Parlementaire», Troisième session de la 49e législature, Doc. 7/2 – 95/96. Data for 1999 extracted from the «Relevé Statistique de l'Activité Parlementaire», Deuxième session de la 50e législature, Doc. 0007/001.

Interestingly enough, it can be noticed that, except for the Vlaams Blok, the second group of parties lost seats in 1999 compared to 1995.

Figure 7 : Differences in the percentage of women MPs between 1995 and 1999 per party

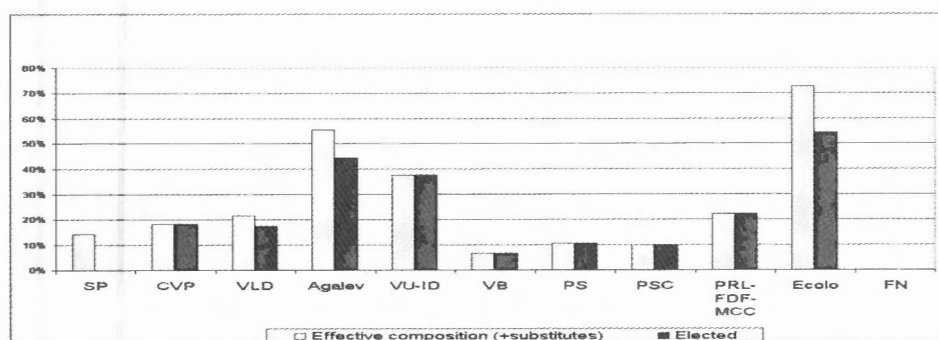


#### 4. THE NUMBER OF MEN AND WOMEN IN THE EFFECTIVE COMPOSITION

Parties in government must replace members who have been appointed to ministerial positions. Which explains e.g. difference between the percentage of SP elected women (0) and that of the actual percent of SP-women in the House (14.30). The number of women in government increased from 11.76 percent in 1995 to 16.67 percent in 1999.

Figure 8 shows differences between percentages of women directly elected and the final composition of the assembly per party after the substitution process.

Figure 8 : Differences between elected and effective composition 1999 (in %)



Obviously, there were no changes in the parties that were not forming part of the 1999 government. However, this also applies for PS and PRL-FDF-MCC (Francophone Socialist and Liberal parties) even if they were in the government, since none of the men appointed for a ministerial position were substituted by a woman.

Table 4 shows the relative percentages per party, i.e. the percentage of women MPs that was made up of substitutes.

*Table 4 : Percentage of directly elected women and the final composition of the assembly for the parties forming the 1999 government*

	Directly elected	Final composition (i.e. directly elected + substitutes)	Difference	Substitutes in percen- tage of the final com- position
SP	0	14.3	14.3	100
VLD	17.4	21.7	4.3	19.82
Agalev	44.4	55.5	11.1	20
Ecolo	54.5	72.7	18.2	25.03
PS	10.5	10.5	0	0
PRL-FDF-MCC	22.2	22.2	0	0
Total	24.83	32.82	7.98	27.48

The number of women MPs is exclusively constituted by substitutes in the SP (i.e. the Flemish Socialist party). For the three other parties, i.e. VLD, Agalev and Ecolo, substitutes are about 20 to 25 percent of the total number of women MPs. This means that, on average, around 27 percent of 1999 women MPs were initially substitutes.

Analysis of positions on the lists showed that between 1995 and 1999 there was no real improvement in terms of opportunities for women to be elected. However, since the sex composition of Belgian Parliament did change considerably between the two elections, the cause of the change remains to be found. Therefore, three regression analyses have been performed in order to identify which of the above-mentioned factors (eligible positions given to women, party's gains/losses between two consecutive elections, the fact that they do or do not make-up part of the government, the parties' actions to enhance a sex balance, and finally the law on quotas) had a higher impact on the number of women MPs when controlling for the others. The units of analysis are the parties' lists.

The first model is based on the 1995 election, the second on the 1999 election, and the third includes both elections in a general model. The last model is interesting as it shows an approximation of the effect of quotas. The variable called «quota law» has been coded as dichotomous, where (0) is used for those cases previous to the law on quotas, and (1) for those after the law took effect. Another variable is that of «parties forming the government» which measures the effect of substitutions on the assemblies' sex-balance.

As shown by the general model, the most significant effect is the number of women in eligible positions, followed by parties' gains or losses in terms of seats between

two consecutive elections. The effect of substitutions for parties forming the government comes in third place, just before the number of women at the top of lists. The effect of substitutions is higher in 1999 than in 1995, which means that, in relative terms, the 'rainbow coalition' (i.e. Ecolo, Agalev, PS, SP, PRL-FDF-MCC, VLD) replaced more men, who had been directly elected, by women substitutes than the 1995 coalition, i.e. PS, SP, PSC, CVP. As mentioned above, a rough measure of the effect of legislation on quotas in the 1999 assembly sex composition is to compute a variable with two categories : before and after the law enforcement. The .108 coefficient shows that the effect of law, albeit small, has been significant and positive. Analysing the 1995 and 1999 models, it is interesting to note that, while the strongest factor to predict Parliament's sex balance is still the number of women in eligible positions for 1995, this is not so for 1999. Parties' differences in terms of seats between 1995 and 1999 have now become the most powerful factor, followed by the number of women in eligible positions.

*Table 5 : Regression model predicting the number of women MPs in 1995 and 1999 (standardised coefficients)*

	Predicted variable : Effective number of women in Parliament		
	1995 N=115	1999 N=116	Full Model 95-99 N=231
(Constant)	-0.043	-0.053	-0.188*
Number of women in eligible positions	0.659**	0.492**	0.536**
Number of women in top of the list	0.104	0.090	0.132*
Difference between the number of seats (91-95 and 95-99 respectively)	-0.388**	-0.582**	-0.466**
Parties forming government (0=not in the gov. 1=in the gov.)	0.164	0.226**	0.231**
Party's actions for gender balance (0=without 1=with)	0.025	0.134	0.047
Quotas law (0=before 1=after)			0.108*
Adjusted R Square	0.423**	0.454**	0.420**

\*\* Coefficient is significant at the 0.01 level (2-tailed).

\* Coefficient is significant at the 0.05 level (2-tailed).

N= number of lists presented by the parties.

## VII. Conclusions

At the beginning of the article, the question was raised concerning limits, in relation to the type of quota implemented in Belgium. Now, and before giving a final evaluation, several elements should be summarized : (1) Belgian political

parties play a decisive role in the nomination process, determining who will ultimately be elected.<sup>37</sup> (2) The current quota system allows parties to decide the position of candidates. Position is of utmost importance since the higher a candidate is on the list, the greater are his/her chances of being elected (*ordre utile*). (3) When casting his vote, the voter has two possible alternatives : to go for the whole list or to opt for individual candidates. However, the so-called 'devolution effect' gives priority to candidates at the top of the lists. Thus, even if a candidate gets more personal votes, the system privileges higher positions on the list. From these three observations, it is easy to theoretically deduce that the effect of quotas, exclusively based on quantity rather than on position, and a key factor in the Belgian electoral system, depends to a large extent on whether or not parties have the will to include more women representatives.

Concentrating now on the two major mechanisms to reach representativity (i.e. parity and quotas), the arguments in favour of the former are better positioned than those for the latter, in order to encounter the often made criticism «if we give quotas to women, where shall we stop (young, immigrants...) ?» : there is something specific about sex that other socio-demographic characteristics do not have. Humanity has been divided into two sides, one male and one female; this characteristic is shared by all societies, and thus it is an essential component of them all. From a purely pragmatic point of view, as quotas are restrained to a certain threshold, once parties have reached it, there is a risk that women will never go beyond it. This is something that the idea of parity can circumvent.

No matter how reasonable they may seem, theoretical assumptions are one thing and empirical proof is another. The objective of this article is to compare opportunities given to male and female candidates during the election process. This allows for determining which part of the current sex composition within the Belgian Federal House of Representatives is due to legislation on quotas, and which is due to other factors. After examining this process, from the lists of candidates to the final composition of the Belgian Federal House of Representatives, two types of quota implementation can be distinguished among political parties. One can be called the 'minimalist approach', i.e. to fulfil the requirements of law by putting 1/3 female candidates on the list, but to place them in non-eligible positions. The other type of implementation is the 'maximalist approach', i.e. a strategy which lists male and female candidates on equal terms. The approaches are, of course, related to the parties' positions with regard to the law.

The answer to the question 'does policy matter?' is 'yes, but...' We have noted the differences between the percentage of female candidates on the lists (39 percent), the number of elected women (21 percent) and the effective composition of the assemblies (23.3 percent of women). Given that parties must decide positioning on the lists, it is not strange to find differences in the percentage of elected women

<sup>37</sup> See DESCHOUWER, K., DE WINTER, L. and DELLA PORTA, D. (ed.), *Partitocracies between crises and reforms : The cases of Italy and Belgium*, *Res Publica*, vol. 38, nr. 2, 1996, p. 215-494.



and that of women in the assembly. An examination of the lists of candidates in terms of what is called 'useful order' (i.e. the number of seats that parties gained in the previous election and, thus, are expecting at least to maintain in the next one) shows that the number of women in eligible positions did not change much in 1999 compared to 1995 (i.e. before the law on quotas). Nevertheless, the number of women MPs almost doubled (i.e. from 12 to 23 percent). What caused the difference if it was not the legislation on quotas ? The regression model showed that in 1999 the highest effect was due to the fact that certain parties gained seats in that year's elections. However, the quota law also had an impact, even though small. Not only were the gains of certain parties much more important, but also the number of women in eligible positions, the effect of substitutions, and the number of women at the top of the lists. Thus, the overall impression is that the sex balance of the Belgian Federal House of Representatives is fragile and unstable. If supplementary mechanisms are not undertaken, this balance could easily be broken. And, as it also was shown, this can not easily be claimed to be a result of the electorate's will. According to public opinion, a large majority of voters voted for both women and men. However, the number of women in Parliament is still 23 percent. It could indeed be thought that a gap exists between what parties are offering and what voters are requesting.

The issue of female representation continues to be on the political agenda in the Belgian political system. In 1998, M. Joos Wauters and Mme. Martine Schüttringer suggested that parity ought to be applied in Belgium instead of quotas.<sup>38</sup> On 24th January 2002, the Federal House of Representatives decided that the Constitution's Article 10 should be amended and must stipulate that «equality between women and men is guaranteed.»<sup>39</sup> The Senate had earlier unanimously adopted the same amendment. To the Constitution (Article 11b) has also been added that men and women by law are guaranteed equal access to public and elected positions, and that both sexes shall be represented in all executive bodies. In line with these changes the Vice Prime Minister, Mme. Onkelinx, is now also expected to propose that the principle of parity shall replace the principle of quotas and that both a woman and a man must be listed as candidates for the top two positions. Other alternatives have also been suggested. A proposal to modify the Electoral Law and eliminate both the 'devolution effect' and the distinction between effective and substitutes in the lists, was introduced at the beginning of 2000 by M. Luc Pâque, Mme. Joëlle Milquet and M. Jean-Pol Poncet.<sup>40</sup> 26<sup>th</sup> June 2000, the House adopted a law which aims to reduce the devolution effect, by fifty percent in elections to provincial and communal Councils, and in those to the European Parliament, as well as to suppress the distinction between ordinate and substitute candida-

<sup>38</sup> Doc. 1731/1, Belgian House of Representatives, 10<sup>th</sup> september 1998.

<sup>39</sup> «L'égalité entre des femmes et des homes est garantie.» Article 10

<sup>40</sup> «Proposition de loi modifiant le Code électoral, en vue de supprimer l'effet dévolutif de la case de tête et les listes des suppléants aux élections législatives». See Documents of the Belgian House of Representatives (9/02/2000) : Doc.436/1; Doc.434/1; Doc. 435/1.

Documents of the House of Representatives (10/09/1998) : Doc.1731/1; Doc.1732/1; Doc.1734/1; Doc.1735/1; Doc.1736/1; Doc.1737/1; Doc.1738/1.

tes.<sup>41</sup> December 27<sup>th</sup> the law was approved for both Federal Chambers, and the Council of the German Community elections.<sup>42</sup> The reform intends to make the electoral system more transparent, by simplifying it and diminishing the political parties' role in the selection of people elected.<sup>43</sup>

In conclusion, if the aim of measures such as quotas and parity is to achieve a balanced sex structure in the legislative assembly, it ought to be complemented with regulations on women's and men's positions on the lists. The introduction of this kind of legislation has also been proposed for 2005.<sup>44</sup> Independently from the philosophical position towards quotas and parity, these positive actions should be combined with, for example, the «zipper practicality», i.e. sex alternation in the composition of lists. This practice has been successfully applied by the Green parties.

Quotas could matter, especially if they did not only focus on the number, but also on the order of candidates on the lists. Even though number is important because of the symbolism of creating an artificial sex balance, the basis of change remains in social and cultural spheres. Artificial mechanisms are helping structural changes. If the main objective is a true equality in opportunities, structural actions to educate or change mentalities are to be simultaneously implemented.

### ***Abstract : Do Quotas Matter ? Positive Actions in the Belgian Parliament***

*Belgium has the particularity of being the only EU Member State to have introduced quotas to its legislation. The type of quota which has been implemented is prioritizing the number, without paying attention to how male and female candidates are positioned on the parties' lists. In the article the author examines the evolution of the number of women in Belgian Parliament across time. Comparisons are made within and between parties, before and after the law on quotas. The analysis shows that the effect of quotas to a large degree is dependent on the will of parties to obtain more female representatives. Thus, if the major aim of a legislation on quotas is to impose a balanced gender structure in the representatives' assembly, the legislation ought to consider men's and women's positions on the lists.*

<sup>41</sup> Law published in the *Moniteur Belge* the 14<sup>th</sup> of July 2000.

<sup>42</sup> Published in the *Moniteur Belge* the 24<sup>th</sup> of January 2001.

<sup>43</sup> See Doc. 434/1, Belgian House of Representatives, the 9<sup>th</sup> of February 2000. See also Doc. 1734/1, Belgian House of Representatives, the 15<sup>th</sup> of september 1998.

<sup>44</sup> The 'double parity', as suggested in the Minutes of the Cabinet Meeting of the 19<sup>th</sup> of May 2000 was conceived as a progressive and provisory formula scheduled as follows : From 2001 the party lists of candidates should follow the parity principle (50-50). For the 2003 legislative elections and for the 2004 Regional and European Elections at least one woman (or one man) should be among the first three candidates in each list. Finally, and from 2005 the sex-alternation for the first two places in the lists should be respected.