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**29% Women Councillors After a Mere 100 Years:
Can the Councillors Commission increase councillor diversity
where 'modernisation' failed?**

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**Panel: Councillors and Representation in British Local Government
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Abstract

29% Women Councillors After a Mere 100 Years: Can the Councillors Commission increase councillor diversity where ‘modernisation’ failed?

This paper is actually – and obviously – three mini-papers, spanning three centuries, in which the joins are certainly obvious, but hopefully also the links. The first mini-paper commemorates the Qualification of Women Act 1907 that first enabled women to become county and county borough councillors. The centenary has been quite widely celebrated, one consequence being that attention has been given, as in the paper, to the role of women in elected local governmental bodies in the decades *preceding* the 1907 Act, which should be seen more as a staging post on a lengthy and still incomplete journey, rather than its beginning. A key conclusion of this section of the paper is that women’s participation in these 19th Century single-purpose bodies – notably, elected school boards and boards of poor law guardians – was crucially determined by the rules governing these bodies’ franchise and candidacy qualifications and their electoral systems. And the theme linking all three mini-papers is that equivalent rules – relating particularly to electoral systems and electoral quotas – play a major part in determining the extent of women’s participation in elected local government today.

Despite their comparatively early start, women’s council membership in the UK has increased only slowly and for the past several years has appeared almost stuck below the symbolic, if not very impressive, 30% - some way behind an increasing number of other countries whose political cultures are hardly known for their enthusiasm for women’s involvement in public life. A second mini-paper therefore explains how electoral and quota systems might be reformed so as to encourage the electoral recruitment of under-represented groups, and especially women, and the third summarises the work of the Councillors Commission that recently considered these matters.

29% Women Councillors After a Mere 100 Years: Can the Councillors Commission increase councillor diversity where ‘modernisation’ failed?

Some exceptional women and their commemoration

Academic conference papers tend not to open with tributes to heroines (or, for that matter, heroes); nor even with centennial celebrations. It smacks of deviation from intellectual objectivity and seriousness of purpose. Still, what the hell! I’ll start with the centenary, and the heroine – the striking figure featured on the title page – will follow shortly.

One hundred years and five months ago, five exceptional women became the first legitimately elected members of what during the previous two decades had become England’s principal local authorities: county and county borough councils. A sixth woman joined them very shortly after a by-election, giving the encircled total near the foot of **Table 1**. The legislation that enabled their election was the **Qualification of Women (County and Borough Councils) Act 1907** – the first to open up membership of top-tier multi-purpose councils, as opposed to single-purpose local government bodies, to women.

As can be seen from Table 1, the 1907 Act was far from the only one that helped advance women’s electoral rights in local government, and in its short-term impact was arguably not even the most significant. Candidacy remained tied to property ownership and, of course, most property was not owned by women, and most women were not property owners. In terms of scale, therefore, the 1914 Act that abolished this property qualification might have provided the greater boost – had all elections not been almost immediately suspended due to the War.

Nevertheless, both the actual and symbolic importance of the 1907 Act are obvious, and understandably over the past year its parliamentary passage and the swiftly ensuing local elections in November 1907 have been quite widely commemorated – most notably by the re-formation of the **Women’s Local Government Society (WLGS)**. The WLGS had its origins in the local government reforms of the late 1880s. It was a London-based group of shamelessly upper-middle class, mainly leisured, strongly feminist women, which became a formidable and highly effective lobbying force and was responsible more than any other body for the passage of the 1907 Act.

Wound up *per se* in 1925 with its original aims of equality for women voters and candidates in local government elections close to full statutory realisation, the Society’s 2007 re-launch, as well as being properly celebratory, has a very serious purpose too. For it is a sobering reminder that, a century on, women haven’t come quite as far as many of those early campaigners would surely have hoped. For several years there has been, for England at least, a regular (now biennial) national census of councillors. The 2006 census recorded a highest-ever **29.3%** women councillors, up from 29.1% in 2004, 28.5% in 2001, and 27.8% in 1997. The trajectory is still perceptibly rising, but at a rate that has begun to make it look as if 30% is some kind of glass ceiling. Projecting forwards – always assuming that this gastropodic progress can be maintained – we would see gender parity reached **sometime between 2136 and 2223**, which surely cannot have been what those pathbreaking Victorian women had in mind in as they sought to break through their all too real electoral barriers in the 1870s. Not surprisingly, therefore, one of the most prominent of the new Society’s aims is:

to secure a greater representation of elected women in Local Government in England, Scotland, Wales and Northern Ireland through positive action, promotion, support, mentoring and lobbying. (<http://www.womeninlocalgovernment.org.uk>)

Table 1: Election of women to local authorities, England and Wales, 1834-1915 – Legislation and outcomes

		Main basis of:		Women could:		Method of voting	Women elected members				
		Franchise	Candidacy	Vote	Stand		Boards		Councils		
							Sch	PL	RD	UD	C,L
1834	Poor Law Amendment Act Parish Boards of Guardians	Ratepayer	<u>Large</u> ratepayer	Yes – u/m only	Unspecified; untested	<u>In writing</u> , at home; <u>1-6 votes</u> , by value of property					
1835	Municipal Corporations Act Elected Borough Councils	<u>Male</u> ratepayer	<u>Male</u> ratepayer	No	No	In person – signed voting papers; 1 vote per vacancy					
1869	Municipal Franchise Act Vote for women ratepayers	<u>Any</u> ratepayer	R'payer: PL M r'p: BCs	Yes – u/m only	Yes - PL No - councils	In person; secret ballot from 1872 in council elections					
1870	Elementary Education Act School Boards	Ratepayer	<u>Open to all</u>	Yes – u/m only	Yes	<u>In person</u> ; <u>1 vote per vacancy</u> in multi-member divisions; <u>cumulative</u> -'plumping' allowed	3				
1875							17	1			
1885							78	37			
1888	Local Government Act County/ C. Bor. Councils; London County Council	Ratepayer	Male ratepayer	Yes – u/m only	No	Secret ballot					
1890							100	80			2!
1894	Parish & District Councils Act Urban/Rural Dist. Councils; Abolished PL property qualif.	Ratepayer	<u>Residence</u>	Yes	Yes	Secret ballot or show of hands					
1895							128	893	140	2	
1900							270	1147	170	2	
1902	Education Act Abolished all school boards; Cs & CBs new LEAs;	Ratepayer	Male Ratepayer	Yes – u/m only	No	Secret ballot	0 594	1157	112	4	
1907	Qualification of Women (Co. and Bor. Councils) Act Women qual'd for all councils	Ratepayer	Ratepayer (exc. LCC)	Yes	Yes	Secret ballot					6
1910							641	1310	147	4	22
1914	C & CBs (Qualification) Act Abolished property qualif.	Ratepayer	<u>Residence</u>	Yes	Yes		679	1546	200	15	48

Notes: P L = Poor Law; RD/UD = Rural/Urban District Councils; C = County Council; L = London County Council; M = male; u/m = unmarried;
2! = 'improperly' elected (to the London County Council); 594 = co-opted, not directly elected

Main source: Hollis, 1987, Appendix B (p. 486) and *passim*.

A key purpose of this broadly two-part paper is to examine this question of the representation of elected women in local government in the 21st Century by looking back at the 19th and early 20th Centuries – partly out of sheer historical curiosity, but also to see if they may have any lessons to suggest to us today. Which is why it is necessary to appreciate that 1907 was in no sense the start of a journey, but rather a staging post – albeit an important one – along a route on which its travellers, and one traveller in particular, had embarked decades earlier.

Elizabeth Garrett Anderson – electoral pioneer

Three of the new women council members elected in 1907 sat on sizeable councils in major towns – Oxford, Reading, Oldham – that were now responsible for a wide range of local services, including elementary and secondary education, sanitation, health and housing, the police and licensing, libraries, parks, baths and washhouses. The truly remarkable member of the group, however – the only one who was a genuinely national figure – had been elected to the council, and then almost immediately to the mayoralty, of the small fishing village of Aldeburgh on the east coast of Suffolk. If Benjamin Britten, one of England's outstanding musical composers, was Aldeburgh's most famous resident for much of the 20th Century, his predecessor in that role was undoubtedly Elizabeth Garrett Anderson.

Elizabeth Garrett was born in Aldeburgh in 1836 – the elder sister, incidentally, of **Millicent Fawcett**, suffragist founder in 1867 of the London National Society for Women's Suffrage and thus indirectly of the Women's Library - <http://www.londonmet.ac.uk/thewomenslibrary>. Privately educated, she, like Florence Nightingale, met Elizabeth Blackwell, the English-born woman who became the first qualified woman doctor in the US, and resolved also to pursue a medical career – by whatever means she could. Refused admission to exclusively male medical schools, she studied anatomy privately in London and Scotland and eventually, with the help of a licence from the Society of Apothecaries and finance from her father, did indeed become the first British-qualified practising woman doctor. In 1866 she established a dispensary for women in London's Bloomsbury, later to become the New Hospital for Women and Children, and today the Elizabeth Garrett Anderson and Obstetric Hospital.

By this time Garrett had become a committed feminist, had helped organise a petition asking Parliament to grant women the vote, had an already nationally recognised name, and was an obvious candidate in 1870 for the first elections to the London School Board. The 1870 Education Act sought to provide elementary education for 5- to 12-year olds in areas where existing voluntary provision was inadequate – the schools themselves being established and overseen by American-style **directly elected school boards**. The boards, financed by a precept added to the local rate (property tax), were elected by ratepayers, just as the councils created under the 1835 Municipal Corporations Act were. But, unlike councils, the school boards' membership was **not restricted**. Any adult – male or female, property owner or not, married or unmarried – could stand for election, thus providing the first real opportunity for women to get directly involved in local government.

When the boards were abolished in 1902 and replaced by Local Education Authorities there were some 5,700 of them, but among the first, the biggest, the one responsible for the country's severest educational destitution, and undoubtedly the most prestigious – politically and socially as well as educationally – was the London School Board (LSB). Garrett was invited to join a candidate slate of Marylebone working men whose wives she treated at her dispensary, and, politically inexperienced as she was, and formidably large as was her 7-member electoral division – roughly the size of today's Borough of Camden – she agreed.

This is not the place to recount the details of her remarkable campaign (see Hollis, 1987, c.2). The result, however, quite apart from its relevance to one of the central concerns of this paper – the electoral system – is quite simply too historic not to record. In topping the divisional poll of 22 candidates, Garrett received an extraordinary **47,858 votes**: more than three times the total of the next candidate – the distinguished Thomas Huxley, President of the British Association – more than anyone else in the election for the 51-member Board, and indeed, more “than any candidate in any election anyone could remember” (*ibid.*, p.77).

Garrett’s suffragist friend, Emily Davies – later the founder of Girton College, Cambridge – also headed the poll in her Greenwich division, and between them they effectively settled the issues not just of women’s right to stand for and serve on school boards, but of their manifest electability. Moreover, had there been any doubt about the eligibility of married as well as single women – given the prevailing common law doctrine of *coverture*, whereby a married woman’s legal rights were merged with those of her husband – Garrett resolved that too. Shortly after the board elections she married James Anderson, a London shipowner, financial adviser to East London Hospital, and chairman of her campaign committee, “and had neither the grace to offer her resignation nor any board member the courage to ask for it” (*ibid.*, p.78).

As already indicated, Elizabeth Garrett Anderson’s name lives on, but not in large measure, it has to be admitted, for any actual achievement in either education administration or local government more generally. Her life’s work was always primarily medicine, and particularly medicine for women and children, practised by women, and the EGA Hospital and the Garrett Anderson ward in the Royal Free Hospital in Hampstead, London, are appropriate memorials to a genuine pioneer. By comparison, the minutiae of education policy appear to have held no great intrinsic interest. The punishing workload of committee meetings, school visits and correspondence inevitably clashed with the demands of her expanding medical practice and, while she was far from alone in this, her middle class upbringing and views fostered no natural empathy with the interests and circumstances of the working class families with whom the LSB mainly worked. She soon reduced drastically her committee attendance, and both she and Emily Davies came off the Board in 1873 after a single term of office, though not before she had organised and campaigned successfully for the election of two women successors.

In local government, therefore, Garrett Anderson is probably best described as a feminist *electoral* pioneer. Her inestimable achievement in 1870, both real and symbolic, was to have stood as a candidate for a major elected public office at the first opportunity offered to women, to have campaigned to incredible effect, and to have won, crushingly. Her 1907 victory was less significant, but it completed a kind of historic cycle, and provided useful support too for the suffragette movement with which – as the final title page picture of her, alongside Emmeline Pankhurst, indicates – she now identified.

Inclusive and exclusive candidacy qualifications

It so happens that 1870, the year of the Elementary Education Act, was also the year – and the *only* thought association intended here relates to the dates – in which the OED first defined ‘lesbianism’ as a sexual orientation. Which brings to mind the probably apocryphal story that the Criminal Law Amendment Act 1885 omitted any reference to lesbianism either because Queen Victoria did not believe sex between women was possible or because no one was prepared to explain it to her. The serious point behind which is that there are many more examples than one might suppose, certainly in some of the 19th Century legislation pertaining to women’s rights, of potentially key matters either simply going unmentioned or being left unclear – amounting, to use an admittedly unfortunate expression, to discrimination as much by cock-up as by conspiracy.

We have already seen one example – the uncertainty as to whether the common law doctrine of *coverture* might overrule married women’s right to stand for election to school boards. Another occurred – almost incredibly, it seems to us now – in the Local Government Act 1888, which created the top tier of English and Welsh local government for the next century. The outcome, noted in Table 1, is that two of the first women members of the London County Council subsequently had their election overturned by the courts on the grounds that they had not been legally qualified to stand.

A third instance features in the very first entry in Table 1 – the famous Poor Law Amendment Act 1834, which reformed the country’s 233-year old poverty relief system. Responsibility for the operation of the new system – the provision and supervision of workhouses, the collection of the Poor Rate – was given to elected **Boards of Poor Law Guardians**, based in most cases on unions of existing parishes. As parish ratepayers, single women retained their right to vote in these new enlarged unions, and, it might be presumed, their right to stand for election as guardians. But presumption was what was required, because – unlike the 1832 Reform Act and the 1835 Municipal Corporations Act, both of which referred explicitly to ‘male persons’ – the Poor Law Act made no mention of gender (Hollis, 1987, p.31).

It may well be that some women did attempt to get elected; if so, the records seem not to have survived. In truth, however, it was not this aspect of the 1834 Act that was the real obstacle for women, but the **property qualification** for candidacy and the electoral system. Poor law guardians had to be *substantial* ratepayers – rated to a minimum of £15 outside London (roughly £500 today) and up to £40 in London – and most single women householders were elderly, widowed with dependent children, or just didn’t possess property of that value. Put another way, the women most likely to have had the skills and time to make useful guardians were statutorily disqualified – married women and their leisured daughters – and those whose personal experience might have enabled them to empathise most with the lives and circumstances of the poor were themselves circumstantially disqualified (Hollis, 1987, p.206).

As already noted, the **elected school boards** in W.E. Forster’s Elementary Education Act were as inclusive as the Boards of Guardians were exclusive, and it is this attribute above all others that enabled them to serve as the catalysts of women’s participation in elected local government. Schools and education have come to be seen as policy areas for which women politicians are particularly suited, but that wasn’t necessarily the case in the 19th Century. It was more a questioning of the automatic suitability of men. As Hollis gently suggests (p.71):

“it was not entirely obvious that municipal councils of business men, concerned with the ‘built environment’ of streets and sewers, were the most suitable people to care for the educational, moral, and religious welfare of the young.”

Such reasoning was presumably behind Forster’s placing no restrictions on candidacy to the boards, thereby making it easier to *be* a candidate than to vote for one. But, had the candidacy qualifications for the two sets of boards been switched, there can surely be little doubt that women would have come forward as guardians as readily as they soon did to serve on school boards – particularly if the respective electoral systems were exchanged as well.

Electoral systems and the importance of plumping

All voting rights until the very end of the 19th Century were property-based, but, just as candidacy qualifications for boards of guardians favoured the rich, so too did the allocation of

votes. Essentially, the greater the value of your property, the more votes you had. Few women were large enough property owners to qualify for multiple votes to match those of male ratepayers concerned – unjustifiably as it proved more often than not – that women would be overly generous with public money. One final handicap facing women was the complicated voting procedure, with ballot papers completed in the voter's home, and the attendant risk – unless professional paid canvassers were available to assist – that any minor *lapsus calami* could invalidate the vote (see Hollis, 1987, p.208).

By contrast, the electoral system for school boards could hardly have been more favourable to the election of women, had its key features been designed by what today we would call 'electoral engineering', as practised by organisations like the International Institute for Democracy and Electoral Assistance (IDEA):

- **multi-member divisions in generally single-division towns** - London, as so often, was the exception;
- an **unweighted franchise**, with all ratepayers having the same number of votes;
- a **cumulative vote**, with voters having as many votes as there are seats and a freedom to distribute those votes howsoever they wish;
- **'plumping'** allowed – that is, all of a voter's votes may, if they wish, be given to a single candidate.

With lengthy candidate lists, women were not just relatively easily accommodated; their inclusion, at least in limited numbers, could be positively advantageous. For a start, in an era with no limits on candidate expenditure, they could often bring in the money required to produce publicity, hire meeting halls, and advertise in the press. And they would naturally hope to attract the support of most of the one-fifth or so women ratepayer voters. Indeed, women regularly topped the polls, thanks to the readiness of many women voters to 'plump'.

'Plumping' is one of those evocative historic electoral terms – hustings is another – that we still use, but stripped of much of its original meaning. Today, anyone making any voting choice is described as 'plumping' for that candidate. Those a bit more careful in their use of language may confine it to preferential elections in which a voter chooses not to use all their potential votes to rank-order the candidates, but casts a single vote for one candidate only. In its fullest and probably original sense, though, plumping requires lengthy candidate lists, a fistful of votes, and a freedom to load them all, if you choose, on to one favoured runner.

Designed initially to advance the interests of religious minorities, especially Catholics, and working class men, plumping was a contentious practice even in Victorian England, and it is not hard to see why, given its obvious capacity to sway an election. Elizabeth Garrett's mountain of votes in the 1870 LSB elections gave a huge boost to her own cause and that of women generally, demonstrating, as supporters put it, the enthusiasm of the voters. At the same time, it comprised over 34,000 'wasted' votes that could, if deployed more tactically, have helped elect other like-minded candidates or even, had there been any, other women.

Not surprisingly, therefore, there were regular disputes among candidates as to whether plumpers should be encouraged or renounced, and the tactical management of cumulative voting in such a way as to limit nominations and maximise the number of winning candidates swiftly became an electoral art. Indeed, in my own city of Birmingham, an embarrassing outmanoeuvring of the dominant Liberals by the Conservatives at the first school board elections led directly to the practices of 'zoning' and electoral management which have subsequently been copied around the world (Bowler *et al.* 1999, pp. 901ff.). Back in the

1870s, though, there is no doubt that plumping, as a key element in an already advantageous electoral package, played its part in getting greater numbers of women elected to school boards than to the less electorally competitive, and albeit less prestigious, boards of guardians.

Rules really matter

The big break for women in relation to the Poor Law boards came, as shown in Table 1, in the 1894, with the abolition of the property qualification for candidates. Something approaching a rural revolution was unleashed – for working men, but particularly for women. At the first electoral opportunity, women’s representation took off explosively: from 116 to 716 in the English provinces, from 3 to 73 in Wales, with most of the increased numbers being married women (Hollis, 1987, p. 241). Suddenly, about 7 times as many women were guardians as were members of school boards – and then, a few years later, there were infinitely more.

For the 1902 Education Act abolished the school boards completely, transferring the principal responsibility for school education to the county and county borough councils – exclusively in the case of the all-purpose county boroughs, and in the counties shared with smaller non-county boroughs and urban districts. All but the latter, however, were still barred electorally to women – as all such multi-purpose councils had been since 1835. The only, distinctly modest, compensation for the often very experienced supplanted women was that they could be co-opted on to their councils’ education committees. But they lost their electoral standing and legitimacy, their claim to be able to speak on behalf of working class communities, and they were excluded too from the finance and other corporate committees of the council in which the all-important resource allocation decisions affecting education and all the other council services were taken.

Which brings us back to the 1907 Qualification of Women Act with which this paper opened. As has been emphasised, that Act’s importance was not that it gave women their first entry into elected local government, for that had come nearly 40 years earlier in the context of the single-purpose bodies that, literally in their thousands, characterised British local government for most of the 19th Century. What it did was, in education, to give women *back* the electoral access that five years earlier had been taken from them, and more generally to open up to them for the first time the multi-purpose councils into which most of those single-purpose bodies had been consolidated.

There are all kinds of messages that can be taken from these events, but among them must surely be that rules – the detail of legal qualifications and electoral systems – *really* matter. And the chief suggestion in the second half of the paper is that, certainly in this particular context of the under-representation of women on our councils, rules still matter – rules that over the past year received the attention of the Councillors Commission.

The Councillors Commission

The Councillors Commission (the absence of punctuation became irreversibly official with the Report’s publication in December 2007) was set up in February 2007 by the then Secretary of State for Communities and Local Government, Ruth Kelly. It was the “independent review of the incentives and barriers to serving on councils” proposed in the October 2006 White Paper, *Strong and Prosperous Communities* (p.51). The review would look at a range of issues, including the time commitments of council work, its remuneration, and ways “to improve the recruitment of candidates from more diverse backgrounds” – more diverse than the existing 29% of women councillors and 3.5% from non-white ethnic backgrounds cited in the White Paper (p.50).

The seven-member Commission was chaired by **Dame Jane Roberts**, former Labour Leader of Camden Borough Council, who indicated in her Foreword to the Commission's report her own view of the Government's agenda:

“Essentially, the Local Government White Paper ... offered a *quid pro quo* to local government: devolution to the town hall (and beyond), but on the understanding that serious attempts were made to attract many more able and talented people from a wider spread of backgrounds to become councillors.” (DCLG, 2007a, p.4)

The Commission made over 60 recommendations in all, and a selection of the more important ones is presented in **Figure 1**. As noted, only a few of the recommendations are seriously controversial – votes at 16, reserve councillors, voting incentives, the Single Transferable Vote, term limits (probably the most contentious of all), ‘parachute payments’ – far more being affirmations of good and existing practice. Indeed, both the Commission's ‘philosophy’ and many of its recommendations resemble closely the report of the All-party Parliamentary Local Government Group into *The Role of Councillors* earlier in the year.

At the time of writing, Secretary of State, Hazel Blears, has yet to give the Government's official response, but she gave an insight into her personal thinking when the report was delivered (<http://www.communities.gov.uk/speeches/corporate/councillorscommission>). There were parts she “was very encouraged by”, but others where she believed “we can get better support and better local representation from councillors without imposing a major new financial burden on local taxpayers”. So no parachute payments, extended benefits and pension schemes, however incentivising they might be to potential councillors. No reserve candidates either – “I don't think the public – who must ultimately decide who represents them – would find this acceptable or democratic.” Then there was a third category – in some ways the most interesting – “where the report's recommendations feed into a wider debate”, and the Minister instanced proportional representation and voting age: wider issues “for the Government to consider as a whole”.

It is the contention of this paper that, given the nature and public standing of local government in the UK today, it may be that *only* an active consideration of some of these ‘wider issues’ is likely to have a significant impact on the diversity of councillor recruitment. Important and estimable as almost all of the Councillors Commission's proposals are, even their widespread embrace by councils is unlikely to make a profound impression on a public largely ignorant of its practices and contemptuous of its practitioners. The *really* wide issues, of course, would involve the whole role and organisation of local government, its powers and discretions, its finances and the whole central-local government relationship – all miles beyond the brief of the Councillors Commission. The *relatively* wide issues considered here, therefore, have to do specifically with getting on to our councils people from a wider spread of backgrounds and most specifically more women: **the electoral system and electoral quotas**.

Electoral engineering – it's not rocket science

Electoral reformers have a hard life in the UK, for the very notion of our electoral system being something about which we might have a choice, and a choice moreover that could change dramatically the whole political life of the country, is not one that sits easily with us. The electoral system is seen as part of our political architecture, almost like the Palace of Westminster itself: it just *is*. Insofar as we have any interest in elections, it is in the casting of votes, not in their counting and the outcome of that counting. We assume that to be a politically neutral process: in the absence of large-scale corruption, the party or candidate with the most votes wins.

Figure 1: The Councillors Commission – Some key recommendations

The Commission made over 60 recommendations, the majority neither particularly controversial nor requiring legislation, but rather action from local authorities and other bodies aimed at attracting a wider range of people to come forward to stand as councillors. Some key recommendations are grouped below, under the report's **4 key principles**:

1. **Making councillors central to local democracy** (Recommendations 1-6)
 - Local authorities should have a **statutory duty to facilitate democratic engagement** by providing information on the working of local government, promoting the role of councillors, and of civic participation generally (1).
 - The role of **councillor must be compatible with full-time employment** and the role of executive member with full- or part-time employment (3).
 - Councils should assist councillors to be **more locally visible and accessible** (6).
2. **Making the role of councillor better known and appreciated** (7-17)
 - **Public service broadcasters** should fulfil their remit to **facilitate civic understanding** – in this instance of local government and local democracy (8).
 - The role of councils and councillors and the value of local democracy should be topics 'mainstreamed' within the **Citizenship curriculum** in schools (13).
 - **Voting age should be reduced from 18 to 16**, with a subsequent review to assess whether **candidacy age** should also be lowered to 16 (15,16).
 - Parties should publish a **list of reserve councillors**, who can replace a councillor of their party standing down early, avoiding the need for a by-election (17).
3. **Making it easier for everyone with the potential, regardless of background, to come forward and for a more diverse range of councillors to be elected** (18-38)
 - Introduce a **uniform cycle of 'whole council' 4-yearly elections** across the whole of England; all local elections in a region to take place on the same day (18).
 - Adopt **multi-member wards** across the whole local government system – to encourage the selection of candidates from under-represented groups (19).
 - Enable local authorities to develop schemes to **incentivise voting** – e.g. by offering voters the chance to enter a lottery, or a modest council tax discount (20).
 - Local authorities to be able to pilot STV in local elections (21).
 - A statutory requirement to **limit councillors to 5 consecutive terms of office**, and leaders and directly elected mayors to 3 consecutive terms (22).
4. **Making it easier for busy people to be councillors** (42-60)
 - Councils should adopt **modern business and meeting processes** and seek to remove some of the potential disincentives to participation - e.g. lengthy, unduly adversarial, daytime meetings; excessive paperwork (39).
 - Councils should sign up to a charter of **minimum standards of councillor support** – for constituency casework, working from home, childcare, etc. (41)
 - Employers to have in place a human resources policy providing for **time off for public duties**, including council work (47).
 - A national framework of **guiding principles for members' allowances** should specify a minimum basic allowance for each type and size of local authority (57).
 - The framework should include '**parachute payments**' for elected mayors, leaders and executive members who lose office through electoral defeat (54).

Even when new electoral systems for new devolved institutions – the Scottish Parliament, the Assemblies for Wales, Northern Ireland, and London – were being created almost annually, we still weren't interested. Electoral reformers may tell us repeatedly that, in every election in which we are invited to vote, precisely the same numbers of votes cast for precisely the same political parties will, under different systems, produce totally different outcomes, ranging from single party majority control to various permutations of coalition or power-sharing – but we dismiss them as akin to Trekkies.

Unsurprisingly, then, of all the possible deterrents to councillor candidacy explored in the qualitative studies undertaken for the Councillors Commission by BMG Research, the idea of the electoral system *in itself* possibly constituting a deterrent found almost no takers:

“The overwhelming view is that electoral change is an utterly peripheral issue: few people understand or care about the differences between PR and first-past-the-post systems – this is not what does or doesn't spur them to get involved with local politics.”
(DCLG, 2007b, p.44)

Electoral engineering, however, is capable of designing systems to produce almost any outcome you choose: inclusiveness, simplicity, proportionality, 'strong' and stable government, higher turnout, voters able to choose candidates, minimal wasted votes, encouragement of large parties, encouragement of small parties and Independents, exclusion of extremist parties, geographical representation – and, of course, the outcome that most concerns us here: increased representation of previously under-represented minorities. The world's leading electoral engineers are the International Institute for Democracy and Electoral Assistance (see, for example, IDEA, 2005) and it is mainly their approach that will be summarized briefly in the next few paragraphs.

Electoral system variables and their influence on the representation of minorities

The principal way in which the potentially hundreds of different electoral systems are classified into a manageable number of types or families is on the basis of the processes by which they **translate votes into seats**. It is possible to distinguish **three or four main families** – plurality or 'first-past-the-post', majoritarian (for international comparative purposes, these two are frequently combined), proportionality, and additional member – within which individual systems can be identified.

This question of how electoral systems can influence the representation of minorities will be addressed by dividing it into two. First, we will look at the key variables of electoral systems and the impact they can have, individually and in combination. Secondly we will look at the ways in which different types of electoral systems can be combined with the use of quotas.

In the IDEA design model, the **three main variables of electoral systems** are:

- **district magnitude** – *not* the area or even the population of the authority, ward or division, but the *number of representatives elected per electoral division* at any particular election;
- **the formula** – that determines how the winner or winners are decided;
- **ballot structure** – whether the voter votes for a candidate or a party, and whether they make a single choice or can express a series of preferences.

Table 2 applies these variables to the many different forms of UK elections, and, in doing so, demonstrates why the English local election ‘system’ seems to many – and demonstrably to those who are asked to use it – to be a complete dog’s breakfast. The title of the table is doubly meaningful, for almost everything about electoral cycles and district magnitudes in English local elections in particular is variable – and nonsensical and inequitable and undemocratic, as was recognized by the Councillors Commission and at least partially addressed by their Recommendation 18 for a uniform cycle of ‘whole council’, four-yearly elections across the whole of England (see Figure 1 above).

All councillors are elected for four-year terms, but clarity and consistency end there. English local authorities use two significantly differing models, with some having a choice and others not. London boroughs and English counties must, and most unitaries and shire districts choose to, have ‘all-out’ elections, with the whole council elected at the same time. They generally use multi-member wards/divisions (their district magnitude), a multiple-choice, candidate-centred ballot structure, with the seats being won by the candidates with the most votes (a plurality), no matter what proportion that is of the total votes cast. But, for no real reason other than historical accident, metropolitan boroughs must, and a minority of unitaries and districts choose to, hold elections in three out of every four years and elect their councillors in rotation, usually (but not invariably) one member per ward per election. So they have, at any individual election, mainly single-member wards, a single-choice, candidate-centred ballot structure, and again the seat goes to the candidate with the highest vote.

The Single Transferable Vote (STV) system introduced in the May 2007 Scottish local elections uses 3- or 4-member wards and a preferential, candidate-centred ballot structure. The seats are won by those candidates reaching a calculated quota of votes with the help, if necessary, of the second and subsequent preference votes cast for lowest-placed candidates who are gradually eliminated in successive rounds of counting.

District magnitude

Each of the IDEA’s three electoral system variables can have its own direct impact on the likelihood of minority candidates being nominated and elected. In the case of district magnitude, if party selectors can nominate more than one person, they will be more likely, the reasoning goes, to nominate a diverse, ‘balanced’ slate than would be the case if there were only a single candidate to be picked. However, the magnitude of the magnitude matters. In English local elections, apart from the London-wide seats in the London Assembly, the greatest district magnitude is 3, which, by comparison with those in other (especially party list) systems, is very small indeed. Such magnitudes limit the overall proportionality of the election result, and limit also the potential benefit to ‘untypical’ candidates. The Electoral Reform Society (ERS) suggests that 5 may be a kind of ‘tipping point’: a district magnitude of 5 or more might be expected to produce more diverse outcomes; under 5 and the likelihood is less. However, if our political parties wished, they could of course *voluntarily* take advantage of our many 3-member wards and divisions and require, for instance, that no 3-candidate slate be all of one gender – a point to which we shall return in the discussion of quotas.

The formula

The reasoning here is very similar to that for district magnitudes, for the two elements are closely inter-related. The key concept this time, however, is that of ‘wasted votes’ – those surplus to the number needed to win the seat(s). In plurality systems huge numbers of votes can end up ‘wasted’ in this sense: either cast for losing candidates or serving unproductively

Table 2: UK electoral systems – some key variables

Elections	Name of system	All out/ partial	District magnitude (to be elected)	Formula	Ballot structure		Wasted votes	Favourability for minority candidatures
					Candidate- or party-centred	Single choice or preference		
House of Commons	FPTP	All out	1	Plurality	Candidate	Single	High	Very low
European Parliament (exc. N.I.)	Closed list	All out	3-10	Proportional	Party	Single	Low	Highish
Scottish Parliament	AMS	All out	Constituency 1 Region 7	Plurality Proportional	Candidate Party	Single Single	High Plenty	Very low Highish
Assembly for Wales	AMS	All out	Constituency 1 Region 4	Plurality Proportional	Candidate Party	Single Single	High Plenty	Very low Higher
N. Ireland Assembly	STV	All out	6	Proportional	Candidate	Preferential	Low	Highish
London Assembly	AMS	All out	Constituency 1 Londonwide 9	Plurality Proportional	Candidate Party	Single Single	High Plenty	Very low Highish
English Counties	FPTP/ MNTV	All out	Mainly 1 Minority 2	Plurality	Candidate	Single/ MNTV	High	Very low Low
150 English districts 28 Unitaries	FPTP/ MNTV	All out	1-3	Plurality	Candidate	Single/ MNTV	High	Low
81 English districts 18 Unitaries	FPTP/ MNTV	By thirds	Mainly 1 Minority 2	Plurality	Candidate	Single/ MNTV	High	Very low Low
7 English districts	FPTP/ MNTV	By halves	Mainly 2 Minority 1 or 3	Plurality	Candidate	Single/ MNTV	High	Low
Metropolitan boroughs	FPTP	By thirds	1	Plurality	Candidate	Single	High	Very low
London boroughs	FPTP/ MNTV	All out	3	Plurality	Candidate	MNTV	High	Higher
Scottish unitaries	STV	All out	3-4	Proportional	Candidate	Preferential	Low	Higher
Welsh unitaries	FPTP/ MNTV	All out	1-3	Plurality	Candidate	Single/ MNTV	High	Low
N. Ireland unitaries	STV	All out	5-7	Proportional	Candidate	Preferential	Low	Highish

Note: This table is intended as illustrative, not authoritative. It is not exhaustive, and the figures for English councils may be very slightly inaccurate.

Key: FPTP = 'First-past-the-post'; AMS = Additional Member System; STV = Single Transferable Vote; MNTV = Multiple Non-transferable Vote

to inflate the winner's majority. Over 70% of the votes cast in the 2005 General Election were wasted: over 50% cast for losing candidates and nearly 20% being surplus to winners' requirements (ERS, 2005, p.8). In any proportional system however, whether candidate-based like STV or party list-based, most of these votes would go towards the election of additional candidates in multi-member districts.

In plurality systems high proportions of the winning candidates are likely to gain their seats on minority votes – two-thirds of MPs in the 2005 Parliament. Knowing this, party selectors have no need to think of choosing candidates likely to appeal beyond their 'core' voters. In proportional systems, where potentially every vote can count, the incentive is, as noted above in multi-member divisions, to select a slate of candidates with as broad an appeal as possible.

Ballot structure

The ballot structure defines the kind of choice that voters are permitted to make: one vote for a single candidate, a rank-ordering of single candidates from various parties, a rank-ordering of several candidates from various parties, a vote for a closed or open party list, and so on.

Bringing these three variables together, both *a priori* reasoning and the evidence in the Councillors Commission's international literature review (DCLG, 2007c, pp. 22-24) suggest that **party-centred systems with multi-member constituencies** are likely to be the **most favourable combination** for the election of minority group representatives. They are the equivalent of the cumulative voting in multi-member divisions that, as noted above (p.8), so helped women's election to 19th Century school boards. However, some of the more eye-catching claims, such as twice as many women being elected in PR systems as in plurality-majoritarian systems (*ibid.*, p.22), need to be treated with the considerable caution, for different electoral systems are difficult enough to generalize about, and different under-represented groups even more so. As for the **least favourable combination**, however, that is one area of near-clarity in a frequently rather confusing picture: it is the **single-member candidate-centred systems** with which we in the UK are most familiar.

Quotas – how they work

If the objective is to improve significantly the so-called *descriptive representation* of an elected body – looking, feeling and acting like the people it purports to represent – the Councillors Commission's recommendation that local authorities be permitted to pilot STV in their local elections must be seen at least as a tentative step in the right direction. However, even if the district magnitudes piloted were to be considerably larger than the Scottish 3- or 4-seat model, any substantial change seems likely to require some external intervention in the form of quotas. As for the type of quota required, that depends largely on **ballot structure**.

Quotas in an electoral context are a form of affirmative action to help under-represented groups overcome the obstacles that are preventing them from participating in politics in the same way and to the same extent as certain other groups. They entail specifying that the under-represented group must constitute a certain proportion of the members of a body – a party's candidate list, an elected assembly – and, if the policy is to be at all effective, specifying also the sanctions for non-compliance. The idea is to bypass the almost endless debates about *why* the under-representation exists, and to place the responsibility for redressing it not primarily on members of the under-represented group themselves, but on **those who control the recruitment process**.

The past few years have seen a massive growth worldwide in the deployment particularly of quotas for women, the extent of which tends not to be appreciated in the UK. Its scale is such that it has been described as a ‘**quota fever**’ or epidemic, and it has embraced some perhaps surprising areas and countries – Africa, Latin America, South Asia, the Balkans. One result is that, as shown in **Table 3**, the Inter-Parliamentary Union’s ‘league table’ of the percentages of women in the world’s national parliaments is headed nowadays by Rwanda and includes several other interesting names alongside the more usual suspects.

Table 3: Women in National Parliaments and quota systems used

		Seats	Women		Quota system
			No.	%	
1	Rwanda	80	39	49	Constitutional/legal: Const. guarantees 24 seats for women in National Assembly, 30 in Senate
2	Sweden	349	164	47	Party - zipper style: parties guarantees 40% women candidates
3	Finland	200	83	42	Party – zipper style
4	Argentina	255	102	40	Legal – guarantees 30% women on party lists
5	Netherlands	150	59	39	Party – zipper style
6	Denmark	179	68	37	Party – until quotas were abandoned in 1996
7	Costa Rica	57	21	37	Constitutional/legal
8	Spain	350	128	37	Constitutional/legal
9	Norway	169	61	36	Party – zipper style
10	Cuba	609	219	36	N/a
11	Belgium	150	53	35	Legal – zipper style: top 2 positions on party lists must not be same sex
12	Mozambique	250	87	35	Party – zipper style: parties guarantee 30% women on party lists
60	UK	646	126	19.5	

Sources: IPU, IDEA, WEDO (nd)

The contrasts between the ‘newer’ and ‘older’ groups are instructive. The Scandinavian countries in particular tend to pride themselves on having achieved their relatively high levels of female political participation through entirely **voluntary** means – their political parties, usually starting with those on the left, implementing quotas without the need for any legal intervention or sanctions. However, it can be argued that in these countries women were pushing at an already half-open door, in societies that were generally receptive to women having an equal role in public life, which was a very different baseline from that of women in most countries in, say, Africa or Latin America. There, as the authors of the Councillors Commission’s international literature review put it, “an exogenous shock [was] needed to challenge deeply entrenched attitudes and patterns of behaviour, and begin a process of cultural change” (DCLG, 2007c, p. 17) – and the constitution and the law provided it.

There are, then, several very different types of quotas, but, for present purposes, we can follow Dahlerup, ed. (2006) and collapse them into two dimensions: the body or authority responsible for the quota system, and the part of the electoral process – nomination, selection, post-election – that the system targets.

Legal versus voluntary quotas

Legal quotas are either part of a country's **constitution**, or have been established through **election law**. By definition, they apply equally to all political parties and organisations participating in the elections covered by the law, and should be accompanied by stipulated penalties for non-compliance. These may take the form of fines, the disqualification of candidates, and ultimately the disqualification of the offending party. According to IDEA's *Global Database of Quotas for Women*, 15 countries currently have constitution-based quotas for their national parliaments – the most notable in Western Europe being France – and 42 (in some cases the same countries) have quotas based on election law. Legal quotas operate at the sub-national level in 32 countries, a selection of which is detailed in **Table 4**.

However, like any statistics, these numbers must be treated with caution and investigated in detail before any conclusions are drawn as to their effectiveness or otherwise – **France's** celebrated **Parity Law** (see Figure 2 below) being a good case in point. The fact that its quotas were embedded in constitutional law led some observers to assume that both the parity requirement and consequential *legal* sanctions imposed on non-complying parties applied to *all* France's many types of elections, which they very definitely did not. Baudino (2003) provides probably as clear an explanation as anyone of what is a complicated subject, starting from the fundamental point that France during the 5th Republic has deliberately developed an electoral mix of plurality and proportional (party list) systems. The Parity Law was actually a legislative compromise and its legal obligations refer to *party lists* of candidates and therefore could and did apply *only* to PR elections – European, regional and municipal – *not* to the more prominent Presidential and National Assembly elections, which are majoritarian and plurality respectively.

Failure to accord women equal access in parliamentary/Assembly elections produces financial, not legal, sanctions. But state funding of French parties is based on results in these parliamentary elections, and at least some major parties apparently calculated that, if selecting women as candidates in single-member seats might lose them some of those seats and thereby some future state funding, the benefits of the election of men outweighed the cost of the fines. Obviously, tougher fines might have secured greater compliance and greater parity; legal sanctions would surely have stood an even greater chance.

Incidentally, even the extension of the Parity Law to municipal elections in towns with populations of over 3,500 is less radical than perhaps it sounds, for it leaves 94% of the country's towns/communes and a third of its local elected representatives uncovered by its provisions and sanctions.

Voluntary quotas are those adopted and set voluntarily by political parties. In some cases they may operate alongside legal quota systems, but otherwise they are not legally binding and there are no sanctions to enforce them. The IDEA database lists 69 countries and a total of 168 parties that claim to use voluntary quotas.

Results-based versus pre-selection quotas

Results-based quotas ensure that a certain number or proportion of seats in the elected body is **reserved for women** or other under-represented groups. These may be filled either by representatives from regions or by political parties in proportion to their overall share of the national vote. Of the countries listed in Table 4, **Pakistan** offers by far the longest-standing example of the use of reserved seats for women. A succession of constitutions from 1954 provided for a small proportion of reserved seats in both National and Provincial Assemblies,

Table 4: A selection of the 32 countries employing constitutional or legislative quotas for women at sub-national level

	Electoral system	Women in national lower house	Constitutional/ statutory quotas for national legislature	Key elements of quota	Quotas at sub-national level	Legal sanctions for non-compliance?
Argentina	List PR	102/255 40%	Yes – Constitution + Electoral Law (1991)	30-35% women on party lists	Yes – provincial laws similar to national law	Yes – non-complying lists not approved
Bolivia	MMP (AMS)	22/130 17%	Yes – Election Law (2001)	1 woman in every 3 on candidate lists	Yes – 30% women on candidate lists	Yes – non-complying lists not approved
France	Mixed	105/577 18%	Yes – Const. amendment (1999); Elect. Law (2000)	50% women on party lists	Yes – large municipalities (3,500+)	Yes – financial penalty for >2% deviation
Greece	List PR	44/300 15%	No	-	Yes – 50% women on party lists	Yes – lists with <33% women not approved
India	FPTP	49/541 9%	No	-	Yes – 33% of seats reserved for women	No
Pakistan	Parallel (AMS)	73/342 21%	Yes – Const. (1954+) + Election Law (2002)	60 seats (17.5%) reserved for women	Yes – 33% of seats reserved for women	N/a
Portugal	List PR	65/230 28%	Yes – Election law (2006)	33% women on party lists	Yes – 33% women on party lists	Yes – non-approval and reduced public funding
South Africa	List PR	132/400 33%	No	No	Yes – 50% women on party lists	No
Spain	List PR	128/350 37%	Yes – Equality Law (2007)	40% women on party lists	Yes – 40-50% women on party lists	Yes – non-complying lists not approved
Tanzania	FPTP	97/319 30%	Yes – Const. amendment (2000)	20-30% seats reserved for women	Yes – 25% of seats reserved for women	N/a
Uganda	FPTP	102/332 31%	Yes – Constitution	1 woman rep. in all 56 districts + provision for other specified groups	Yes – 33% of seats reserved for women	N/a

Sources: IDEA, *Global Database of Quotas for Women*; IPU, *Women in National Parliaments*

and in 2002 an election law increased those proportions significantly. In the recent February elections, in addition to the reserved quota of 60 seats, an additional 13 women, out of a record 168 women candidates, won general seats. Another device is the **women-only ballot**, which is primarily how Rwanda got itself to the top of the IPU world rankings – the ballot accounting for 30% of the available seats. Some Indian states have similar systems for local elections – alongside, incidentally, two-term limits that apply to men only. For obvious reasons, results-based quotas tend to be entrenched either in constitutional or election law.

Nomination and selection quotas are applied at some stage **during the candidate selection process**, the aim being to make it easier for women to be selected as candidates in winnable seats or, in party list systems, to be placed in a favourable position on their party's list. There are many variants, the commonest, except in the UK, being the specification of a **minimum percentage** of women to be included in a party or candidate list. The **zipper** or **zebra system**, referred to in Table 3 above and used by the Liberal Democrats in the 1999 European Parliament elections (but not subsequently), requires that places on a party or candidate list be allocated alternately to men and women. Labour, for the first elections to the Scottish Parliament and the Welsh and London Assemblies, operated a system of **twinning** neighbouring and comparably winnable seats. Party members of the two constituencies met together jointly to select their candidates, with the requirement that one be a man and the other a woman.

Quotas for UK local elections?

It is hoped that, having used Dahlerup's two broad dimensions to structure the overview of quota systems, it may be possible to demystify a little what can be a rather perplexing and inconclusive debate about 'whether quotas work'. All too often, it can seem, protagonists in this debate are not comparing like with like, and, if this entails trying to assess the impact of a voluntary system against that of a constitution- or law-based one, it is hardly surprising if they fail to arrive at similar conclusions. Even if, as is invariably the case, the proverbial 'other things' aren't equal, one would expect that the more voluntary a quota 'system' is, the greater the likelihood of it *not* producing the outcome it purports to want. There are implementation gaps just waiting to open up.

The Councillors Commission's international literature review was conditionally upbeat:

“Overall, it would seem that quotas can work, in the right circumstances, to bring under-represented groups into political office and kick-start a change in the attitudes and behaviour of political élites. However, context is all. **The prevailing political and social culture is critical**, as are the specific natures of electoral and party systems and the existence of effective sanctions to address non-compliance. Thus the direct transfer of quota lessons from one country to another is unlikely to be possible.” (p.20 – my emphasis)

“The prevailing political and social culture is *critical*” – interesting choice of adjective. Of course, 'critical' here is a synonym for 'crucial', but it applies too in the judgmental sense. One reason why few British are aware of any international 'quota fever' is that most of us simply don't like the idea of quotas. We will concede that women and other under-represented groups have citizen rights to equal representation, that their experiences would probably enhance political life, and that, yes, our current system is dominated by the male, pale and stale. But, we counter, quotas are undemocratic and discriminatory themselves; we as voters should decide who represents us, and quotas imply that we elect men not because we judge them better qualified, but because of their gender. Many women too reject the argument that

quotas are about compensating for past and continuing discrimination and don't want anyone to be able to say they were elected just because they are women.

If such views do reflect our 'prevailing political and social culture', it is not surprising that there is little interest in legal quotas or equality targets. Besides which, as noted above in relation to France, our plurality system is much less suited to legal quotas than are proportional systems. The disappointment is **the failure of the major political parties** – a near-total failure in the case of two of them – to give a lead on **voluntary quotas**. Labour, to be fair, has been something of an exception; it is certainly the only party to have addressed the quota issue at all assertively, and, as shown in **Figure 2**, got its fingers burnt initially for its troubles. Its all-women shortlists had to be abandoned in the middle of the pre-1997 candidate selection process, having themselves been judged to have infringed the 1975 Sex Discrimination Act – though not before enough selections had been made to help bring about the radical gender transformation of the Parliamentary party (37 women Labour MPs elected in 1992; 101 in 1997).

In government, the party also passed the **Sex Discrimination (Election Candidates) Act 2002**, which amended the 1975 Act and enables a political party, should it wish, to adopt measures to reduce inequality in the numbers of men and women elected to represent it. Labour made use of the reform in 2005, although to the increasing criticism of many of its BME members, for whom all-women shortlists seemed invariably to be all-white women shortlists. Interestingly, though, even the critics of existing practice seem in many cases unaware of what is happening in much of the rest of Europe, where 'quota-talk' features much more prominently in political discourse. In **Figure 2** we see how both Belgium and France have for the past decade been exceptions to the rule about Western European countries having nothing to do with legal quotas. Both countries now have well established quota systems for both national and local elections, and they have been followed in the past two years by Portugal and Spain. In several other of the larger EU countries some or most of the parties are adopting some form of zipping or numerical quotas for women on their party lists. True, most of these quotas are set well short of parity, but the very act and fact of their adoption send a message that is the reverse of that being sent by our parties.

Figure 2: Some quota systems in Western Europe

France – Constitutional and election law quotas

The ‘Parity reform’ amendment was introduced into the Constitution in 1999, stating that “the law favours the equal access of women and men to electoral mandates and elective functions”, and that political parties were responsible for facilitating equal access.

In 2000 a new election law extended the Parity reform to all elections with a proportional ballot, which included municipal elections in towns with more than 3,500 residents.

Penalty for non-compliance: state party funding is reduced as soon as a deviation from parity among candidates reaches 2% - i.e. greater than 51% to 49%. Limited impact at parliamentary level – 64th in IPU league table – for reasons noted in text above (pp. 40-41). More effective at municipal level, where electoral authorities refuse to accept party lists not complying with the quota requirements.

Belgium – Election law quotas

In 1994 a law was passed specifying that the proportion of either male or female candidates on party lists should not exceed two-thirds. A 2002 law required lists to comprise an equal share of men and women; also that the top two positions on the lists cannot be held by members of the same sex. Sanction for non-compliance is that, if a party does not include at least one-third of candidates of each sex on its lists, it is required to leave the remaining places on the list vacant.

Impact: Belgium 11th in IPU list; successive increases in proportions of women elected at 6-yearly municipal and provincial elections since 1994 – e.g. in Brussels from 28% (1994) to 42% (2006); in Flanders from 20% to 33%; in Wallonia from 18% to 32% [Thanks here to Steven Van de Walle].

Portugal – Election law quotas

In 2006 a law was passed stipulating that candidate lists for national, European and local elections should contain at least one-third of candidates of each sex; also that every third candidate on a list must be of the other sex from the preceding two. Non-compliance will result in a reduction of the public subsidies for the election campaign.

Spain – Election law quotas

In 2007 the Equality Law introduced the ‘principle of balanced presence’. Party lists are required to have a minimum of 40% and a maximum of 60% of either sex among their candidates in national, regional, European and most local elections. Party lists not complying with parity will not be approved by the provincial electoral authorities.

The UK – Voluntary quotas

Labour’s use of all-women shortlists for 50% of winnable seats prior to the 1997 election was overturned by a 1996 industrial tribunal on the grounds of discrimination against male candidates. Nevertheless, 35 women already selected became MPs.

The Sex Discrimination (Election Candidates) Act 2002 now permits parties to use positive action to get more women into elected positions, without infringing employment law. At the 2005 Election, Labour used all-women shortlists in 30 supposedly safe constituencies – most, though not all, of which were won.

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