

# GENDER QUOTAS IN THE POST-COMMUNIST WORLD

Voice of the Parliamentarians

Edited by  
**JOSHUA K. DUBROW**  
and  
**ADRIANNA ZABRZEWSKA**





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## Preface

This is a sourcebook on gender quotas in the post-Communist world. As befitting a sourcebook, we compiled a variety of sources, including from academics and legislators. Legislators are the core of this book: we present their powerful voice which strongly shapes the situation of women's political inequality across the post-Communist world.

As editors, we selected the sources and decided on their presentation. Within each chapter, as necessary, we communicate our decisions. In the main, our goal was to present these sources to the English-speaking world in as clear and natural and readable and accessible way as we could.

We are grateful to the translators. Translation was essential to bring out the voice of the parliamentarians and the situation of gender quotas throughout the post-Communist world to English language readers. Anna Sedysheva translated some of the Russian media and academic research on the state of gender quotas that informed her Chapter Three. Jerzyna Słomczyńska translated much of the 1990s gender quota study that appears in Chapter Four. Anna Purisch translated all of the Polish parliamentary debate that appears in Chapter Five. Adrianna Zabrzewska, a co-editor of the book, translated some of the material in Chapter Four and the entire interview with Małgorzata Fuszara in Chapter Six. She also translated some of the Polish Parliamentarian survey 2011 for her analysis in Chapter Seven. For Appendices B and C, in 2011 Anna Boczek-Dombi translated the data to English.

## *Preface*

We thank Jacek Kurczewski, the author of the book on Polish parliamentary representation that was translated, in part, in Chapter Four. Professor Kurczewski owns the copyright to that book and granted us permission to reproduce translated parts. He reminded us that Professor Fuszara was essential for that 1990s study. We thank also Professor Fuszara for granting the interview that appears in Chapter Six.

We thank Irina Tomescu-Dubrow for her comments on the early stages of the book, and Renata Siemieńska who, since the 1980s, has published in English and Polish foundational studies of women in politics in Poland.

We thank past and present Polish parliamentarians whose voices appear throughout the book. We are grateful for the time they took to speak with social science researchers.

This book was funded by the National Science Centre, Poland (project number 2016/23/B/HS6/03916), PI Joshua K. Dubrow.

We dedicate this book to the Women's Congress – Kongres Kobiet – and to everyone who pushes upward for gender quotas throughout the post-Communist world.

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*About the Contributors*

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## INTRODUCTION

# Voice, Inequality, and Representation

*By Joshua K. Dubrow and Adrianna Zabrzewska*

This is a sourcebook on gender quotas in nations that experienced multiple generations of Communist Party rule. We built the book from a variety of sources and disciplines for use in research, teaching, and activism.

We intend for the book to provide an introduction to gender quota policy and, thus, to the cross-national problem of women's political inequality of voice. Voice may be defined as the expression of needs and interests within a political system (e.g. Verba, Schlozman, and Brady 1995). The political system we are concerned with is democracy. In democracy, parties and parliamentarians represent women and other social groups through voice within formal political institutions, or what Max Weber called the "halls of power." Power wielded by parties and parliamentarians through voice – e.g. on gender quota policy – impacts the political representation, and thus the life chances, of women. In all democracies, there is a gendered political inequality. Political inequality of voice may be defined as structured differences in opportunities and access to political decision-making and decision-makers (Dubrow 2015). Quota policy should be designed to provide substantial equitable opportunities and access to those decision-makers and their political decisions by the creation of new, favorable circumstances for women to be parliamentarians.

We present the voice of the parliamentarians whose job it is to write, promote, and enforce the policies that help move society

from gender inequality to gender equality. As citizens of the nation, parliamentarians have their own voice, and this voice is often spoken louder and with greater authority than that of public protesters clamoring outside the parliament walls. Parliamentarians can voice their support, opposition, and argument on gender quotas in many ways, such as roll call voting, legislative debates and, in much rarer instances, in social science surveys. We combine these sources to allow the public to “hear” the voice of the parliamentarians and thus better understand how powerful political actors help shape the possibilities for women to achieve political equality. Thus, quota policy can be both an influence on women’s political voice and a measure of the impact of their voice.

This sourcebook presents new and updated information about a region of the world whose women endure political inequality in everyday life yet whose specific plight over the last two decades has been little examined by Western scholars. A recent overview of scholarship on gender quotas argued that “Research now needs to move beyond adoption of a single type of quota for a single group...” and “Less promising avenues for quota impact research include ... qualitative interviews with legislators about their opinions on quotas” (Hughes, Paxton, and Krook 2017: 346). We disagree. Most of what Western scholars know about gender quotas still comes from studies that focus on Western nations. Furthermore, myths of what gender quotas were in Communist Party-led countries are perpetuated by such studies and are to the detriment of both quota scholarship in general and how parliamentarians of the post-Communist world perceive the Communist past. Unfortunately, post-Communist era parliamentarians legislate based on these quota myths (Dahlerup and Antic Gaber 2017: 308; see also Pawłowski and Dubrow 2011).

Moreover, within the post-Communist world, there is great inequality in knowledge about gender quotas. Countries such as Poland and Slovenia have some English language articles written about them but countries such as Azerbaijan, Belarus, Kazakhstan, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan, for example, have very few such articles. To say that we do not need more case studies of post-Communist countries, or that we do not need more studies on how parliamentarians in these countries argue for and against gender quotas, is to say that these countries are not important enough to

know more about. We reject such an approach and argue that we need more such studies if we want to better understand the situation of the post-Communist world. This understanding is needed for scholarship and for activist efforts within and across nations. Countries of the post-Communist world have just as much right to know about themselves as any other nation. They have the right to use that knowledge to choose and foster organized action for gender equality that would be suitable for and effective in their local context. Scholars from post-Communist countries have the right to direct their research efforts to how quotas operate there, as have Western scholars done for decades.

Nations with a Communist past have been underrepresented in the English-language scholarship on political representation and gender inequality. This fact incited us to create a sourcebook that, along with previous books and cross-national reports (for a list, see Chapter One), helps build a bridge from East to West.

## OUTLINE AND CONTRIBUTIONS

The book has several new scholarly contributions within two main parts. The first part of the book presents the situation of gender quotas in the post-Communist world. We present this information because there is often some disagreement among parliamentarians, as is evident in the 2010 gender quota debate in Poland's Sejm, as to what quotas are, whether they are effective, and why they are needed. Chapter One offers a general introduction to the definitions, paths toward, and impacts of gender quotas on politics and society, with a focus on countries with a Communist legacy. In Chapter Two, we prepared an overview of women's descriptive representation from 1945 to 2018. This chapter takes on the form of a sequence of graphs to trace and compare patterns of women's representation over the timespan of 73 years. Chapter Three describes the state of gender quotas in 29 post-Communist countries. Using a variety of sources, Chapter Three presents which countries adopted national level legislated (i.e. electoral) gender quotas, and which did not. In the case of countries that have no gender quotas whatsoever, Chapter Three reports attempts that have been made at introducing quotas.

Our research on all 29 countries is limited by the paucity of English language scholarship on these countries.

We are researchers from Poland, and the second part of the book focuses specifically on the gender quota experience in Poland. All countries of the post-Communist world have their differences. The specifics of Poland in its economy, polity, culture, and treatment of women differ from countries of the former Soviet Union, for example. Yet, all nations share a Communist legacy, notable in its impact on the paradox of a strong social welfare state but with women's continued under-representation in parliament. Our intent is to provide a historical overview of parliamentarian voices on gender quotas from the end of the Communist era to the recent past. As such, Chapter Four takes the readers back to the 1990s and includes, for the first time, an English translation of selected chapters of *Postłowie a opinia publiczna* [Parliamentarians and Public Opinion], a book by Professor Jacek Kurczewski. Originally published in 1999, the study extensively quotes parliamentarians who were part of the Polish Sejm in its first two terms after the end of the Communist rule, that is, the first term of 1990–1993 and the second term of 1993–1997. During in-depth interviews, the respondents were asked to share their opinions on two types of quotas: gender quotas and national minority quotas. Kurczewski's chapter "Women and Germans" simultaneously tackles two distinctive types of representation – gender and ethnic. Transcribed verbatim in the original research project, the interviews are a testimony of how Polish deputies perceived quotas for women in the first decade after the transition.

Chapter Five is devoted to the 2010 debate in the Polish Sejm which eventually resulted in the adoption of gender quota law the following year. The debate from a decade ago offers an intimate look into the arguments for and against gender quotas in the post-Communist world. For the first time, English speaking audiences have full access to the three readings of this historic Sejm debate. This is a rare window into the post-Communist world's longest legislative debate on the introduction of gender quotas. Just by listening to the voices of Polish deputies discussing quotas, one can hear an abundance of both explicit and implicit messages about gender roles, political representation, and the gendered dynamics of the political arena.



The translated excerpts of the Sejm debate feature also two speeches delivered during the first reading by Professor Małgorzata Fuszara, and in Chapter Six, we present an interview with Professor Fuszara, which includes her recollections of that legislative debate and her thoughts on the current fight for equality in Poland.

Chapter Seven is devoted to a qualitative analysis of Polish deputies' opinions on gender quotas as collected during an elite survey of Polish Parliamentarians in 2011 (for methodological details see Appendix A). Using the answers collected during the survey, Zabrzevska discusses the arguments made by proponents and detractors of the gender quota law. The analysis explores the most frequently recurring concepts and themes as provided by the respondents themselves. Social scientists studying other nations have developed typologies of arguments for and against gender quotas (e.g. Krook et al. 2009; Dahlerup and Freidenvall 2010; Krook 2016). The chapter proposes a new outlook on the subject by adopting a philosophical and feminist perspective not only on Polish gender quota debates, but also on the concept of political voice as such.

The book ends with a series of appendices about two social surveys of Polish parliamentarians: POLPARL 2005 and POLPARL 2011. POLPARL 2005 examined parliamentarians' opinions regarding their work in the Sejm and focused specifically on descriptive representation and party discipline. POLPARL 2011 is an update and extension of POLPARL 2005 and focuses on representation and accountability. Both surveys contained a question on Polish parliamentary attitudes toward gender quotas. The 2011 edition of the survey featured also a question about attitudes toward descriptive representation of social groups.

This source book is intended to be accessible to a broader audience of scholars and students interested in voice inequality, particularly gender and politics, and the relationship between descriptive and substantive representation. The main rationale of the book is not only to allow the parliamentarians to speak in their own voice, but also to invite the readers to creatively and critically reflect upon these voices. Even though some of the data are accompanied by summaries and overviews, readers are invited to analyze and evaluate the sources independently. What concepts do Polish parliamentarians employ in their discussions on gender quotas? What do they make of gender as

a valid political and social category? How do they conceptualize femininity and masculinity in terms of skills, assets, and values deemed necessary on the political scene? In what ways are those arguments related to party ideology? These are just some of the questions that readers can ask themselves.

Our understanding of what contributes to the political and social inequality of women's voice requires a view across nations and time. To understand why gender inequality persists in those countries, to observe how traditional division of gender roles and the ideology of separate spheres have permeated the rhetoric of the parliamentarians, to read into the arguments of gender quota detractors – all this is rudimentary for comprehending the obstacles to women's political equality in the post-Communist world. To acknowledge and understand these country-specific obstacles is to allow for more effective strategies of resistance, including calls for change and awareness-raising campaigns. The least we can do as academics is to contribute to a better and broader understanding of both these obstacles and the benefits of overcoming them. In a world where the road to women's political empowerment is a slowly moving series of progress and regress, action and reaction, breakthrough and backlash, it is important to always move forward. We intend for this sourcebook to be part of the way forward.

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## CHAPTER ONE

# An Introduction to Gender Quotas in Europe

*By Joshua K. Dubrow and Adrianna Zabrzewska*

In this chapter we introduce the concept of gender quotas as it appears in the social science literature. Our wider perspective is of Europe and our focus is on the post-Communist world. We structure our introduction with a question-and-answer about the basics: definitions, forms, causes, and consequences.<sup>1</sup>

### WHAT ARE GENDER QUOTAS AND WHAT FORMS DO THEY TAKE?

We focus on the social sciences, but we feel it is worthwhile for readers of all stripes to begin with colloquial definitions. Like many social science terms, we can find “quota” in a dictionary. According to the Oxford dictionary, one definition of quota is “the limited number or amount of people or things that is officially allowed,” which is *not* how gender quota scholars and pro-gender quota policy-makers apply the term. They do not think of quotas as a maximum.<sup>2</sup> Rather, they are more likely to think of quotas in their

<sup>1</sup> For an excellent introduction and presentation of the state-of-the-art social science literature on gender quotas worldwide, see Hughes et al. 2017. We designed our introduction to give the readers of this book a very basic overview.

<sup>2</sup> The problem of the concept of minimum and maximum in the definition of quotas and how it impacts policy was discussed by Krook (2014: 4): “One worry, which intersects with observations about the effects of various kinds of quota

other definition, as a minimum goal: “an amount of something that somebody expects or needs to have or achieve.” But “amount toward achievement” is not quite accurate, as quota policy – say, a 30% quota of women on candidate lists – often stipulates something less than the larger goal of women’s proportional inclusion in parliament.<sup>3</sup> A definition as it appears in policy, politics, and the social sciences can be: Gender quotas are rules that aim at providing opportunities for women to be in parliament or to appear on candidate lists in elections for political office.<sup>4</sup>

As of this writing, there is some form of quota in almost every European country, but the form of the quota varies by the country’s socio-cultural context, its fit with the electoral system, whether it is for candidate lists or seats in parliament, how and by how much the candidate list should be structured, and if it is for local, national, or European Parliament elections, to name a few dimensions. The plethora of dimensions to quota policies worldwide has led scholars to pragmatically declare that if we want to study quota causes and consequences, we should match specific definitions to relevant research questions (e.g. Krook 2014: 10).

To simplify but not terribly over-simplify matters, we can say that in Europe there are a few main gender quota types.<sup>5</sup>

policies, is whether quotas should be interpreted as mandating a minimum or maximum level of female representation.”

<sup>3</sup>Dahlerup (2007: 79) reminds us that the concept of quotas is a well-accepted electoral policy normalized worldwide: “It should be noted that almost all political systems utilize some kind of geographical quota to ensure a minimum level of representation for densely populated areas. That type of quota is, however, not considered as controversial as a gender quota.”

<sup>4</sup>There are other definitions, such as: “Quotas in politics may be defined as an affirmative action measure that establishes a percentage or number for the representation of a specific group, in this case women, most often in the form of a minimum requirement, for instance 20, 30, 40 or 50 per cent. Gender quotas may also be constructed in terms of a maximum-minimum representation for both sexes, for instance no more than 60 and no less than 40 per cent for each sex.” (Dahlerup 2007: 78; see also Dahlerup and Antic Gaber 2017: 309 – 311 and Hughes et al. 2017: 333).

<sup>5</sup>See also IDEA International’s Gender Quota Database and the description of gender quotas written by Drude Dahlerup. See Hughes et al. (2019) for a description of the Quota Adoption and Reform Over Time (QAROT), 1945–2015 database that has types of quotas across nations and time. For a deep academic

Reserved Seats: This is a set percentage or seat allocation for women.

Legislative or Electoral law quotas: Quotas are mandated by a specific electoral or constitutional law about the form of quotas and, perhaps, how they are implemented and enforced.

Voluntary party quotas: Political parties adopt quotas within their own party organization but are not compelled by a national law of any kind to do so.

Reserved seats directly place women into parliament and are rare. Legislative and voluntary<sup>6</sup> quotas are about increasing the number of women as candidates and are popular.

To understand the contested history of gender quotas in Eastern Europe, we should distinguish between the dimensions of formal and informal and hard and soft types of quota policies. Formal policies are codified. Informal are not. A “hard quota” has numbers and specific implementation and enforcement language. A “soft quota” is about “targets” and “recommendations.”<sup>7</sup> The distinction between formal/hard and informal/soft is vital to understanding the debate on whether there were gender quotas during Communism. Many believe the myth that there was a formal, hard quota; others believe that it was an informal, soft quota. As Dubrow (2012: 18–19) wrote about Communist quotas:

treatise on the concept of gender quota, see Krook (2014). Note, too, that quota policies are written to be compatible with the electoral system. Dahlerup (2007) suggests the term “quota regimes” as a combination of the type of quota and the electoral system in which the quota operates.

<sup>6</sup>Some quibble with the term “voluntary,” arguing that parties who voluntarily adopt quotas have voluntarily removed the voluntary aspect of quota adoption, and thus the quota has become involuntary. They also argue that parties who chose to ignore quota law had voluntarily acted. A simpler reading is that parties can invoke and revoke any internal policy they wish, even if it leads to their electoral decline, marginalization, or outright demise. Party death can be by homicide or suicide. To the extent that parties can choose quotas, we consider them as voluntary.

<sup>7</sup> Whereas we know that reserved seats and legislative quotas exist because they are codified laws, “party quotas is frequently difficult to confirm,” Krook (2014: 7) writes, “with some scholars arguing openly that available information on these measures should not be used for scholarly analysis.”

Although the word 'quota' is often used, it may not refer to official law or policy. It may be that the absence of official documents indicates informal policy. Unfortunately, if the quotas were 'informal,' by their very nature there can never be a definitive answer to the question of how the political ascension of women worked. Informal rules are akin to any kind of unofficial discrimination; you see it after it happens, not while it happens, and rarely do discriminators leave a paper-trail. There is a feeling that maybe, somewhere, these documents exist: an internal memo, or a diary entry, or something tangible that may lead to further, possibly fruitless searches. The absence of Communist era documents – i.e. 'smoking gun' empirical evidence – complicates our efforts of identifying quota mechanisms.

The myth of hard, formal Communist era gender quotas may be held by post-Communist politicians who seek to distance themselves from any forced equality policy from the Communist era (Dahlerup and Antic Gaber 2017: 308):

We need more studies of the actual use of various types of gender quotas under communism/socialism, since the widespread myth of a general 30-percent quota for women is obviously a post-communist construction that has contributed to the reluctance in the region towards the use of quotas. The fact is that under communism/socialism there were many different quota systems at work in various countries, and that quotas were installed not just for women, but also for workers, youth and other groups.

As Krook (2014) pointedly argued, scholarly decisions on what is and what is not a gender quota impacts how they and other researchers study this policy. And, as Dahlerup and Antic Gaber (2017) write, knowledge of quotas past and present impacts how parliamentarians think and act.<sup>8</sup>

<sup>8</sup> See also Dahlerup and Freidenvall 2010 who argued that we need clear criteria for quota effectiveness to evaluate the extent to which quotas work as designed and hoped for.



## HOW ARE QUOTAS ADOPTED?

There are so many types of quotas and quota regimes that the path to this policy forks again and again (Celis et al. 2011; Krook 2014). Main factors to consider are the quota form (reserved seat, legislative, or voluntary party quota); the national and transnational factors and actors, including their motivations (e.g. activists, NGOs, and parties); the extent to which the quota push was top-down (i.e. elite driven) or bottom-up (mass or interest group driven); and the historical context (Krook 2006, 2007; Dahlerup and Antic Gaber 2017).

These paths intersect. Scholars consider women and women's interest groups in the form of activist organizations, NGOs, INGOs, and WINGOs, as important mobilizing forces that move quotas from idea to reality (Krook 2007; Tripp and Kang 2008; Hughes et al. 2017). At the same time, the political elite may see electoral advantages for quota adoption (for themselves or for their party) or are simply driven by the equality principle behind it (Krook 2007; Caul 2001). Indeed, Poland's adoption of a legislative gender quota was a result of simultaneous bottom-up and top-down approaches as women's groups among activists and NGOs coordinated with a group of women from the Sejm (Króliczek 2012; Gwiazda 2015; Fuszara 2017; Śledzińska-Simon and Bodnar 2013).

A main path has been the transnational diffusion of both quota policy and implementation ideas (Krook 2006; Hughes et al. 2015). International bodies such as the United Nations and the European Union have, through democracy promotion policies that encourage Western notions of gender equality norms, played an important role in the diffusion of gender quotas, especially for developing countries and EU hopefuls (Krook and O'Brien 2010; Bush 2011; Rosen 2017). Late adopters to quotas follow the trail left by early adopters: the proliferation of quotas has led to the greater proliferation of quotas (Paxton and Hughes 2015).

The path toward gender quota policy is neither smooth nor straight as parties and parliamentarians have sought to deny access and entry (Krook 2016; Dahlerup and Freidenvall 2010).<sup>9</sup> Access and entry

<sup>9</sup> After decades of quota success and failures, social scientists have developed numerous typologies of the arguments for and against (Krook et al.

are controlled, in part, by leftist parties who tend to support quota adoption and, once in office, attempt to legislate them into existence (Caul 2001). Leftist encouragement is a long-standing factor. The Communist Parties of Eastern Europe had been the world leaders in the promotion of women to parliament and from the middle to late 20<sup>th</sup> century, the East far outpaced the West (see Dubrow 2012). The West overtook the East when Communism collapsed. The collapse was a consequential quick end to Eastern Europe's ideological promotion of women in politics. Since 1989, across all of Europe, women face similar barriers to quota adoption erected by male dominated parliaments and parties, particularly those from the conservative, nationalist, and gender traditionalist right. In South East Europe, however, some centrist and rightist parties have outpaced the left in promoting women in parliament (Rashkova and Zankina 2017). Party ideology is important, but it does not explain everything. Party pragmatism in terms of how quotas can benefit party electoral success is another powerful explanation (Murray et al. 2012). A pragmatic perspective sees parties as cost-benefit electoral calculators where ideology plays second fiddle to gaining seats by any means at their disposal.

### ARE GENDER QUOTAS EFFECTIVE?

As to whether quotas put more women in office, the answer is yes, clearly, electoral quotas lead to more women in parliament. "Yet," Krook (2016: 268) reminds us, "in the vast majority of cases, elections produce lower – sometimes much lower – numbers of women in parliament than the proportions identified in quota policies."

Numeric gain depends on the electoral system (Paxton et al. 2007), but a more important factor is where women are placed on the ballot and the enforcement of the policy (Schwindt-Bayer 2009). Poland's 2011 gender quota law has very slowly led to numeric gains for women, after not much initial effect at all (for the debate over whether Poland's quota was effective, see Millard 2014; Gwiazda 2015; Gendźwił and Żółtak 2019; Górecki and Kukołowicz 2014;

2009; Dahlerup and Freidenvall 2010; Krook 2016: for a quick reference, see Table 1, p. 274).

Jankowski and Marcinkiewicz 2017). Most scholars agree that the Polish quota policy needed specifications about women's placement on the party lists. In Ukraine, the gender quota for local elections appeared after Euromaidan and in the wake of new elections – but without wording on sanctions and list position, it was ineffective (Dean and Santos 2017). Ukraine's revised gender quota law (adopted in July 2019) is scheduled for its first implementation in the 2023 elections.

As with all things, intersectionality matters. Gender intersects with ethnicity and other potential points of advantage and disadvantage as personal identities can translate into experiences of inequality. Much of the quotas and intersectionality literature is on gender and ethnicity. The ethnic situation and other aspects of the power structure combine to make gender quotas more or less effective for women of particular intersections (Hughes 2011; Celis et al. 2014). Murray et al.'s (2012) pragmatic parties may see and act on the advantages of gender quotas, but parties seeking diversity in their candidate lists may select ethnic minority women over ethnic minority men (Celis et al. 2014). The particular effect of quota regime on a particular intersection depends on the form of the quota (see Hughes 2011: 616, Table 5). For example, voluntary party quotas are more likely to place ethnic majority women in parliament than they are to place ethnic minority women or men (Hughes 2011), whereas legislated quotas help ethnic majority women more, but also help ethnic minority women to a non-trivial degree. As Hughes (2011: 616) states: "... quotas designed to increase the representation of one marginalized group appear to come often at the expense of other marginalized groups, rather than majority men."

## WHAT ARE THE CONSEQUENCES OF QUOTAS FOR PARTIES, POLICY, PARLIAMENT, AND SOCIETY?

Another view of "effective" is beyond seat gains and toward other consequences. Parliamentary seats for women are one gain, but for implementing gender quota policies, there are other possible gains. Those gains are largely connected with how the political, economic, and social landscape changes when exposed to the need and pressure

to place women into powerful positions. The changes beyond seat attainment are context-dependent and are not often explicitly stated in the text of quota policies. In sum, quotas are effective in that they open the political gate for more women, but the exact consequence is not always in the way the policy explicitly states.

While parties may be reluctant to change, the combined push for quotas and the adoption of quota policy pressures the parties themselves to change. Parties change by taking gender equality seriously: “The main effect of properly implemented quota systems,” Dahlerup (2007: 88) writes, “is that they make the political parties start recruiting women in a serious way.” In the early stages of the policy, however, quotas may not be enough to take down and remake male dominated party structures (Verge and De la Fuente 2014).

Moreover, quotas impact the composition of parliaments and the policy they discuss. While the obvious effect is greater gender diversity, gender quotas may also make the European Parliament a more inclusive place by reducing differences in legislative experience (Aldrich and Daniel 2019). Case studies of Italy (Baltrunaite 2014), Sweden (Besley et al. 2017), and Germany (Xydias 2007) have shown how quotas can change parliament. In direct contrast to rhetorical fears that the so-called “quota women,” who were elected with the assistance of quotas, would be inferior in terms of qualifications, the latest social science evidence shows that they are no different than any other parliamentarian (Allen et al. 2016; see also Nugent and Krook 2015).

Quotas have a larger societal effect by opening new doors for women in other realms of social life. Gender quotas in parliament lead to more women in leadership positions throughout the political structure (O’Brien and Rickne 2016). They also lead to a growth in the acceptance of women in politics and other occupations. France, for example, moved from being strongly against gender quotas, to reluctantly passing a gender quota electoral law, to rapidly expanding toward gender quotas in other occupations – all within just two decades (Lépinard 2016). The gender quota literature has expanded from quotas in politics to quotas in corporations (e.g. Hughes et al. 2017; Meier 2013). The societal result of quotas is that women attain positions of power that society had long deemed out of bounds (Meier and Lombardo 2013; Xydias 2014).

## CONCLUSION

This chapter asked basic questions about gender quotas: what they are, how this policy is implemented or rejected, and whether and how it is effective. Our summary answer to these questions is as follows. While there are many definitions of gender quotas, scholars identify three main types: reserved seat, electoral (i.e. legislated), and voluntary party. The paths to implementation wind according to the type of quota and the political and social context of the quota push. Quotas are effective, but they tend to put more ethnic majority women in parliament. The effectiveness does not stop there: Quotas, by placing more women in places of power, lead to changes in parliament and parties, to new legislation that benefit women, and to transformation of the society in general.

We ask you, the reader, to note that we included articles about quotas in Eastern Europe, but most of the studies that we cited are about the West. This is due to the enduring imbalance in the gender quota literature. The great upsurge in women and politics studies from the 1990s to the present has not led to a great upsurge in knowledge about quota policy in Communist and post-Communist Europe. This sourcebook will not balance the imbalanced, but it can be used to spur further research in this area of the world.

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## CHAPTER TWO

# Women in the Parliaments of the Communist and Post-Communist World, 1945–2018

*By Joshua K. Dubrow*

In this chapter, we present the percentage of women in the lower house (or single house, depending on the legislative system) of parliament in 30 countries of the Communist and post-Communist world from 1945 to 2018. The time span we present varies depending on when the country came into being and when, after World War Two, it held its first election. After the fall of Communism, some countries split into various countries (e.g. the USSR, Czechoslovakia, and Yugoslavia). The primary sources are Paxton et al. (2008) for 1945 to 2003 and the Inter-Parliamentary Union Women in Parliaments Statistical Archive for 2004 to 2018. For some years, data are not available (in such cases, please see Paxton et al. 2008 and IPU).

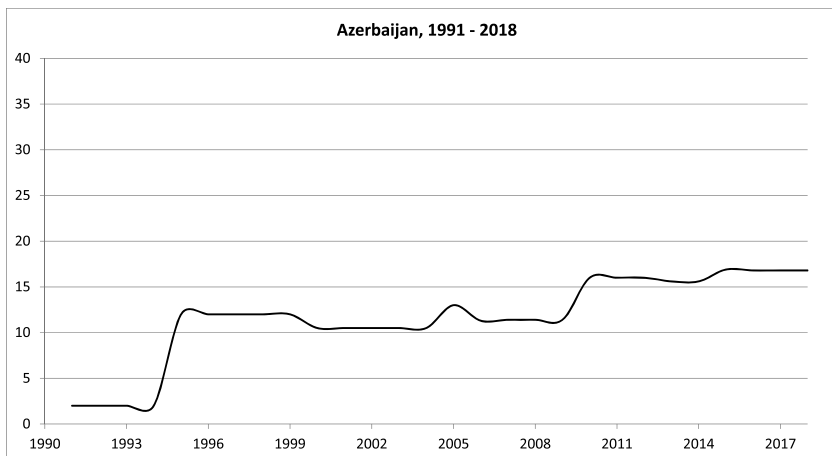
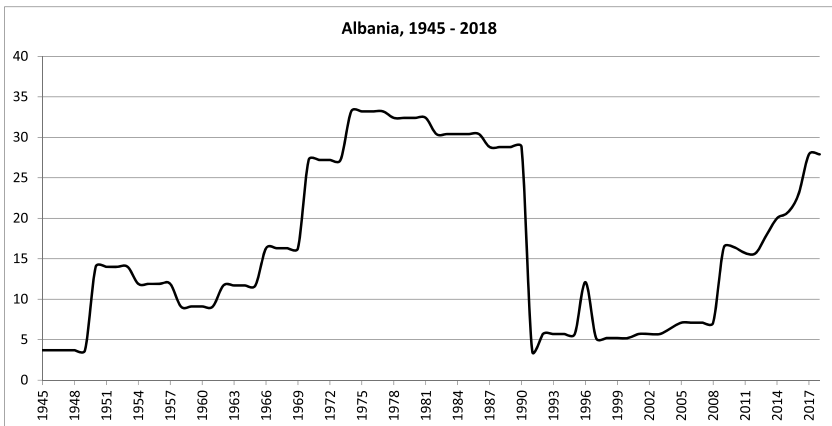
We present countries alphabetically and as a series of graphs. The reader should note that:

A. Since World War Two, gender inequality in political representation has endured: Across 73 years, not one country of the Communist or post-Communist world achieved the gender parity level of 50%, and all are below 40%. We set each graph at the maximum of 40%.

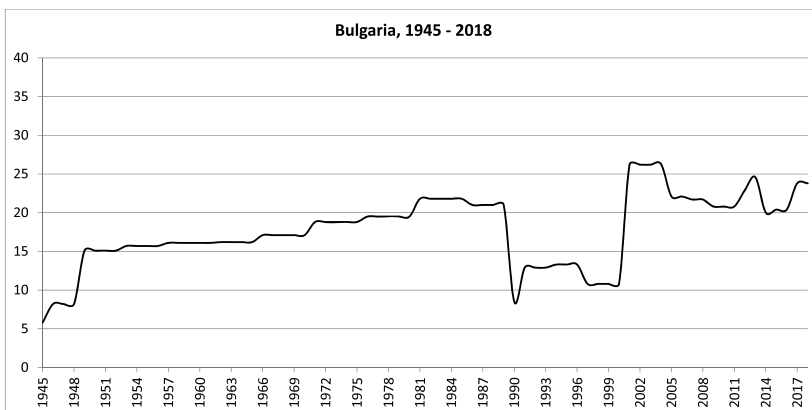
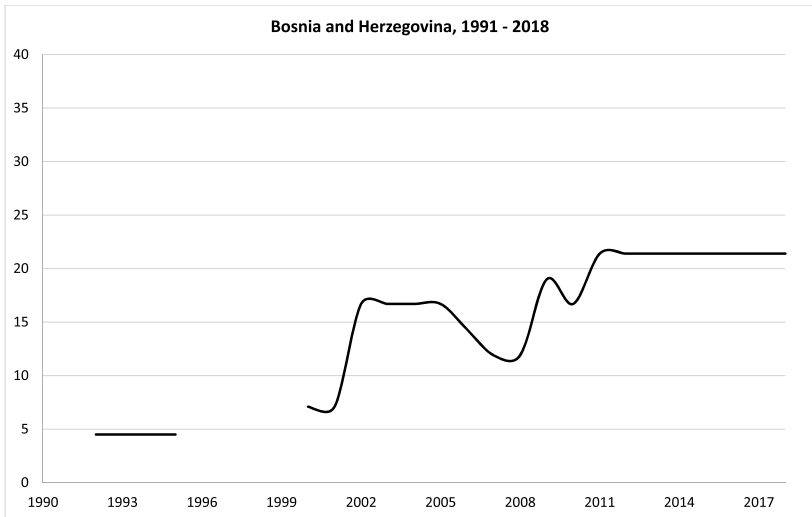
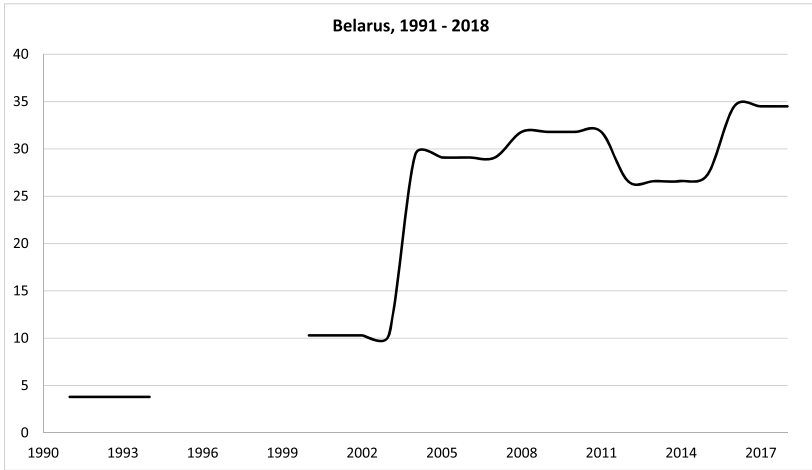
B. The Drop: After the fall of Communism, in every country the percentage of women in parliament dropped precipitously.

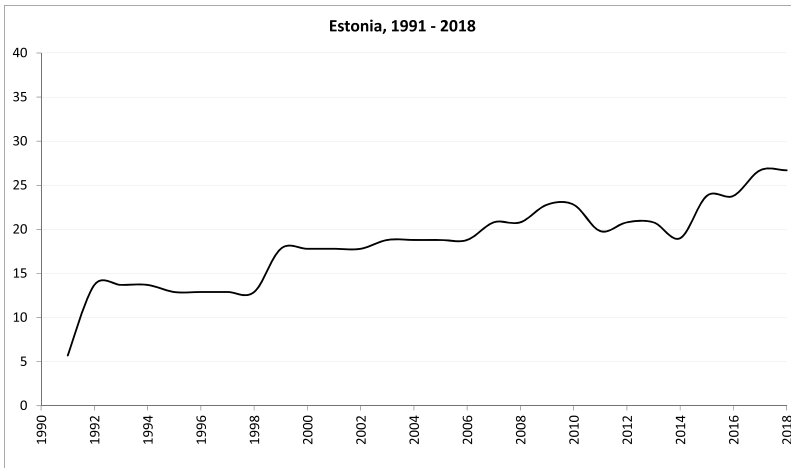
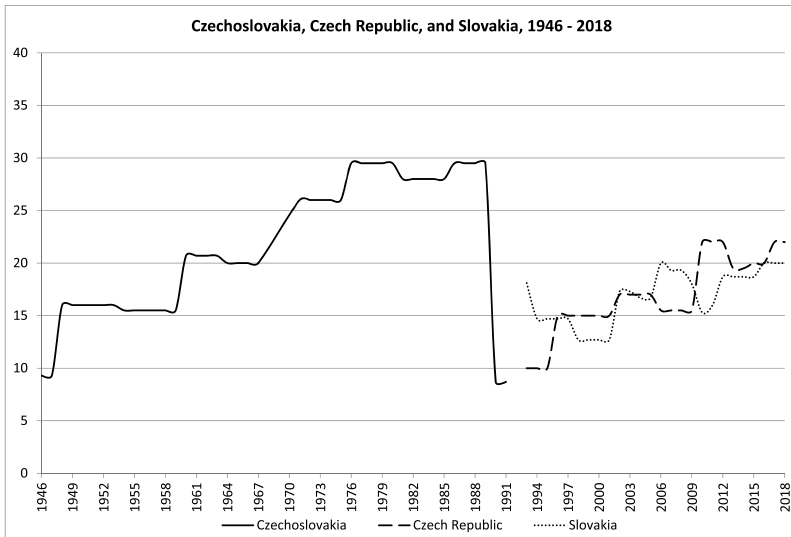
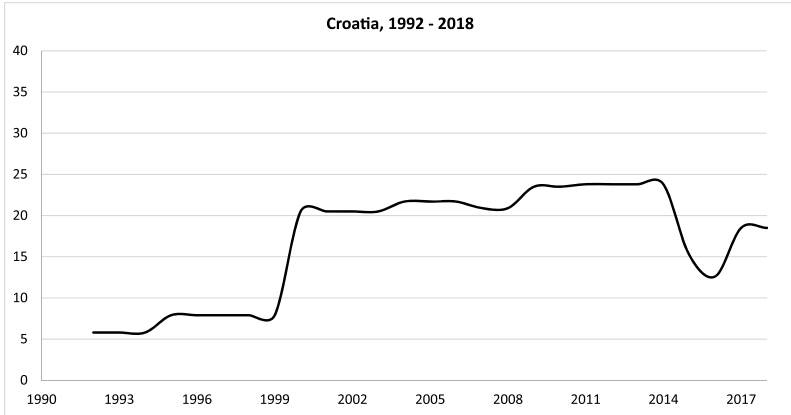
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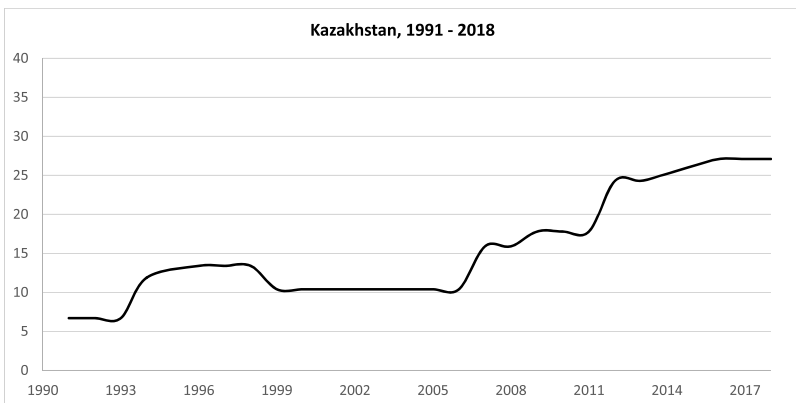
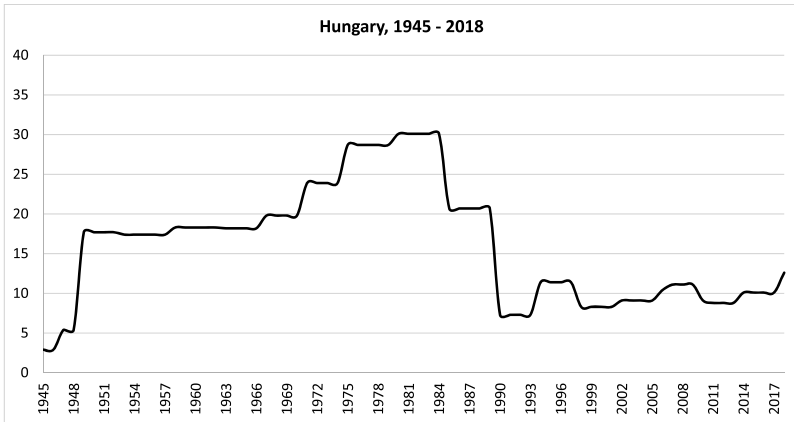
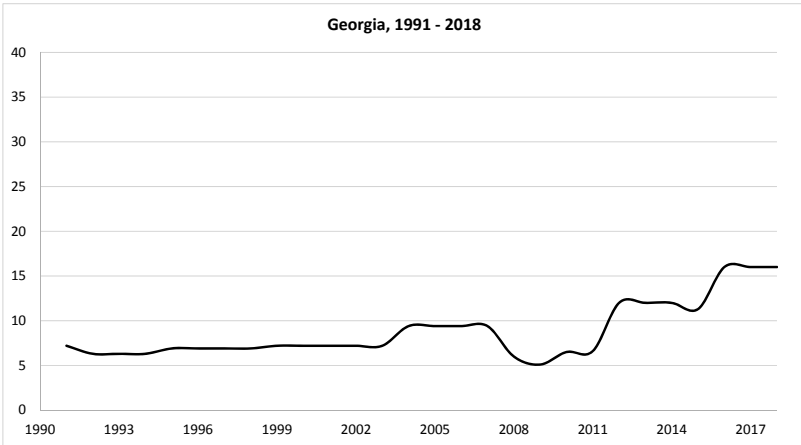


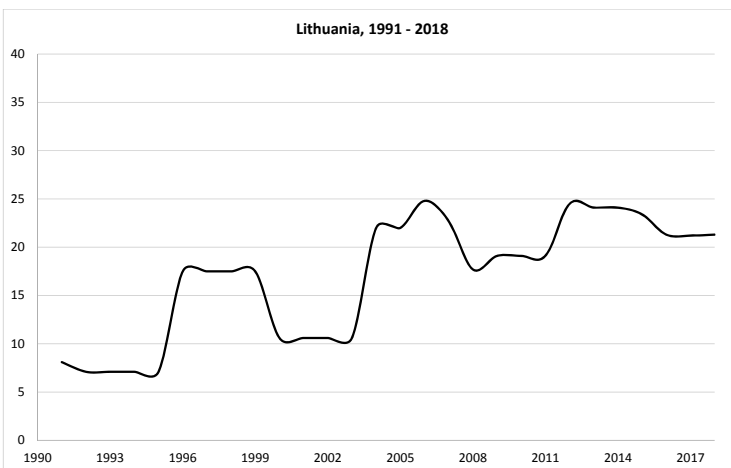
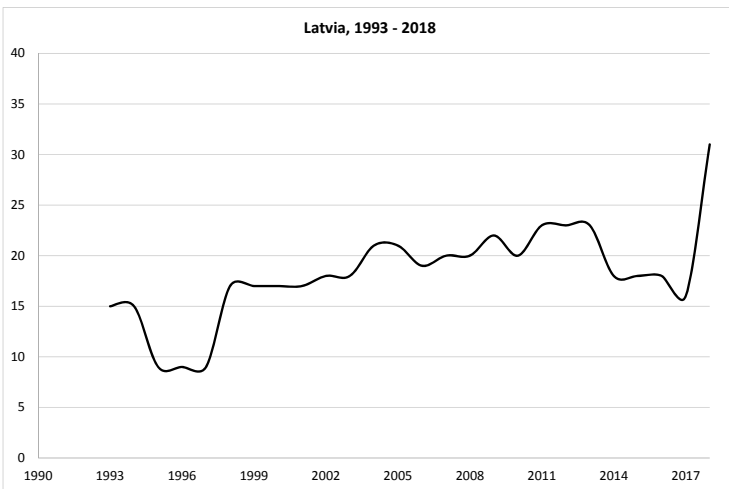
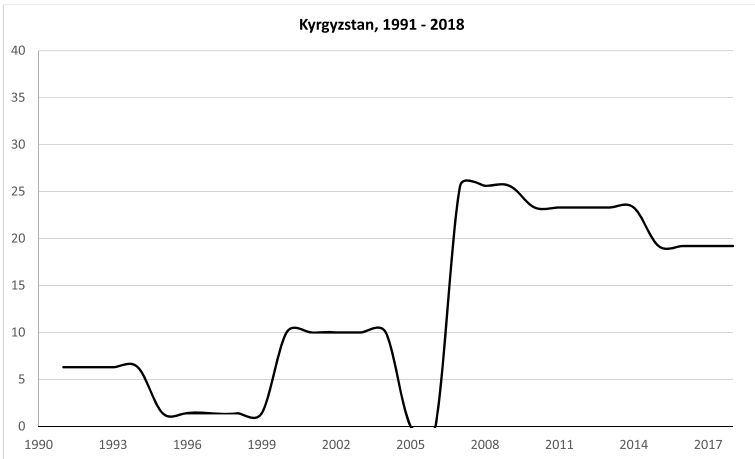
## Women in Parliament 1945–2018





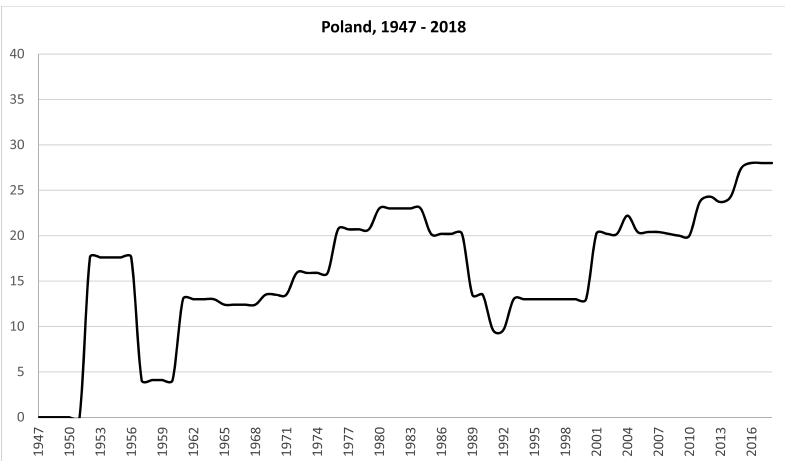
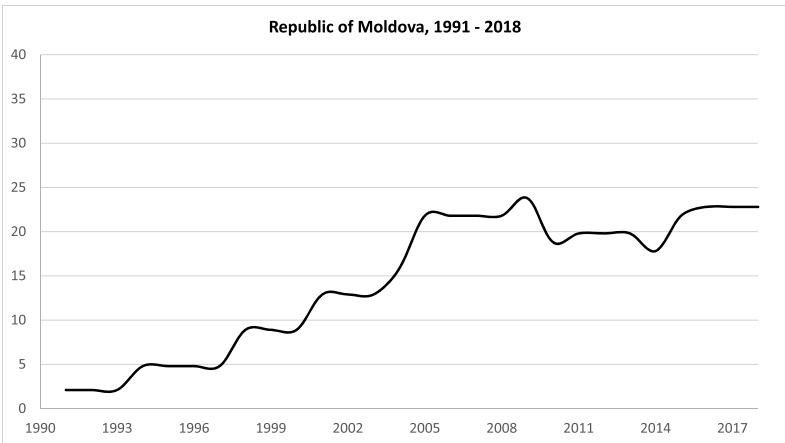
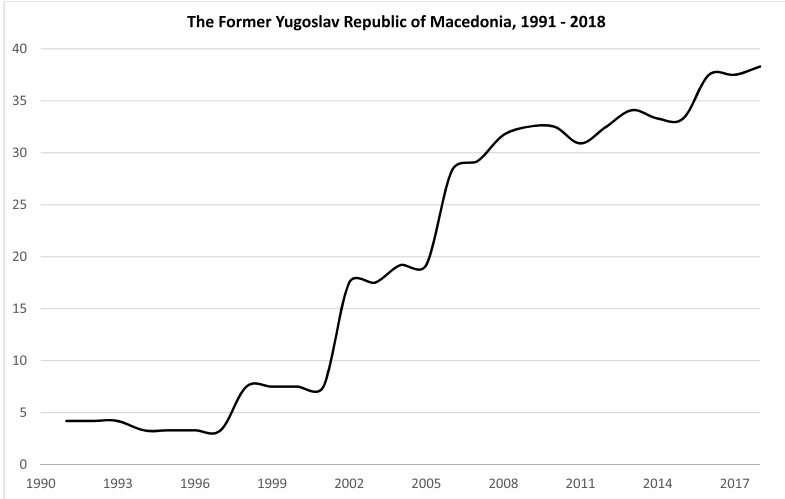
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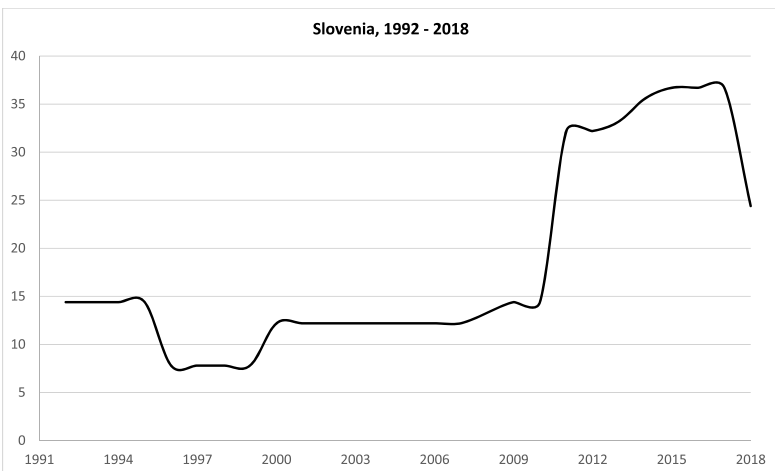
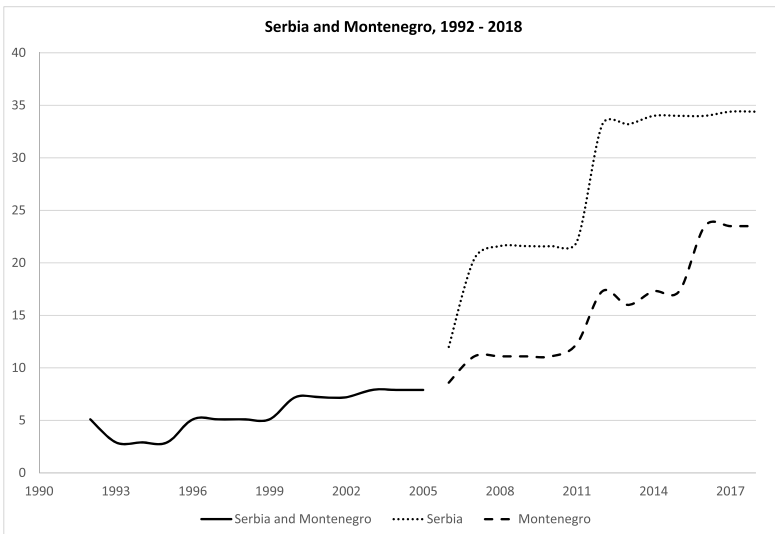
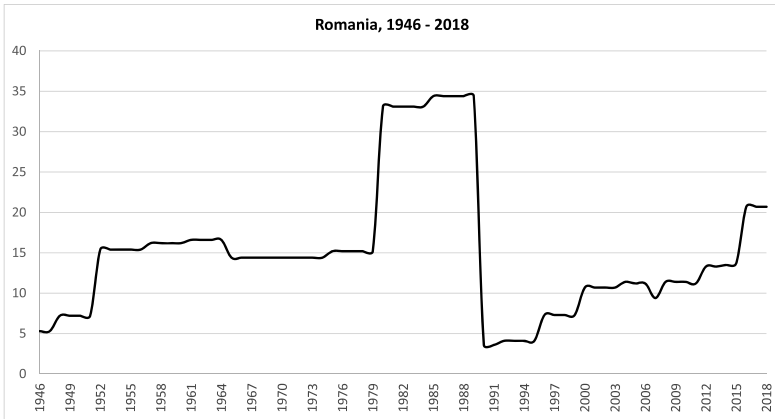




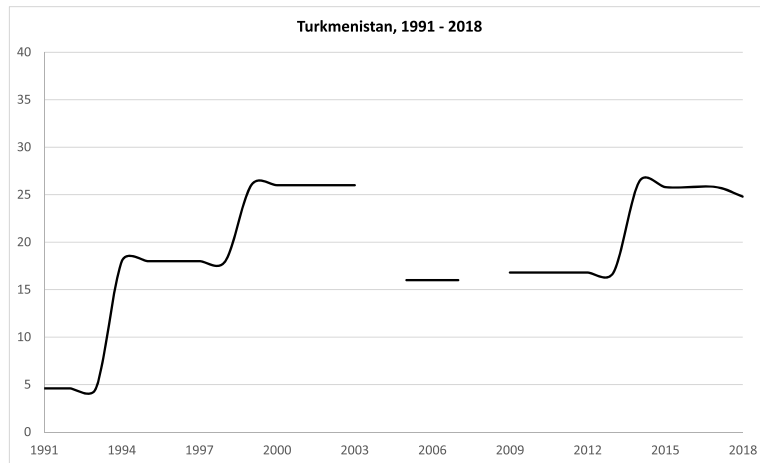
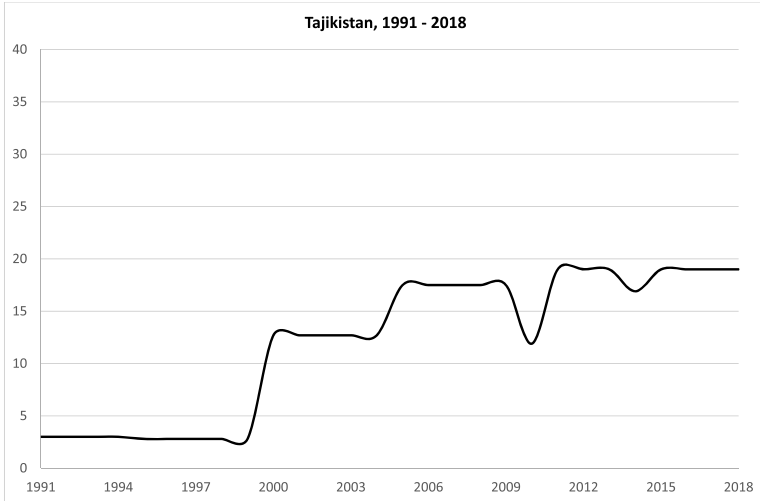


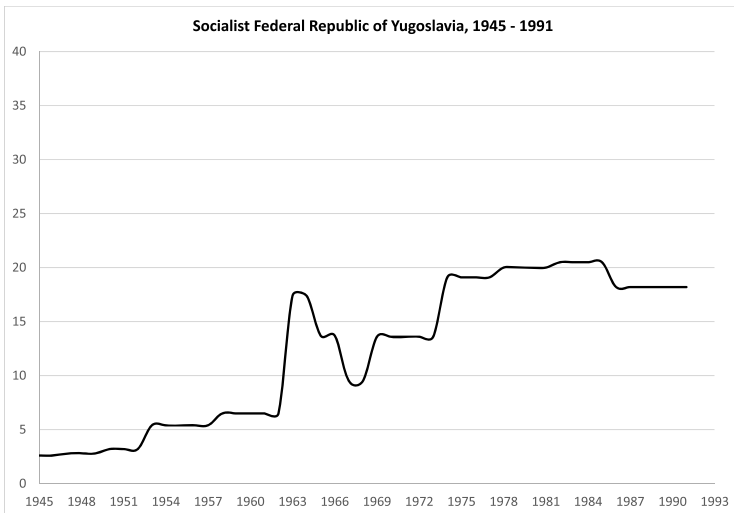
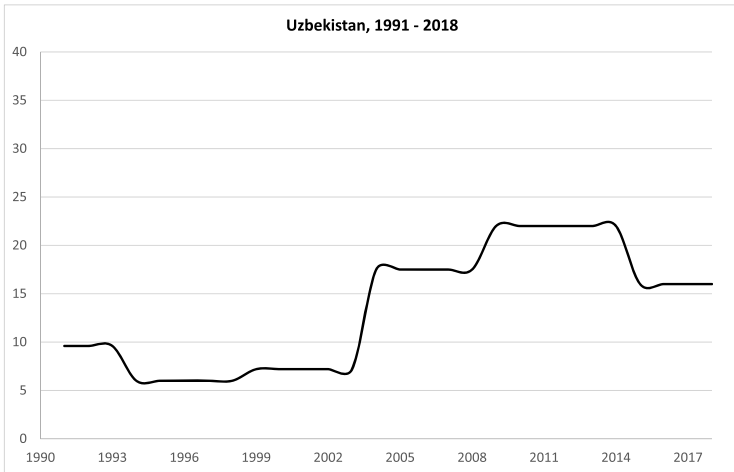
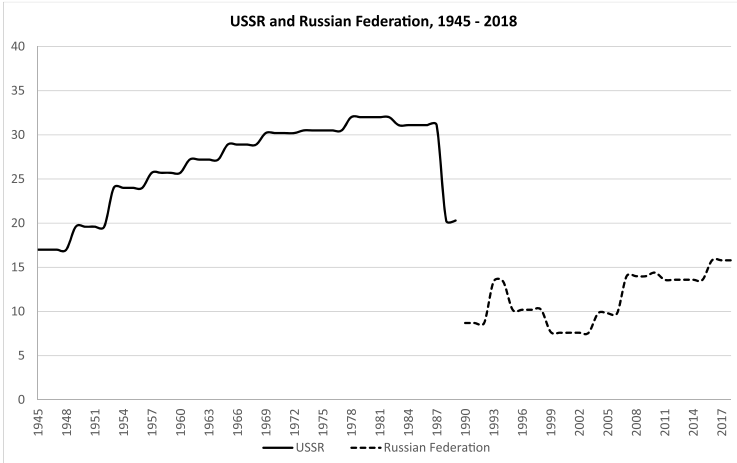
## Women in Parliament 1945-2018





## Women in Parliament 1945-2018





## CHAPTER THREE

# Electoral Gender Quotas in Post-Communist Countries as of 2019

*By Anna Sedysheva, with Joshua K. Dubrow*

The purpose of this chapter is to provide recent information about the situation of national level gender quotas in 29 post-Communist countries. When available, we also provide information on how parliamentarians perceive gender quotas. If a given country does not have a quota, we tried to determine the current situation of the push for quotas. This chapter draws on many sources (see endnotes) and a major reference is IDEA's Gender Quota Database. We recognize QAROT,<sup>1</sup> Quota Adoption and Reform Over Time, 1947–2015 as an excellent resource on legislated quotas.

We divided the countries according to their political heritage. As such, we consider the following post-Communist states: (1) countries of Central and Eastern Europe that are EU members; (2) former Communist countries of the Balkan region that are not EU members; and (3) former USSR republics.

### CENTRAL AND EASTERN EUROPEAN EU MEMBER COUNTRIES

#### *Bulgaria*

Bulgaria has a voluntary party quota, and no other form. The Bulgarian Socialist Party (BSP) adopted “a 30% voluntary party quota for the party leadership bodies, but such quota is not in effect for candidate

lists.”<sup>2</sup> From 1997 to 2005, the Party of Bulgarian Women (which had been part of the 2001–2005 governing coalition in the Bulgarian parliament) introduced a voluntary party quota, but the party has since failed in its attempts to meet registration requirements and has fallen out of parliament. This group changed into a non-feminist party that promotes family values (see Rashkova and Zankina 2017: 382).

### *Croatia*

Croatia has legislated gender quotas.<sup>3</sup> A law on the gradual increase of female representation in parliament was implemented in 2008 and stated that such increase should be achieved within three subsequent parliamentary elections. Croatia has introduced financial penalties for non-compliance regarding gender quotas. Their 2008 Act of Gender Equality stipulates a monetary penalty for non-compliance. Yet, “Prime Minister Zoran Milanović announced in 2012 the official interpretation reading the controversial formulation as the separate election cycles thereby postponing the implementation of sanctions earliest until 2017.”<sup>4</sup>

### *Czech Republic*

The Czech Republic does not have legislated gender quotas, but it did introduce voluntary party quotas. The Green Party adopted a voluntary party quota with a “zipper system.” There is a possible sanction if the number of elected women is lower than the one prescribed in the following rule: “if a local party organization has failed to nominate 25% women among its top candidates, then the Social Democratic Women’s Organization has the right to nominate extra women.”<sup>5</sup> In addition, lists have to contain at least 40% members of the under-represented sex without ordering those on such lists. Gelnarová and Fousková report that Czech political parties tend to perpetuate a narrative in which quotas are presented “as a distortion of free competition and discrimination in favor of women; many female politicians also declare they find quotas humiliating.”<sup>6</sup>

## *Estonia*

Estonia does not have legislated gender quotas. According to a news report from 2016, Marianne Mikko, the head of Estonia's delegation to the assembly, stated that "Estonia should take the advice of the Parliamentary Assembly of the Council of Europe (PACE) and implement gender quotas in politics."<sup>7</sup> In 2017, Mikko tried to introduce a gender quota, but that effort failed. According to another news report,<sup>8</sup> "following a recommendation by the Constitutional Committee, the Riigikogu [i.e. the Estonian parliament] voted down a bill by MP Marianne Mikko (SDE) that called for an equal number of women and men among the first 20 names of any voting list in a state-level election. The bill was rejected with 48 to 16 votes and one abstention. Leading up to the vote, the Riigikogu's Constitutional Committee had recommended this step, with a majority of its members agreeing that there was 'no need' for such a law."

## *Hungary*

Hungary does not have legislated quotas. Two attempts at adopting quota bills had been made: one in 2007 and the second in 2011. Both failed. In a country whose president, Viktor Orban, promotes aggressive pro-natalist policies and "has explained the absence of women in top government jobs by suggesting they cannot handle the 'stress' of the rough-and-tumble world that is Hungarian politics,"<sup>9</sup> gender stereotypes are still a prominent part of sociocultural and political life. As it is often the case with Eastern European countries, Hungarian women are expected to occupy traditional gender roles.

## *Lithuania*

There are no national level legislated quotas in Lithuania. Since the country's independence, most parties have appealed to women voters for support, even "carving their identities in respect to gender issues"<sup>10</sup> but only one party (the Social Democratic party) has adopted party quotas: "a quota of at least one-third of either sex."<sup>11</sup> Since 1998, a law has existed on the equal opportunities of women and men. In 2002, a gender quotas attempt, however, was rejected

by the Lithuanian parliament.<sup>12</sup> Four attempts to introduce quota systems had been made between 2001 and 2011.<sup>13</sup> The initiative of 2011 “proposed to establish the norm that the representatives of one sex should not compose more than 2/3 of 10 candidates on the party list during elections” (both at the local and national levels), but it did not stipulate sanctions for noncompliance.<sup>14</sup> The influence of Lithuania’s president may have been a factor in the initiative’s failure. Paradoxically, the president during this time was Dalia Grabauskiate, Lithuania’s first woman president (elected in May of 2009) and who shortly thereafter criticized the idea of quotas, positing that institutionalizing gender quotas might diminish the qualifications of women candidates.<sup>15</sup> President Grabauskiate was reelected in 2014.

### *Poland*

Poland has a legislated gender quota law. The legal act of 2011 stipulated a 35% legislative quota and introduced a rule that “at least one woman must be included among each list’s first three candidates.”<sup>16</sup> Sanctions for noncompliance with the above are rather stringent, as well: parties that fail to submit party lists not meeting the above stipulations will be given three days to amend their list. If this is not accomplished, then the Electoral Committee will refuse to register the party’s candidate list. The history of the gender quota law is available in Fuszara (2017)<sup>17</sup>; see also Chapters 5 and 6 of this book.

### *Romania*

Romania has no national legislated gender quota law. In 2002, the country passed the “Law for Equality of Opportunity among Men and Women” which stated, vaguely and among other things, that men and women should be equal in political decision-making. There is nothing in that law that resembles a legislated quota (for quota definitions, see Chapter One). The Democratic Party issued a proposal to introduce quotas, but Romania’s Chamber of Deputies rejected that idea.<sup>18</sup>

Romania used to have voluntary party quotas. According to Ekaterina Rashkova and Emilia Zankina: “The two main parties on the left and the right have introduced voluntary quotas of 40% and 30%



respectively. It was the Social Democratic Party (PSD) that took the initiative to introduce quotas of 25% in 2001. The Democratic Party (PD) then decided to top the PSD with a quota of 30%, which resulted in increase in the percentage by the PSD. By 2004 both parties utilized quotas, which were primarily a function of EU influence and domestic party competition as evidenced by the fact that both parties are more likely to promote women in EU parliamentary elections than in national and local elections...”<sup>19</sup>

### *Slovakia*

There are no legislative gender quotas in Slovakia, but several parties have adopted quotas. However, two parties that introduced party quotas – the Alliance of the New Citizens and the Communist Party of Slovakia – are currently not present in the parliament. The Alliance has a 33% quota for women and the Communist Party requires one woman should be among the first eight candidates. Both parties have not been represented in the parliament since the 2006 election. Another party with quotas was the Party of the Democratic Left. It used to have a 20% quota for women on party lists, but it later merged with the Direction – Social Democracy – a party that has no gender quotas.<sup>20</sup> The European Parliament’s Committee on Women’s Rights and Gender Equality recommended, through the “Gender equality policies in Slovakia” study of 2017, that Slovakia adopts equality measures.<sup>21</sup>

### *Slovenia*

Slovenia has a legislated gender quota. Adopted in 2006, the law states that party lists have to include a minimum of 25% women candidates. According to the electoral law in Slovenia, if the lists do not comply with this law – i.e. gender quotas are not fulfilled – the electoral commission shall reject the list.<sup>22</sup>

### *Latvia*

Latvia has no legislated quotas. From 1999 to 2007, Latvia had a female president and a female prime minister in 2014.<sup>23</sup> According to IPU (2019), “One of the most impressive gains in women’s

representation occurred in Latvia which jumped from 19 per cent to 31 per cent (+ 12 points). Despite a decrease in the number of women candidates in Latvia, more women were elected mainly due to being placed higher on party lists.”<sup>24</sup>

## NON-EU MEMBER BALKAN COUNTRIES

The second group of post-socialist countries in this report consists of non-EU member countries of the Balkan region. All countries herein except Albania were former Yugoslavian republics that gained their independence through various military conflicts.

Albania, while also not suffering violence, did however have to cope with a refugee crisis while other regions warred. Such a development led to the decline of women’s participation in politics as more contemporary issues of economic trauma took precedence in this region. According to Rashkova and Zankina (2017: 380):

Former Yugoslav countries faced an additional, and by far the biggest, challenge. Rising nationalism in the late 1980’s split the Yugoslav feminist movement. What was left of the former feminist movement was absorbed into the anti-war movement, while women’s organizations became focused on social issues and providing assistance to rape victims. Following the Yugoslav wars, however, women activism was revived and made its way in formal structures through the Stability Pact for Southeastern Europe and the Gender Task Force which were active from 1999–2008.<sup>25</sup>

Given the region’s turbulent past, issues relating to gender equality did not move to the forefront of public policy concerns for some time and during this time women’s participatory rates in decision making bodies were negligible. To overcome such substantial hurdles, women activists in all selected countries had to initiate massive campaigns. They also received much international support. Countries thereby introduced and gradually improved various quota systems. We note the work of Agerberg and Kreft (2020),<sup>26</sup> who found that countries that had sexual violence during armed conflict were, in the post-conflict setting, more likely to adopt gender quotas. They argued that a combination of international organizations and women’s mobilization pushed for gender quota adoption.

## *Albania*

Albania has a legislative quota with mandated positions within the first three places on the party list and sanctions for non-compliance.<sup>27</sup> The United Nations provided assistance in the law's creation.<sup>28</sup> In the Albanian elections of 2017, “[w]omen were active but underrepresented in the campaign ... receiv[ing] little media attention” (OSCE: 2017: 2).<sup>29</sup> “While some 40 per cent of candidates were women, they received only 26 per cent of seats in the new parliament. Women were also underrepresented in the election administration, including in decision-making positions” (OSCE: 2017: 2).<sup>30</sup> Some parliamentarians praise the benefits of the quota:

Ermonela Felaj, Minister of State for Relations with Parliament, who has been serving as a parliamentarian since 2009, thinks that the application of the gender quota has opened up many opportunities for women and countered prejudicial attitudes. “People are [now] convinced that women politicians—whether they are parliamentarians, mayors or local councilors—are more stable, more responsible and more professional,” said Felaj. “Therefore, the supporters of the ‘pink quota’ (referring to gender quota) have increased, notably among men.” Felaj participated in the public forums and was elected as a MP for the third time this year, from the Socialist Party.<sup>31</sup>

## *Bosnia and Herzegovina*

Bosnia and Herzegovina suffered heavily in their long war fighting for independence from Yugoslavia. The conflict cost thousands of victims, resulted in mass displacement, and necessitated difficult reconstruction after the conflict.

In 2000, Bosnia and Herzegovina adopted a gender quota that specified that women must comprise 30% within each party list.<sup>32</sup>

## *Kosovo*

In 2000, Kosovo's national parliament adopted legislated quotas of 30% at the national and local levels. The law is complicated and has had several updates. For a current update, see Zeqiri (2017).<sup>33</sup>

## *Montenegro*

Montenegro gained independence in 2006 and adopted quotas in 2011. Its quota system requires party lists to contain 30% women and, since 2013, it also requires that women candidates should be at least every fourth entry on the party list.<sup>34</sup>

Before the law was passed, the ten women MPs of Montenegro's parliament had addressed the Speaker of the Parliament.<sup>35</sup> The UN Montenegro website quotes some of them:

“Women represent half of the population and their representation in politics provides legitimacy to political processes – Valentina Radulović Šćepanović, Democratic Party of Socialists (DPS).”

“Women are changing politics. They are making it more responsible, more humane, more related to every-day life – Snežana Jonica, Socialist People's Party (SNP)”

“To have political power for us means to have an opportunity to change things in Montenegro for the better – Hidajeta Bajramspahić, Socialist Democratic Party (SDP)”

“Pension policies, security issues, elimination of violence in family, tax policies and health care – all of it will look differently when women will gain the power to make decisions – Nataša Vuković, SNP”

“We will strive to create conditions to make it easier for women to start-up and run their own businesses – Snežana Jonica, SNP on behalf of her colleague Veselinka Peković, SNP”

“We will support programmes that enable parents to achieve a better balance between their obligations at work and in the family – Nada Drobnjak, DPS on behalf of her colleague Branka Tanasijević, DPS”

“We will not give up the values that we bring with us into politics, and we will stay consistent to our goals – Hatidža Đoni, Democratic Union of Albanians (DUA).”

## *FYR Macedonia*

FYR Macedonia has a legislated gender quota.<sup>36</sup> Quotas were introduced in 1998. According to the new law, political parties were obliged to have candidate lists with 30% female candidates. The law also introduced a penalty: if a party ignores such criteria it loses its eligibility to win any seats in parliament. The results of the 2002 election

positively influenced the Albanian ethnic minority as an Albanian woman was elected in parliament for the first time in 2002.<sup>37</sup> FYR Macedonia has improved its quota system incrementally. The Electoral Code of 2006 introduced firm ranking: one out of three places on the list should belong to the under-represented gender. This was applied to ethnic parties as well.

### *Serbia*

Serbia has a legislated gender quota. During President Slobodan Milošević's tenure, the largest percentage achieved by women in parliament was 5.5%.<sup>38</sup> In 1998, "on the request of CEE Network for Gender Issues, SD (Social Democratic) Union in [Serbia] made a statutory decision of 30 per cent quotas for party organs and electoral party lists."<sup>39</sup> Legislated candidate quotas were introduced in 2004 requiring "30 per cent quotas for the under-represented gender, even without any ranking rules."<sup>40</sup> The law was amended in 2011.

## POST-SOVIET UNION NON-EU MEMBER COUNTRIES

### *Armenia*

In 1999, Armenia adopted a minimum of 5% for women on political candidate lists for seats elected by proportional representation for national level elections. Quotas were raised to 15% for the 2007 parliamentary elections. A revised quota system was introduced in 2011, which created a very complicated gender quota.<sup>41</sup>

### *Azerbaijan*

Azerbaijan has not adopted quotas. During Soviet times political participation of women in Azerbaijan was heavily supported at all levels.<sup>42</sup> Through such efforts Azerbaijan's Supreme Soviet eventually attained just under 40% women, reaching "almost the same ratio in state bodies and in executive power in the regions."<sup>43</sup> According to UN Women's webpage, the Azerbaijani government is actively working on

overcoming the gender gap in different spheres.<sup>44</sup> However, there is still no mechanism to help women to access higher decision-making bodies.

### *Belarus*

Belarus has no gender quotas. No quotas have been proposed since 2008. In an interview from 2016, Lidia Yermoshina, the head of the Central Election Commission in Belarus, stated: “We cannot introduce such a quota as we have a majoritarian voting system. Unless we change to another system, like a proportional one, we cannot fulfill it. Anyway, I hope that women will play a more active part in the elections, even within the existing system.”<sup>45</sup> The issue of women’s influence in parliament herein is less relevant when compared with other countries as the Belarusian Parliament has little influence over policy. “What difference does it make how many men there are, and how many women, if neither men nor women can influence the political situation in Belarus today?” asks Anna Konopatskaya, a deputy of the House of Representatives.<sup>46</sup>

### *Georgia*

Georgia has only voluntary party quotas for women.<sup>47</sup> A 2011 law tried to incentivize quotas, however: “The current legislation does not provide for a mandatory legislated candidate quota, but instead provides an incentive for parties to include more women in the party lists through supplementary public funding (30 per cent) to parties which comply with the respective rules.”<sup>48</sup> An increased amount of public funding based on gender-based candidate quotas came into effect after the 2014 elections.<sup>49</sup>

A draft law was offered on June 13, 2017 to Georgia’s parliament regarding actual quotas. It was accompanied by a citizen’s petition with 37,000 signatures. It called for 50% male candidates and 50% female candidates for elections. This proposal was not adopted. Chairperson of the Parliament of Georgia, Irakli Kobakhidze, has stated his support for quotas to be implemented in the future, as well: “As for the 2024 parliament, at least one third [women’s] representation will be guaranteed there. The parliamentary majority will present the bill.”<sup>50</sup>

## *Kazakhstan*

Kazakhstan has not introduced gender quotas. Upon the fall of the Soviet Union, Kazakhstan promoted and adopted policies of nondiscrimination at the national governmental level. Such “high-level declarations and programs,” however were not realized.<sup>51</sup> A bottom-up approach has had more success owing to a strong drive for quotas in Kazakhstan which began during the Autumn of 1998 when women established the Women’s Electoral Initiatives organization, comprised of 20 women’s non-governmental organizations. The following year, the Coalition sent a memorandum to all registered parties calling for them to include at least 5 percent of women candidates in their party lists for the parliamentary elections. In addition, in June 1999, NGO Women’s Electoral Block was set up to support women candidates. In the course of this active involvement of women in the 1999 electoral process, the first women’s party was born – the Political Alliance of Women’s Organizations.<sup>52</sup>

## *Kyrgyzstan*

Kyrgyzstan has a legislated gender quota. A UNDP report stated that “Women were very active in the wave of protests that began to spread across the country in 2005 and that eventually lead to the Tulip Revolution.”<sup>53</sup> A month thereafter a national women’s forum adopted a united plan of action. They pushed for improvements in women’s representation in government. In response, a Special Representative of the President in Parliament on Gender Issues was appointed to compensate for the all-male composition of the legislature. “Women’s organizations used various other ways to deal with the multi-faceted challenges to women’s rights, such as alliances with youth and human rights groups and highly visible public campaigns against the legalization of polygamy, for the right to abortion, for a secular state and for inclusion of special measures (quotas) in the Election Code.”<sup>54</sup>

In 2007 a new election law was adopted, and article 72 of that law introduced gender quotas, and quotas for youth and national minorities. As a result parties were compelled “to include women (30 percent), youth (15 percent) and members from various ethnic groups (15 percent) on their lists and to do so very quickly following

the 2005 dissolution of the parliament.”<sup>55</sup> Owing to the need to find such candidates “[m]any parties therefore looked for persons who filled more than one quota, e.g. young women or youth from particular ethnic groups, thus ‘freeing’ spaces on the lists for men party members. Party leaders complained about the lack of ‘trained and active’ women to fill the 30% gender quota and about the way the quota violated the principle of ‘free and fair competition’ of democratic elections.”<sup>56</sup>

### *Moldova*

Moldova has a legislated gender quota. In 2016, the Parliament of Moldova passed a gender quota for party list candidates and cabinet nominees in which both cabinet nominees and party candidates for all parties need to have at least 40% of each gender.<sup>57</sup> The quota had a substantial monetary incentive: “the political parties that have at least 40% women candidates proposed for the 51 SMCs [single-member constituencies] will receive a 10% increase of the state budgetary allocation for the election year, as well as 5% for every woman elected as MP in a constituency.”<sup>58</sup> It seemed to have made an impact, even in the executive branch. As of 2019, “both the leadership of the Parliament and of the Government are currently represented by women, being the first-ever experience when the legislative and executive powers are held by women-politicians. Seven out of 12 members of the current Government are also women.”<sup>59</sup>

Mihaela Spataru, an MP in Moldova, had said of quotas:

We are only 21 women parliamentarians. So, we founded the Women’s Parliamentary Caucus to promote gender equality initiatives. The Caucus was instrumental in introducing a 40 percent quota for women on political party lists in national and local elections. But I hope in 10 years, we won’t need a quota anymore. I would like for equality to become business as usual.<sup>60</sup>

The history of Moldova’s quota is of interest. In 1997, two women MPs introduced a provision in the electoral code requiring a minimum quota of 30% for women on party candidate lists and a certain quota for women as one of their requirements for registration of parties. Both proposals failed.<sup>61</sup> Another similar law was proposed in 2010



(September 15) for a compulsory quota for women of 30% in the candidates' lists for each election in the national parliament. The government reacted positively, but in the end the parliament failed to organize debates on the issue.<sup>62</sup>

## *Russia*

Russia does not have a legislated gender quota. Politicians in Russia such as Irina Khakamada have stressed the need of quotas to improve the situation while also lamenting the lack of financial resources when it comes to women taking part in the elections.<sup>63</sup> But President Putin questioned whether gender quotas are needed:

Is it necessary to introduce quotas? I don't know. I am not ready to answer that question. It might be even worse to have some kind of discrimination according to sex... But whether we are going to introduce quotas or not, we should certainly aspire to make the authorities more balanced.<sup>64</sup>

In 2011, then as prime-minister, Vladimir Putin suggested that education is the road to gender equality: "We need education, so that from an early age girls are treated no worse than boys and then move along the career ladder."<sup>65</sup> It should be noted that education is not the main issue. From at least the middle of the Soviet era women have had equal access to education. Still, they continue to have less access to power and their wages are lower than men's.

A law project on gender equality was introduced in 2003 by several State Duma deputies (Vyacheslav Volodin, Oleg Morozov, Ekaterina Lakhova and Gennady Raikov). In its first version drafted in 2003, the bill defined the concept of gender inequality and guaranteed equal rights for women and men in hiring. The document also suggested that men and women should receive an equal salary if they perform identical work. The need for quotas for women in government was also discussed in the law project. At the end of 2008, the government responded negatively in response to this initiative, citing the fact that its main provisions are already contained in the Labor Code.

In October 2017, the Russian State Duma returned to this law project. The draft law was adopted in the first reading. In that preliminary reading, the bill defined the concept of gender equality:

guaranteeing equal employment opportunity rights for women and men and equal salary for performing the same work. During the second reading of the draft law, amendments were proposed to the State Duma and a special group (which included the current senator Elena Mizulina<sup>66</sup>) was designated with the task of preparing the initiative.

The amendments introduced the concept of the gender quota and the ratio of the number of men and women on the lists of candidates for elections from political parties. It was also assumed that the proportion of representatives of the gender minority on the lists of parties should rise toward equality with each subsequent election. In addition, the amendments – should they be adopted – also suggested penalties. If, for instance, a party received at least 3% of the vote in an election while the share of men in that party’s list of candidates exceeded the share of women by ten percent, that party would be penalized by receiving less state financing. The text also included a definition of sexual harassment in the workplace.<sup>67</sup>

On July 4, 2018, however, the State Duma’s special committee recommended rejecting the draft law on gender equality, and it was officially rejected on July 11. Oksana Pushkina (who is the deputy chairperson of the Committee and a deputy of the party of United Russia) argued that the very problem of equality between men and women “is more urgent than ever.”<sup>68</sup> Deputies are now preparing a new bill that will consolidate equal rights and opportunities in the sphere of labor relations and also address the issue of salaries and bonuses.<sup>69</sup> According to State Duma deputy Vyacheslav Volodin: “It is necessary to take into account these changes and the fact that many of the issues that we proposed then have already been resolved.” Volodin also argued that over the past 15 years, the representation of women in parliament and their influence on politics have increased (notwithstanding that, in general, there are fewer women in parliament than men).<sup>70</sup>

In addition, Moscow City Duma deputy and Chair of the Security Commission Inna Svyatenko believes that the idea of an electoral gender quota is not appropriate for Russia. The MP stated: “Everyone chooses a person by his professional qualities, charisma, level of trust, and not by gender.”<sup>71</sup> She also noted that there is no gender inequality in Russia currently.<sup>72</sup> The level of women’s representation in the Duma, however, paints a different picture (See Chapter Two).

## *Tajikistan*

Just one year after gaining independence in 1991, Tajikistan found itself in a state of civil war that lasted up until the year 1997. Tajikistan remains one of the world's poorest countries.

Tajikistan does not have a quota system, but it did take some steps toward introducing quotas in 1998 and 2001. These plans included the National Plan of Action to Improve the Situation of Women in the Republic of Tajikistan for the period of 1998–2005 and the State Program Main Directions of State Policies for Ensuring Equal Rights and Opportunities for Men and Women in Tajikistan for 2001–2010.<sup>73</sup> In the estimation of a report by the United Nations (UN) “gender equality is not implemented properly even though it’s recognized under the country’s law.”<sup>74</sup>

There had been some recent civil society organizations that advocate for quotas. In a report to OSCE on gender issues in Tajikistan published in 2015, June Zeitlan, the Special Representative of the OSCE Chairperson-in-Office on Gender Issues, wrote:

I had the opportunity to meet with the Group of 8, women from the eight registered political parties in Tajikistan who have come together in support of an inter-party platform to promote greater representation of women in decision making. They are promoting various approaches to increase women’s representation in the upcoming elections next year, including a 30% quota for female representation on electoral lists. Tajikistan does require, however, that most ministries (excluding the Ministry of Defense and a few others) select a woman as the deputy minister. Local bodies also require that the vice-head be a woman.<sup>75</sup>

## *Turkmenistan*

Turkmenistan has no quotas. According to an OSCE report from 2018, “There are no requirements for gender representation of candidates or elected MPs” (OSCE 2018: 9).<sup>76</sup> According to a 2018 CEDAW report, “Merdan Govshudov, Deputy Minister of Education of Turkmenistan, introducing the report, said that much progress had been made in the area of gender equality, highlighting in particular the new Constitution adopted in 2016 that guaranteed the equality of women and men before the law.”<sup>77</sup> It is not clear what Turkmenistan refers to

as progress. In 2014, the Turkmen authorities reported that women “are adequately represented in the elective state and administrative bodies” of the country.<sup>78</sup> In 2018, the Deputy Minister reported that he was “proud” that “women represented 24.8 per cent of members” of parliament. Obviously, this is far short of 50%.

### *Ukraine*

Ukraine passed a national legislated quota in July 2019. In addition to a draft of changes to the election laws – which include the elimination of single member districts – a provision has been made that each party must place two women among every five persons on the candidate list.<sup>79</sup> The changes are to take place in 2023.

### *Uzbekistan*

In 2004, the Supreme Assembly (and the Regional, District and City Councils) introduced a 30% minimum gender quota.<sup>80</sup> This quota system is for political parties “which were obliged to ensure that 30% of their candidates are women.”<sup>81</sup>

**Table 3.1** National legislated Gender Quotas in 29 Post-Communist Countries as of 2019

National Legislated Gender Quota?	
Yes	No
Albania	Azerbaijan
Armenia	Belarus
Bosnia and Herzegovina	Bulgaria
Croatia	Czech Republic
FYR Macedonia	Estonia
Kosovo	Georgia
Kyrgyzstan	Hungary
Moldova	Kazakhstan
Montenegro	Latvia
Poland	Lithuania
Serbia	Romania
Slovenia	Russia
Ukraine	Slovakia
Uzbekistan	Tajikistan
	Turkmenistan

## NOTES

<sup>1</sup> Hughes, Melanie M., Paxton, Pamela, Clayton, Amanda, and Zetterberg, Pär. Quota Adoption and Reform Over Time (QAROT), 1947–2015. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2017–08–16. <https://doi.org/10.3886/E100918V1>.

<sup>2</sup> Rashkova, E. & Zankina, E. (2017). Women's Representation in Politics in South Eastern Europe. *Teorija in Praksa*, 54, 2nd ser., p. 382.

<sup>3</sup> For the history of quota adoption, see Zorica Siročić "Formulation, Adoption and Implementation of Gender Quotas in Croatia" (2014) ECPR General Conference, Glasgow and Nacevska and Lokar (2017).

<sup>4</sup> Zorica Siročić "Formulation, Adoption and Implementation of Gender Quotas in Croatia" (2014: 6) ECPR General Conference, Glasgow. The number of female candidates rose in Croatia from 2013 to 2017. According to Directorate General For Internal Policies, Gender Equality Policies in Croatia – Update (2017: p. 26), "Data provided by the State Election Committee shows 41.67 % share of women in the total number of candidates at local elections in May 2017, which is a significant improvement compared to the local elections held in 2013, when the share of women candidates was 28.24%."

<sup>5</sup> Gelnarová, J., & Fousková, M. V. (2016). Women's Political Representation in the Czech Republic in the context of the transition from Communism to Democracy. *Przegląd Politologiczny*, (4), p. 133. doi:10.14746/pp.2016.21.4.10.

<sup>6</sup> Gelnarová, J., & Fousková, M. V. (2016). Women's Political Representation in the Czech Republic in the context of the transition from Communism to Democracy. *Przegląd Politologiczny*, (4), p. 133. doi:10.14746/pp.2016.21.4.10.

<sup>7</sup> Sarapik, A. (2016, April 22). MP: Estonia should implement gender quotas in politics. Retrieved June 01, 2018, from News Err website <http://web.archive.org/screenshot/https://news.err.ee/118038/mp-estonia-should-implement-gender-quotas-in-politics>.

<sup>8</sup> <https://web.archive.org/web/20190129085326/https://news.err.ee/601853/bill-calling-for-gender-quota-in-national-elections-voted-down>.

<sup>9</sup> "This is not the first time Orban – who, with his wife, has five children – has tried to prod Hungarians into picking up the reproductive pace. Earlier in his tenure, he introduced a measure that offered families reduced taxes for every new child. He has said his current term is dedicated to solving the country's demographic problems and that convincing women to have more children is at the heart of that effort. He vowed shortly after last year's victory to "reach a comprehensive agreement with Hungarian women." [https://web.archive.org/web/20191229204532/https://www.washingtonpost.com/world/europe/hungary-is-so-desperate-for-kids-mothers-of-four-wont-pay-income-tax/2019/02/11/04701764-2e01-11e9-ac6c-14eea99d5e24\\_story.html](https://web.archive.org/web/20191229204532/https://www.washingtonpost.com/world/europe/hungary-is-so-desperate-for-kids-mothers-of-four-wont-pay-income-tax/2019/02/11/04701764-2e01-11e9-ac6c-14eea99d5e24_story.html)

<sup>10</sup> Mejere, O. (2012). Does Gender Matter in Governance? Gender Quotas as a Good Policy Tool: Practice and Failures in Lithuania. *Socialniai Tyrimai/ Social Research*, (2), 27th ser., 46–61. doi:ISSN 1392–3110 p. 50.

<sup>11</sup> IDEA Gender Quotas Database. (n.d.). Retrieved May 15, 2018.

<sup>12</sup> Mejere, O. (2012). Does Gender Matter in Governance? Gender Quotas as a Good Policy Tool: Practice and Failures in Lithuania. *Socialniai Tyrimai/ Social Research*, (2), 27th ser., 46–61. doi: ISSN 1392–3110 p. 50.

<sup>13</sup> Mejere, O. (2012). Does Gender Matter in Governance? Gender Quotas as a Good Policy Tool: Practice and Failures in Lithuania. *Socialniai Tyrimai/ Social Research*, (2), 27th ser., 46–61. doi: ISSN 1392–3110 pp. 50–51.

<sup>14</sup> Mejere, O. (2012). Does Gender Matter in Governance? Gender Quotas as a Good Policy Tool: Practice and Failures in Lithuania. *Socialniai Tyrimai/ Social Research*, (2), 27th ser., 46–61. doi:ISSN 1392–3110 p. 51.

<sup>15</sup> Mejere, O. (2012). Does Gender Matter in Governance? Gender Quotas as a Good Policy Tool: Practice and Failures in Lithuania. *Socialniai Tyrimai/ Social Research*, (2), 27th ser., 46–61. doi:ISSN 1392–3110 p. 56.

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<sup>28</sup> "UN Women provided technical support to the development of the law, and has been working with civil society, government and elected women at national and local levels, to boost women's political participation and to advocate for gender balance in local elections." Quoted in the article, "In Albania, elections herald historic increase in number of women MPs" [https://web.archive.org/web/\\*/https://www.unwomen.org/en/news/stories/2017/7/feature-in-albania-elections-herald-historic-increase-in-number-of-women-mps](https://web.archive.org/web/*/https://www.unwomen.org/en/news/stories/2017/7/feature-in-albania-elections-herald-historic-increase-in-number-of-women-mps). The article reports that the Government of Sweden and the National Endowment for Democracy funded "a series of open public forums to promote equal participation of women and men in elections" throughout Albania.

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<sup>32</sup> For a history, see Borčić Besima 2004. "Application of Quotas: Legal Reforms and Implementation in Bosnia and Herzegovina" "IDEA.

<sup>33</sup> Adrian H. Zeqiri, "Quotas for Gender Representation in Kosovo's Election Rules," 9 June 2017 European Centre for Minority Issues Kosovo <https://web.archive.org/web/20200409084550/http://www.ecmikosovo.org/uploads/001.Gender%20balance%20brief%20Final.pdf>.

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## CHAPTER FOUR

# Polish Parliamentary Arguments on Gender Descriptive Representation in the 1990s

*Selected excerpts from Jacek Kurczewski's Parliamentarians  
and Public Opinion (1999)*

*Introduction by Joshua K. Dubrow and Adrianna Zabrzewska*

*Translated by Jerzyzna Słomczyńska and Adrianna Zabrzewska*

Historical texts have the unfortunate yet necessary task to remind us that the arguments we hear today are often older than we are. In addition to being a historical resource, texts that gave voice to Polish parliamentarians from the 1990s provide a view on how arguments for and against (and mainly against) gender quotas have endured. They were present in the Sejm debate on gender quotas (Chapter Five). These arguments are likely to recur.

Jacek Kurczewski's book, *Postówie a opinia publiczna. Z badań nad przedstawicielstwem w Trzeciej Rzeczypospolitej* [Parliamentarians and Public Opinion: Research on Representation in the Third Polish Republic], published in 1999 by Instytut Stosowanych Nauk Społecznych [Institute of Applied Social Sciences] of the University of Warsaw, is one of such important historical texts. Working with Małgorzata Fuszara, Kurczewski asked Polish parliamentarians about their attitudes toward quotas and toward descriptive representation of women.

This chapter presents, for the first time, English language translations of two selected excerpts from that book. The first excerpt is taken from the introduction to the book and covers pages 16–19. It briefly explains the author's research project conducted in the 1990s and comments on the sample of parliamentarians whose voices the readers get to hear in transcriptions provided in the second of the translated excerpts. The second excerpt is "Kobiety i Niemcy" [Women and Germans] (Kurczewski 1999: 211–234). It includes quotations from

deputies of the first term (1991–1993) and the second term (1993–1997) of the Polish Sejm. Based on those quotations, the deputies had been organized into three groups: (1) supporters of direct representation ensured by quotas, (2) supporters of national minority quotas, but opponents of gender quotas, and (3) opponents of all quotas in general. Even though both the research project and the presentation of its results conflate a discussion on national minority quotas with a discussion on gender quotas, readers interested in the subject of gender descriptive representation will find a whole array of arguments devoted specifically to women's presence in Polish politics. As such, the "Women and Germans" chapter is reproduced almost in its entirety, with the exception of four omissions that pertain to short fragments devoted exclusively to national minorities. In two of the omissions, the author simply lists the respondents using numbers given to them in course of the research project. Hence, these fragments could be easily skipped. The third omission is the author's opening comment on national minorities in the section devoted to opinions expressed by opponents of quotas in general. Without that comment, it is easier to focus on the subject of gender quotas. The fourth omission is a ca. 250-word fragment devoted solely to conclusions on German minority representation that we cut for the sake of brevity and coherence.

Since the situation called for having two translators work on the fragments in question, the two texts had to be integrated. To avoid terminological discrepancy, all discipline-related terms appear in the same translation in both excerpts. This was achieved by paying attention to words and phrases that appear most frequently in the text and by adjusting the new translation to the already existing one. The new translation simply continued from the translation by Jerzyzna Słomczyńska, expanding the excerpt and allowing for Chapter Five to be translated and reprinted here almost in its entirety. Whenever square-bracketed, in-text translator comments or discursive footnotes are used to clarify a given fragment for the readers, these comments are differentiated by adding translators' initials. Subsequent comments appearing in one paragraph are usually marked with initials in the last square bracket in each sequence. Generic comments explaining an acronym or a name of institution are left without differentiating between the translators.

Jacek Kurczewski owns the rights to the book. We acquired his consent to republish fragments of his book in the English translation.

# Parliamentarians and Public Opinion: Research on Representation in the Third Polish Republic

*By Jacek Kurczewski*

## I. INTRODUCTION

### *Research project*

From November 8 to 12, 1996, in cooperation with OBOP [Center for Research on Public Opinion], I conducted a questionnaire survey on a representative national sample of 1,116 adults drawn from the whole country. In part of the questionnaire, I applied some questions used in a series of questionnaire surveys, which I have conducted since 1987 (Warsaw studies). This includes individual surveys on national samples, which I conducted – also in collaboration with OBOP – in 1988, 1990, 1992 and 1994 (“Poglądy prawne i moralne” [Legal and moral opinions]) and which document trends in continuity and change of the Polish society’s attitudes with respect to controversial problems on the common ground of morality, law, and religion.

A separate block of research activity consisted of interviews with lawmakers. The interviews consisted of two parts – a simplified questionnaire version for a national sample and a set of open questions concerning the relationship between public opinion and a parliamentary representation. Since the study involved the whole period of [post-communist] democracy, researchers should have approached parliamentarians of not only the first and second Sejm terms. Such definition of the population, from which the sample was to be drawn, allowed to contact former lawmakers who could describe their parliamentary experience in a different way than their current counterparts. I intended to hold 200 interviews with lawmakers. The final outcome happened to be more modest. First, using the random number table, a set of 100 names was chosen from each of the two lists of parliamentarians: active in the 1991–93 term and the 1993–97

one. In the case of a refusal [to be interviewed – JS], the sample was supplemented with the alphabetically next parliamentarian listed in the same partisan caucus. The study was conducted with the help of graduates and students of sociology who had earlier experience in this kind of work. Dr. Beata Łaciak managed the organizational part of this research and I take pleasure in thanking her very much for her involvement and collaboration and Katarzyna Dzieniszewska-Narowska, M.A., Elżbieta Leszczyńska, M.A., and all other researchers involved in interviewing the parliamentarians. The frequency of refusals was high (ca. 45%). At last, we interviewed 95 parliamentarians from the Sejm's first term and 105 of those from the second term. Some parliamentarians belonged to both samples. In sum, we collected at least partial interviews with 155 parliamentarians of both terms. Although I dedicate this book to the voters, I would like to thank very much all parliamentarians who found time for talking to sociologists – and the public does not realize how little time the Sejm members have for such extra activities. In the chapter “Corruption,” there appears some additional information from a research study (101 questionnaire interviews) conducted under the direction of Instytut Spraw Publicznych [Institute of Public Affairs] with parliamentarians of the third term [whose names were obtained by a drawing procedure – JS]. I also need to acknowledge the Institute of Human Sciences in Vienna that offered to me very attractive facilities [or, conditions] for working out the whole study and my home Instytut Stosowanych Nauk Społecznych [Institute of Applied Social Sciences] that was to me of constant assistance.

Exactly 155 parliamentarians from the basic sample were assured of a complete anonymity of the interview. A part of them agreed to publishing what they said; still, not all respondents gave such consent regarding a report, which involved them all. In this situation, I also considered important not to reveal information about the respondents' membership in parliamentary [partisan] caucuses. The content of political differences dividing Sejm was not a focus of this research. A dispute what constitutes the “left” and what is the “right,” or whether there exists a “center” in Polish current political situation, is going on and on since 1989 without an adjudication. However, there is a consensus in opinions that the parliament in its first term was dominated by the anticommunist right while in the second term



– by the Democratic Left Alliance and Polish People’s Party, the more or less leftist successors of the former ruling system in the communist People’s Republic of Poland. Occasionally, it is therefore possible to compare opinion distributions in a more “rightist” vs. a more “leftist” assembly.

Parliamentarians involved in the study differ with respect to seniority and legislative experience. This is a common situation for parliaments in times of transition, be it in former communist countries, or countries evolving from authoritarian regimes, or yet, as recently in Italy, in countries undergoing an electoral revolutionary change in times of democracy. In the sample of parliamentarians of the first or second term, the majority (56%) consist of single term lawmakers, one fifth (22%) of lawmakers of both these terms, and only 8% of seasoned lawmakers being in Sejm at least from the times of the historic Round Table contract [early 1989]. Even in the sample of 101 parliamentarians of the third term only about one half has an earlier parliamentary experience.

A decisive majority of parliamentarians consists of middle-age males with tertiary education (also incomplete – a fact that used to be an issue of political controversies). Although Polish election law allows for becoming a parliamentarian starting at 21 years of age, in our sample there were only five lawmakers aged 30 or less. The majority (75 persons) were in 46 to 65 years-of-age bracket while the next group (68 persons) – in 31 to 45 years bracket. Finally, seven lawmakers are now (in 1996) over 65 years old. Of course, they were of different age at the time they got first elected to the parliament.

[Substantial] life experience with no or little parliamentary experience tends to characterize Polish lawmakers in the first decade of democracy. This contributes to the hardship of their duty and interpretation of the tasks associated with holding a public office and makes the insight into how they handle their problems even more interesting. Understanding the documentary character of this research, I decided it was necessary to present possibly verbatim the original statements of parliamentarians in the study, exactly as they were recorded by researchers striving for maximum fidelity [reliability – JS]. However, the magnetically recorded statements were not further authorized or edited, since this would not be possible in such sociological studies, even if it were appropriate. For this reason, the reader

will find in the record various errors and roughness of live speech and even errors of recording, which could not be corrected. Responsible for that are not the parliamentarians but our research procedure. We apologize to our respondents who may find any errors or misunderstandings in the record.

So far, financial limitations made it impossible to undergo another research venture, which would be a study of documented public opinion impact on representation [in the sense of a body of representatives – JS]. One should distinguish here between an active push, such as individual or collective letters, petitions, phone calls, gatherings, etc. from a – sort of – “passive impact” of public opinion consisting of survey results available to parliamentarians.

This monograph presents – first – an attempt at defining what is the representation model, which is implemented in the Third Polish Republic; second – analysis of a relationship between public opinion and the position of the representation regarding some chosen issues of political controversy; third – finding out how is the actually implemented representation model fitting the one which was first assumed and requested by the citizens.

This last element brings us to our third and last main research hypothesis, which is based on a conviction that the Polish society – historically accustomed to identifying democracy with independence, respect for individuals’ autonomy, and citizens’ equal political rights (Kurczewski 1993) – expects that representation implemented by a parliamentary representation will reflect the public opinion distribution much more precisely than what could be expected from a straight model of representative democracy. This hypothesis allows us to perceive disturbances in the functioning of democracy in the Third Polish Republic as not so much due to deficiencies of the actors of political life but rather to the fact that these actors try to act according to the principles of straight representation model neglecting a need for surrogate [or, substitute] representation, which an ordinary citizen expects from his/her chosen representative. Appearing here is the most compelling issue related to Hanna Pitkin’s original concept of representation: should we not distinguish a conflict within the process that the representation actually is from the conflict concerning the very principle of representation? While the former seems a normal element of functioning of democracy, which through

consecutive elections corrects the relationship between the electorate and the representation, the latter points out to a real threat to democracy involved in the conflict about the principles of representation. In my research, I intend to come closer to answering whether such structural conflict is becoming a real threat for us nowadays.

## 5. WOMEN AND GERMANS

Should social differentiation be reflected by a representative assembly? This question links to the issue of minority representation. If the representation is selected by majority, what is the fate of minority? Does it require a separate representation? Women make minority in Sejm; Germans make minority also in the society. The issue of adequacy of the social composition of Sejm was not among issues creating vivid political discussions at the turning point of political regimes. More important was to elect lawmakers in a proper way – by means of free elections. It seems only the issue of abortion rights and a corresponding focus on opposite models of the woman's role in social life served as a catalyst leading to a requirement of direct representation of women, to a discussion on the parliament's representativeness with respect to gender, and to a new feminism in Poland (cf. Fuszara 1994). In turn, a broad support for special guarantees for representations of national minorities seems connected to the ethnic understanding of Nation.

Two questions from the questionnaire for interviewing parliamentarians dealt with the following issues:

*15. Some people think that the differentiation and the opinion distribution in Sejm should match the differentiation and the opinion distribution in the society; other people think that because of the principle of free mandate this is not necessary. What is your opinion in this matter? If you agree with the first statement, what – in your opinion – would be the way to assure this matching in practice?*

*16. Do you think that some categories of voters should be represented by persons belonging to these categories, for example, women should be represented by women-parliamentarians, national minorities – by representatives of these minorities? What categories of voters should have such*

*direct representation? How should be such direct representation guaranteed? What is the sense of this principle in the light of your opinion on the issue of representation that you earlier presented?*

### *The Quota Guarantee of Direct Representation*

Only four parliamentarians were for direct representation of women guaranteed by adequate quotas:

It's common now that it goes like that. Women represent women, it's defined by percentage. This is a rather positive thing and it should apply to everyone. The social profile, it should be taken into account, because it is difficult for a man to speak about problems of women, it is difficult for a rich to understand a poor. Then the most reliable is such address when, for instance, the disabled are among the representatives, the blind, they speak the language of people they represent, this is not electoral meat, this is their problem, of their environment, and they are the most reliable for presenting it in a most authentic way. Guaranteeing that is a difficult problem. On the central level, on national [electoral] lists, one could very skillfully, among strong names [of candidates – JS], insert the names of such minority representatives, women, disabled, athletes, and others. And by doing this one could even achieve popularity for the list itself. And the lower down one could get with this process the more guaranteed the success would be. This has to be fitted in because as there are general social problems, among these problems there are also such as problems of women, of the disabled. (M112)

When, for instance, I speak for increasing the presence of women in politics, I know that they constitute one half of the society. And I take it is clearly my right to not necessarily wanting to have a man speak in my name and on any possible subject. Because a woman – because of her gender, her place in the society – has a different take on many situations. If in the parliament there are men in a decisive majority then, of course, they will represent the interests of their wives, mothers, or sisters, but still they will not act exactly like women would do. We should seek an optimal differentiation of this representation. (F2 from the Democratic Left Alliance) [Democratic Left Alliance, the main party of the post-communist left. – JS]

Only women. I think, no women before women. [Incoherence in the original] I emphasize – there are no [separate] women's problems to

take care of. In each particular case – for instance, the issue of money for miners, the taxation issue – women have a slightly different standpoint, because they are more practical, more down-to-earth. For example, at the issue of taxes it is the woman who will notice that the tax return form is difficult to fill in. The man will talk and talk about tax rates not paying any attention, or paying little attention, to the fact that the tax is paid off net income; that is not paying enough attention to what goes into the costs of securing the income. It is a woman rather than a man who will pay attention to such details, which later on occurs to be fundamental. I can see it right and left that women are better in sticking to the detail. I am for quota system – 25%, but I could accept 20 or 30% as well.... I ordered a review of all Polish legislation, whether it discriminates women or it does not. I worked on these issues quite a bit and I absolutely was able to see the need for introducing quotas, but the parties were not particularly interested in this issue; because if they were, if there was an appropriate push, this could have been done. (F55 from UW) [UW – Unia Wolności, Freedom Union. Platforma Obywatelska, Civic Platform, is its successor. – JS]

One of the supporters of this idea is actually so inconsistent in his statement that the number of parliamentarians supporting the quotas should actually be brought down from four to three.

There is a project of a bill on women's rights – a percentage share in the parliament. In my opinion, this is how it should be. Particular communities should be represented by a person having roots in a given community, but this should not be legally compartmentalized – we had such things [at the time of] PRL [People's Republic of Poland]. If women decide that a particular man will properly represent their interests, there is no problem, and vice versa. National minorities – I am against special privileges, for instance, German minority. The same privileges for all minorities as those. (M95)

There is a statement by an enthusiastic man, who would want to see even an overrepresentation of women in Sejm, however without the quotas:

I definitely think there are too few women in Sejm. My party's opinion – however, this is not working, but not because of men's fault but women's fault, because they engage in politics too little – is that in all offices of power, for instance in my Green Party, we should have fifty-fifty. This

isn't accomplished, we have men outnumbering women, but that's not women's fault. [Contradiction in the original text.] In my opinion, there should be an overwhelming majority of women in the parliament. Women bring different, more subtle, softer point of view on some political or social problems discussed in the parliament, not to mention they bring in some flavor. Also, some occupational groups should be present so that they could defend these groups' interests. I have in mind here, for instance, teachers, medical doctors, of course, keeping proper balance, without exaggerating. All this depends on the voters, but if we were to set the parliament [by hand picking – JS], then such representation would need to be. I agree that it is right, as we now have a German minority, that such representation should be in the parliament. There is no problem with the minorities because this is legally established, in the electoral statute. But apart from that, when women or various social groups are considered, unfortunately it is that these very people need to convince the voters that it's me, Kowalski, or rather Kowalska for that matter, who has to be in the parliament, because I will represent women; or teachers, or physicians, etc. There is no other method. (4)

Another male representative speaks in a rather ironic way:

Actually, one would like to dream about such arrangement. Because nobody would represent women better than a woman. Minority knows the best what they need. Farmers by farmers, miners by miners, railroad men by railroad men, etc. That would be good. (35)

This way the idea of quota guarantees for female representation in Sejm was decisively rejected. However, many parliamentarians spoke in favor of a direct representation of women, but without using quotas; they thought the issue should be left to normal mechanisms of democracy. At the same time, these parliamentarians often agreed to a right for special treatment of minorities, national minorities in particular.

If a community is in minority, for instance a community of women, then a candidate having a background in this community knows it, feels this community, has the same opinions; then such person is an authentic representative, does not have to pretend that he represents this group's interests while having in fact different opinions. If there is some group, women, minorities, or any other, it doesn't matter who, and they think they have some common interests and they want, then they are

welcome.... Such direct democracy can be guaranteed by the elections system we have. There is such possibility, it is possible to register, and made legal, various kinds of parties and associations, so such parties may be brought in existence. (93)

I think, as far as women are concerned, they are really underrepresented in chambers of political power in Poland. I deplore that, I am a supporter of higher participation of women in the political life. All discrimination starts from a simple fact that fewer women appear on elections lists of the candidates – one has to start at this point, try to find reasons there. I recently returned from Norway, where Mrs. Brutland, until recently the prime minister of Norway, introduced a truly far going way, that 50% of all candidates on election lists must be women. I don't know whether I would like to introduce this solution here, but it is a fact that at the start, at candidates' lists, there are too few women. We have 12% women in Sejm, a little better than in the U.S. where they have 10%, but still too few. With respect to ethnic minorities, it is a separate problem. In my opinion, international conventions provide protection for minorities' rights. First of all, ethnic minorities; there are appropriate international conventions – convention of the European Council in this case. I have to say that these conventions postulate not applying the threshold principle to ethnic minorities. And Poland, thank goodness, honors this principle and therefore we have 4 parliamentarians representing the German minority in this Sejm.... German minority took advantage [of this principle] and is well represented. However, there is a problem with those other minorities, smaller even than the German minority. Each of them alone cannot even meet these proportional [requirements], even without the threshold, to create a representation. I would suggest these minorities list their candidates on the lists of larger parties in these districts. For instance, we have a Belarusian on Democratic Left Alliance's list, Freedom Union has a parliamentarian who is of Ukrainian descent. I think this is the right way to secure [representation – JS] for small minorities who are not able to achieve representation in proportional elections. Each party should seek to secure on its list an appropriate number of women and men, etc., so as not to have a drastic disparity in the representation. (16)

... (I)f women are to be represented by women and men are to be represented by men then I will frankly say that I think there is a group of problems, which it would be good to have also women speaking about. It is certainly wrong to use various legislations to work for just one side. Because of a possibility of having a greater variety in perception, aiming at greater chances for objectivism, I would not introduce here such strict

divisions that women should be represented by women, and men by men. (83)

It does not necessarily has to be like that because men can represent women without a problem, it's not such a strict division; the parliament has to be a representation, but this parliament still needs to take into account the consequences of certain reflections. A parliament without women in public perception would be a bad one, because since women constitute a half of the society, then perhaps it may occur that such a representation for various reasons would not be achievable.... It could happen that the parliament would be without women, or it would have only women. The quota system cannot be democratic; perhaps one may imagine such system in the Norwegian government... (87) [Incoherence in the original. – JS]

Similarly – parliamentarians 94, 121, 144.

Yes, definitely yes, however not in conditions, which are actually functioning in Poland:

Yes, definitely yes, however not in conditions actually functioning in Poland. Because I am like this dog haunting the Germans since I suggested a change in the elections statute – taking away election preferences for German people. Because this cannot be as we have it. I am for the minorities being represented but in Poland we have quite a lot of these minorities. And because of their concentration, in Opole and Katowice voivodeships, only they have a chance to get elected there. I am surprised, it's already 7 years after the changes in Poland, the leader or members of German minority are in the parliament and they did not yet prepare a bill on national minorities. Why? Because it could happen – and I am all for it – that [this brings in] 10 parliamentarians representing 10 minorities, because they are the largest in Poland, instead of 4 members of German minority. Then there would be a ground for talking about minorities rather than only about German minority in Poland. (113)

Another representative does not see a connection [between the two questions asked by the researchers – JS]:

In general, I don't see a connection between the fact [statement? opinion? – JS] that only women can represent the interests of women and the one that only persons coming from minorities may represent the interests



of these minorities. There are no such categories. [?] However, it is not a bad thing if a woman speaks about problems of women and a representative of minority – about problems of this minority. ([Interviewer:] As an expert?) As an expert, and sometimes as a representative. But this is not a [necessary] requirement, in my opinion. I am sure that as a representative of the Republic of Poland I can very well represent the interests of Ukrainians or Belarusians. If I only know how to do it. Perhaps a representative of Ukrainian or Belarusian minority would be useful in the parliament. But this is not a necessary requirement. (3)

The next one is hesitant but accepts the idea for the minorities:

I think that to an only limited extent, but I am not sure that if only men represented men's interests while women – women's interests that it would really be better. I am not sure because this may be a very complicated problem, because in those women's issues the problem is entirely different; I mean I am closer to the side of this brain sex,<sup>1</sup> that is I think that, fortunately, both parties [genders] present a sort of different genetic and historic experience and therefore they have to complement [each other], it has to be a flow [in between – JS]. I realize women go up and judging on tendencies this is an inevitable process. But this cannot be a process of the kind that a few feminists produce some uproar, this is not the way. As for minorities, I would rather say O.K. Same goes for such groups as the disabled, although I don't think it should be limited to these groups only. But some necessary number of disabled persons should be directly represented. This is a completely different sense of things; it's quite different to talk about problems of others and to live with these problems. (M31)

<sup>1</sup> I took the liberty of changing the translation from “gender of brain” to “brain sex” in order to underscore what I believe is an implicit reference to *Brain Sex: The Real Difference Between Men and Women* (1989) by Anne Moir and David Jessel, published in Polish translation as *Płeć mózgu* in 1993 in a popular series called Biblioteka Myśli Współczesnej [Library of Contemporary Thought] by Państwowy Instytut Wydawniczy [National Publishing Institute]. The book has been condemned by feminist and gender studies scholars for biological reductionism and its false claims to universality, scientific impartiality, and lack of political bias, but it nevertheless continues to influence mainstream discourse on gender in Poland (to read more on the peculiar status of Moir and Jessel's *Brain Sex* in Poland, see: Janion, L. H. (2018). “Let's not be too eager about equality.” *Brain Sex, Heteronormativity, and the Scientific Mystique*. *Adeptus*, 2018 (11). <https://doi.org/10.11649/a.1502>) – AZ.

Another respondent talks about the need for having a heterogeneous Sejm:

I am not talking about a necessity, that they have to be, but it is advisable to have in the parliament diverse people, having diversified opinions, or even nationalities, because they have a better sense, better feeling. When things are argued in some commission it is enough to have one or two persons out of 40, to see clearly they are the one who feel it. If someone listens to me and wants to listen then they will surely benefit quite a lot; and if, in addition, they know how to sell it... This is very helpful at work. Surely women. However, with the minorities, that is a secondary issue. Because if someone lives in a given country they should, in my opinion, submit to local statutes, legal and customary. (97)

This is what surely happens. It doesn't completely translate into votes, like all retirees vote for a candidate – retiree and all youth for a youngster. However, among electoral preferences of individual groups this is one of the most important criteria: whether the candidate is like me and whether they could represent me. I don't see any problem with having representatives of all existing communities during a mature process of taking votes in the parliament. Does every angler in Warsaw have to vote for an angler representative from the Polish People's Party, Democratic Left Alliance, or Solidarity Electoral Action [Akcja Wyborcza Solidarność] list? (85)

Guarantees only for the minorities (representative 54), which, as some respondents stress, is a fact already:

I think this is how it is. Because we have in Sejm teachers, and medical doctors, and lawyers, and representatives of farmers, and of national minorities. I consider it right, and this is how it should be, unless the electorate's will turns out to be different. As a rule, this [quota system – JS] cannot be. Democracy means that we choose such representatives as we want. It does not mean that, for instance, a teacher cannot represent the interests of healthcare services or vice versa, or a farmer cannot represent an industrial community. But I think, for the society's sake, representatives of various occupations, communities, and groupings should be present in Sejm By means of elections; because it must not be a priori guaranteed that, for instance, in Sejm we would have 100 teachers, 30 medical doctors, 100 farmers, this must not be. (32)

I think that here we have all categories represented, because if we go on to check the social profile of the parliament we will, probably, see that there is not even one social group missing here, in the parliament. (91)

### *Opposed to the quotas except for the minorities*

In this elections statute, there is a place for German minority; this principle is correct with respect to the minority, because otherwise they would not have their [representation] at all, they would have to address the German Bundestag ... Besides, there are various organizations: ecological, women's, Women's League or some other; theoretically this representation exists, I don't know how they make use of it in practice. Nothing should be enforced, these groups have to press political parties, one cannot guarantee this representation top-down. (33)

If at all, then only for national minorities. I don't accept this American model that there should be such and such percentage of women because this is absolute injustice, this contradicts democracy. If people do not vote for women, there must be some reason. However, minorities would be condemned to disappearance if the election threshold would not be lowered for them. The minority problem is the real measure of actual democracy. (26)

It's right for the minorities, I can agree with that, because these are separate problems of those electoral national groups. Women, however – why, for that matter, I could not represent women? Because I know what my wife's problems are, what are women's problems in my community, my environment, I can represent them all right. So, I wouldn't apply this to women. Perhaps there are some other categories that should be represented directly, but I never thought about that. (23)

I do not consider a quota-democracy to be appropriate, either; this is how we had it under communism; well, except for national minorities... (6)

I don't think that individual groups should be represented by persons from these communities, except for minorities; women or other groups may form their lobbies and that would suffice. (8)

This direct representation should apply to minorities, exclusively. Exclusively! Since the parliament is Polish, German interests will be best represented by Germans, and other interests will be represented by other national minorities. ... It would, however, be absurd to propose principles

of such representation for women or, for that matter, other sexual orientations. (9)

No, I believe that a woman is a citizen and we need to represent women as citizens who have the same rights as other citizens. Sometimes, due to the special role that women play in the society, some additional preferences should be shown to them, but not by the Sejm, because nothing has impaired women's situation more than feminization. It's a different matter with national minorities. National minorities have their own specific interests – ethnic ones. In this situation, they should not forget about their group needs – ethnic needs. They have rights and should represent their own view. They have to express it, and it will sound more credible coming from my mouth, because my roots are national-democratic roots. There was never a particular liking for Germans in this grouping. I have been keeping an eye on the circle of German minority in the Parliament since the very beginning and it has always behaved appropriately. It tended to its interests, but it also adopted a state-building stance when casting votes in the Sejm. If somebody wanted to represent, for instance, tractor-drivers, they would have to meet with the approval of that amount (!) of the electorate which is sufficient enough for being elected – I'm not being an opponent of democracy here – I just think it's not very reasonable. (14)

I believe that when it comes to national minorities, everything should stay exactly as it is. There is one more problem that has not been noticed so far – what about religious minorities that are being repressed. (72)

What a horror it would be to have women represent women only, and men represent men – no! (F, Democratic Left Alliance, 81)

It is worth noting another misunderstanding that resulted from a deputy's inability to imagine a situation in which voters are confronted with an all-female list or a female quota for parliamentary lists. The deputy hence addresses the issue in terms of gender-divided, same-sex constituencies as means of ridiculing the whole idea.

We can't have separate elections for women and separate for men. It would be ridiculous. The only exceptions are minorities in general, but they are elected not by the minorities themselves, but by the society as a whole. ... This is because the whole society is integrated. Maybe it's a different case with other countries. But as far as we are concerned, the whole society gets to vote and if it votes for a minority, this minority has the right to

constitute itself in the first place. A minority has a lower electoral threshold – this exception is correct. Poland, in accordance with its dignified traditions, should be a country that understands minorities. (89)

... [from] the studies that I once had ... [a chance – AZ] to see, it turns out that women do not necessarily vote for other women; that it is men who vote for women and it seems that there are often these “inclinations” to guarantee a certain number of, for instance, women in public life, parliamentary life. I’m not saying “no,” but I have mixed feelings regarding how I would act if I were to decide on such matters. In 1993, I ran an electoral campaign, I was the leader of Social Democracy in the ... voivodeship and it was difficult to get women on Democratic Left Alliance’s lists. All other parties had the same problem. There weren’t that many women to put on the lists, men were far more numerous. If there was some woman of substance, whom I personally asked to run for office, she would refuse. Oftentimes, the fact that there are not so many of us, women, and the lack is so noticeable – this might be also our fault, the ways of life are what they are. It’s a question for a social scientist why it is like that, why a woman chooses her home or a quiet life; maybe we are not brave enough, but that’s what the situation looks like. So even if we create, say, a threshold and have, for instance, each party list 20% of women as candidates for the parliament or other governing bodies, that does not guarantee that the most valuable women, the most knowledgeable ones, will become deputies. I wouldn’t be so sure. I’ve been working with women for quite a long time. There are times when it is difficult to work with women. Some women who fight for rights are, in fact, fighting for privileges, and I have always been against privileges. This is the time when women are raising children, they can’t work properly then, or even if they can, they often take advantage of the situation. And when the children are old enough, women who are in their forties do not want to run for office, even if the conditions are right, they don’t want to be active, they don’t want to take risks. There are many women like that. Maybe men are more uncritical of themselves and they’re ready to just go for it – which makes them achieve much more. I don’t think there’s much sense in securing such a representation. There are no matters that would concern women and women only. Maybe some matters, but not many. (F, Democratic Left Alliance, 118)

In our country, it is unfortunately the case that *women do not vote for women*. Quite the contrary, when one of them manages to push herself forward and achieve something, it is other women who become her enemies, so this argument absolutely does not hold true: women for

women. What comes to my mind, however, is what the hierarchs of the Church say, that Catholics are supposed to vote for Catholics, and Jews for Jews. ... This is a situation one cannot even imagine. I also have an impression that what makes national minorities national minorities is that they have a given area where they live. (123)

The voter is a subject of the law and he [sic] does not have a gender, he has one thing – he is a citizen of Poland, of age, with the right to vote. (126)

[...] One of the deputies thinks that there are too many women in the Sejm:

...(N)ational minorities should be represented by members of these minorities because otherwise they would not get into the Parliament. But when it comes to women, they are already represented too much, there is even an Office for Women [Urząd ds. Kobiet]. I would add also [religious] denominations. (M71)

When it comes to women, the strangest things can happen. Here, in Democratic Left Alliance, we have this deputy Iwiński, who is crazy about representing this human tribe, he would want to have it written in the party statutes, and the elections statute, such norms like they have in Scandinavia today – 30 or 40% on the lists, 30–40% of mandates. In the Polish context, those are artificial constructions. Women are somewhat less interested in public activity. To fulfil those limits, so artificially regulated, I would have to catch them on the street and sign them up for the party as a punishment. This is ridiculous. Our women, Democratic Left Alliance women, some of them even claim that Professor Iwiński's ideas offend them. Blida, a woman, said that for her, it is a disgrace. That if she's good, it's clear that she's going to make it, and if she's better than a man then she can win in a competition against, for instance, Nowicki on housing. Waniek says the same thing and all of our other women who are emancipated; it is hard to accuse them of not tending to the interests of their gender. I am against any monopoly whatsoever. Also, when it comes to representing the interests of minorities, I think that the representatives of the majority in this parliament are very good advocates of minority interests. Those direct representatives in our today's Sejm are surely better at expressing it and taking care of it. Near is my shirt, but nearer is my skin – that's how it works. But that does not mean that a highlander from Żywiec cannot understand the interests of Belarusians and Lithuanians or Germans and Kashubians. The floor is theirs; just like

we had peasant-mania,<sup>2</sup> now we can have supporters of minorities who love a given minority and they basically think that minorities should have special rights and privileges, given their situation. But it can be the other way round too. I think that we've figured it out well, here, in Poland. There is no 5% quota for minorities. The result from a district counts when it comes to the mandate, that's when it comes to political representation. On the other hand – we have cultural and educational [national minority – AZ] associations which foster the language, teach, etc. (142).

128, 135, 136, 70, 49 are also against quotas for women.

### *Against All Quotas in General*

[...]

I think that men can also represent women, since this is the situation, certain democratic laws prevented this from happening – it is not the deputies' fault that there are significantly less women in the parliament than men. Plus, women, despite being the minority, can take care of their interests just fine; for instance, our lady deputies came up with this bill on equal treatment for women. And, to tell you the truth, we, guys, fell for this trick and signed the draft of this bill. ... We took it as a good joke, but in general, it breaks certain principles of democracy, of democratic choice, because it presumes that a citizen can decide who to choose, but only within a given limit ... I think that there are mechanisms of social pressure, especially against women, that there is no such duty and I don't think that women should feel badly disadvantaged. (152)

It's wonderful when a woman is a parliamentarian, but I nevertheless think that the society decides on its own. Nobody prevents women from running for office, they candidate from different lists, there are quite many of them. Although this discipline does not interest women as much as men. (98)

Of course, there should be women in the parliament, there should be

<sup>2</sup> *Chłopotomania*, literally: peasant-mania, i.e. a manic-like enthusiasm for peasants, was an intellectual movement and a lifestyle choice of Polish intelligentsia during the modernist period of Young Poland (ca. 1890–1918). Fascinated by folklore, the countryside and its simple ways of life, male intellectuals with artistic and/or literary inclinations left large cities and married peasant women. The most famous example of this cultural phenomenon is to be found in the life and the works of Stanisław Wyspiański (1869–1907), playwright, painter, architect, and furniture designer from Kraków, who in 1900 married Teodora Teofila Pytko. – AZ

national minorities, but if we would have specified such categories, then it would turn out that the parliament needs several thousand members, and that's not possible. It would be really good if the national minorities had their representatives in the Sejm, but it does not have to be that way. Somebody else could represent national minorities, somebody who understands and knows their problems. That would be a compartmentalized parliament and the criteria would be different, the commonness of elections would have to be suspended. (96)

I don't think that women's mere biological nature makes them have a different outlook on the state than men. They should have identical chances, but of course adjusted accordingly to their biological otherness. A woman should have a chance to combine motherhood with life opportunities, I don't see a need for representation here, then. The same goes for German minority, this is a world-scale phenomenon, why Germans and not the Roma?

... (A)fter the "won" elections, we should have lobbyism in the Sejm. A lobby of women – yes, there is a "Women Group" here – a lobby of minorities, a lobby of Warsaw deputies or rural ones, etc. That's how I think it should be. But when it comes to direct representation: no! (74)

That would make us go insane, one should choose those people from a given environment who understand a given problem, it is hard to find deputies who would represent gay men, women, professors. I think that categories of voters should not be represented by people from these environments. (73)

This is a dilemma that emerges. We say, for instance, that there are not enough women in the Sejm and that we should add more women to the lists. Not so long ago, people were saying that it's the union members, that their rights, their expectations are not represented, and so the union members go on the list... then the lawyers go on the list... So many convictions about these groups and all these parties that try to implement them before the elections – but it turns out that the society has a different opinion. Because people go to cast their votes and they don't choose women, even though they are there, on the lists, just like they don't choose union members. Those are creative (!) notions, they were supposed to make the society see that there should be more women or union members, but I think that politics should be done by politicians. If a woman is politically talented, she is going to get in. But if that's not the case, if this is only a position on the list that is supposed to make women



feel better about themselves, then she's not going to get in. One should let others see their political spunk, i.e. that they can strike up a conversation, talk some sense into people, etc., one should be the leader of their community and have some connections. If it's going to be a woman or a union member just because they need to get into parliament, then no. (39)

The problem of minorities, the problem of certain social groups, often stems from their excessive ambitions that are blown out of proportions. But if that does not translate into voters' support, rules need to be agreed upon; copy the emblem, the list, and that's it. I don't see any other option. How are we supposed to solve this? With what kind of decrees? If there are 52% of women in the society, are they supposed to get 52% mandates in the Sejm? If we would expand (!) such a situation that a blonde [female] textile worker goes here, and a dark-haired [female] teacher goes there. It's obvious that it's a no. I think that such a question should not even be asked in the first place, because the answer is so self-evident. (38)

No. It should not be like that. The thing that women are proposing right now, because there is this bill being proposed right now, and it says that all lists should obligatorily include 40% of women, for me this is simply unacceptable. This is a discrimination against men, of course. The best person should run, the most, you know... If there is a woman who is an active member in her community and can do something, wants to do something, etc., then nothing stands in her way to go get her applause and whatnot... If there are no women here [in the parliament? – AZ], this means there are no women like that in Poland. Active, who go out in the field, who are activists. Maybe it's because men are freer and have an opportunity to show themselves, etc. It's all about activity. For me, all this numerical business is unacceptable. (34)

I am against all parliamentary vocational divisions. If we were to consider all those social stratifications, how many people have higher education, how many don't, how many are heterosexual, how many are homosexual, etc., and if for each of these divisions, which run vertically, horizontally, and diagonally, we were to find means of parliamentary representation, that would be completely absurd. But the thing with German minority is that people vote for them. If the Kashubian-Pomeranian Association listed their representatives in the Pomeranian district, they would also have high chances of getting deputy mandates or, more likely, Senate mandates – the electorate is simply so strong there. (27)

Not necessarily. I would say that every smart deputy can represent everybody, and to do so exceptionally well. I am afraid of such things, because it leads to fragmentation, and I am definitely (against? – JK) all female groups, because I think that they are somewhat less valuable. This is artificial and it leads to a situation in which only differences are articulated. Later, it can turn out that, for instance, a librarian will have no right to look at the question of libraries from a perspective other than their own. I do not like this vision. (25)

We would have to create some peculiar system of election. This is impossible and I see no need for it. Women have the right to choose freely and to actively participate, using the conditions that we have now. However, the question is, since there are plenty of women in the Sejm: do they really fight for women's issues? One would have to think about other group, e.g. adolescents, retirees, etc. Them, too? And thus, we start to tear the country apart. (22)

No, I think not. I think that it would be bad if women were represented and if they would represent their own interests. I suspect they would do it badly, badly indeed. Sometimes a man is better at presenting, or representing the interests of women than they themselves, and the other way round. And here I am absolutely not a proponent that if women – then women, that if we have a given group, then it has to be represented by, so to speak, its direct member. No. It largely depends on who is behind that. Specifically, it depends on the worth of a given deputy, representative, and not necessarily gender, vocational affiliation or union membership. (17)

There is some truth in that, but not entirely. I think that everything should be done in right proportions. The Sejm cannot be a direct representation of such interests. The measure is how particular parties notice different interests. This is the decision of the electoral committee, who and how to represent. If we were to decide on a political system in which parties create electoral lists, then this would be a principle of direct representation of specific groups, a sort of syndicalism, but of some stratifying system. This is, in my opinion, unacceptable and it should be somehow balanced. The interest of the party is related to group interests, but it is a fact that there are also parties which represent the interest of one group, like Polish People's Party or National Party of Retirees and Pensioners. I think that such parties are *de facto* trade unions and they have no right to exist. We should not have direct representation. (13)

No, I think, since this scale can be done in the vein of corporatism. The corporate groups would be represented by 50% of women; shoemakers, medical doctors, all would have their own representation. A given group can select their candidates within a given political organization. If he gets into the Sejm, he will naturally represent the interests of his community, signalize (!) their problems. A teacher can represent fishermen, and a fisherman can represent teachers. I think there's no need for exceptions here. (12)

No, I think that obviously one must not allow for this principle to lead to absurdity. For instance, I would be opposed to establishing some limits, like those that say there should be 40% of women in the Sejm, or that national minorities should have guaranteed seats in a political party. But the principle is just. Specific groups supporting a specific political orientation should have their share on electoral lists. I see here mostly vocational categories or those representing a particular point of view – the viewpoint of local government members, the viewpoint of teachers or physicians, they are competent, authoritative, such representations should be created within political parties, and in general I think that a representation like that is in accordance with the principle of representation. (11)

Here is the care for the interest of the nation, for the dignity of the nation. I am an opponent of privileging national minorities in the electoral system. Let them fight like others fight. It cannot be regulated in advance that three or five representatives of national minorities will get into the Sejm. I think that these national minorities, ethnic minorities, who live on the territory of the Republic, need to have the opportunity to foster their language, their culture, but not through privileging, which is tantamount to stigmatizing that they are really that minority. I am not a proponent of having women represent women, shoemakers represent shoemakers, and engineers – engineers. (36)

No, that makes no sense. I think that sustaining the privileged position of minority deputies is a misunderstanding. If the German minority does not want to live in Opole, but in Poznań, then so be it, they need to acquiesce. Why should they be additionally represented? Nobody is making you live here, and since you're here, you need to subordinate to the rules like anybody else. Why would they [the minorities – AZ] have to be privileged? If preferences like that are continued to be shown, the distribution will be different from the one in the society. (40)

... (W)omen should win elections like men and have a larger representation, then perhaps the electoral list of parties which put forward their candidates could take into account percentages, but that's also not it – it can harm both sides, so to speak – because there had been preferences, that's why the woman won. I think that a woman should win because she's smarter, she can present the election program, one that the voters will accept ... It's the voters who should decide in a natural way; if they want women – be my guest; if they want a representative of national minorities – be my guest, but they have to make that choice. (F, Democratic Left Alliance, 100)

... (T)he matter should be simple, plain, clear, and short – there are no minorities, women, not-women, there is one simple elections statute the way it is: the citizens run for the Sejm, they are elected, and the voters, when choosing, should only know, should only have in mind whether or not a person will represent their interests. Coming back to my Białystok region – I am not Belarusian, even though there are many Belarusians in the Białystok region, but I represent their interests very well. I was trying to solicit additional funds from the Ministry of Culture, I helped them with tenant problems, and, in a sense, I have become the representative for the interests of The Belarusian Social-Cultural Society. And that's why we take part in the next election, and somebody says: In order to represent the interests of Belarusians, this guy needs to be part of that organizations – I cannot agree with that opinion ... that allotment gardeners, also in Left Alliance, are supposed to be represented by a guy anointed by the executives of allotment gardens. Because my friend ... has been an allotment gardener for 30 years, he was on the board of allotment gardeners, he knows the problems, we fight together to protect those gardeners from getting evicted and we represent their interests. (124)

No, I don't think so, I mean – let me begin this way – from this state division that in the Sejm there needs to be a [female] tractor operator, there needs to be a [male] writer, a miner, there needs to be something, right? This is idiotic, dumb and has nothing to do with a clever representation of, for instance, women. I am not sure if the feminist lobby is able to represent women better than a reasonable man. Yes, there is a lobby like that – it's Labuda, Jaruga-Nowacka, all that lot, all those ladies, all those, to put it shortly – madwomen. Of course, it wouldn't be good if the Sejm was feminized or masculinized, but I think that one needs to have faith in the society's common sense, and to create equal opportunities for all. If I, as a man, have to decide between a stupid guy and a smart girl, I'll

pick the smart girl, and if the guy is smarter, I'll pick the guy, even if that isn't favorable for the proportion between the genders. (130)

With all due respect to national minorities who live in Poland, I think that if those national minorities have a program of their own, then it shouldn't be a program for the minorities but for the country, acknowledging the interests of minorities. They should be treated on the same grounds as all other groups. (138)

Against heterogeneity as a concept:

I do not agree with the opinion that diversity in the parliament should reflect the diversity in the society. I have already been through that Gehenna during the first term, and I know very well what all this means and what threats for the parliament it entails. It is a complete paralysis of the working of parliament, of government ... The nation should consider a little bit more carefully whom they choose: whether this parliament is going to work normally, whether it is going to argue all the time and every single bill is going to be either rejected by the president or it won't pass, or it will get vetoed. The parliament needs to be a parliament against the society, whether it is diverse or not. (68)

Similarly 151:

I think that due to the principle of free mandate there is no need for the structure of viewpoints in the Sejm to reflect the structure in the society. If a man gets into a parliament, he starts to function differently, he needs to verify a whole array of his opinions, in some situations he needs to act differently; *viewpoints in the Sejm are subject to change* and it is good when they serve the interests of the state, the common good, and if, in a way, they take the social expectations to the next level.

... One of the deputies tolerates female representation inside his grouping due to its traditions, even though his words suggest he is against it and quotas based on other categories:

I am a social democrat. It is part of the canon of social democracy for representative organs ... to have certain representations. They might have historical character, e.g. women. The statutes of some social democratic parties feature a quantitative definition of how many percent of women are supposed to be in the party leadership. And this is one view on the issue. I approach it with understanding. But we have sometimes

witnessed instances of crossing the line, of exaggerating, of reducing to absurdity a certain principle of representation in the form of the so-called keys: so now we need a representative of milkmaids, most likely blonde and 5'3" tall. Of course, things like that are funny and there is nothing to solicit. I don't think it's true that the best representative of a given social group is somebody who is part of that group. (111)

#### Comments not addressing minorities:

I think that I can represent women far more professionally than women can represent themselves in the Sejm. (M, 90)

Would anybody drag a chimney sweeper into the Sejm if we needed to pass a law on chimney sweepers? That makes no sense. (41)

I believe that a politician should be professionally prepared to represent a given set of views, interests, and that, on the day of the elections, he – even though this is a certain simplification – should be 'hired' by those people who trust him to represent their viewpoints. (120)

Similarly, deputies 84, 125, 123, 48, 47, 43, 42, 140, 141, 146, 157 are against female quotas and remain silent about minority representation.

#### Some are hesitant:

Fifty-fifty. In this sense, I have no proof that a woman will represent a woman most adequately, or that, for instance, a teacher will represent his community. No. When I observe the work [?], it leads to all kinds of absurdities. Those are people who have a cage. [?] One is not very critical when it comes to oneself. Are they cheered on by the milieu? – Not necessarily. But this mechanism has its good sides, too. Who else knows the problems of minorities, I think, if not the representatives of these minorities. So I'd say: so-so. (7) [Not clear in the original (...*ludzie, którzy mają klatkę*) – AZ]

Going back to the question of the Sejm's heterogeneity, it is worth to recall the results of our study during which the deputies were asked to self-identify. If one assumes that it is the subjective awareness of representing specific social categories that is the most important – plus, the deputies officially belonged to different political options – then one would have to present the following list for the (sample of) deputies of the second term:

Man, woman, husband, wife, father, grandfather, son, brother, mother, daughter, Pole [male], Pole [female], Silesian, Kashubian, Pomeranian, highlander, Catholic, Quaker, tall, average height, brunet, young, middle-aged, educated, having secondary education, philosopher, humanist, professor, man of science, academic, psychologist, social scientist, political scientist, historian, writer, artist, sculptor, musician, teacher, civic leader, party member or activist, economist, engineer, mechanic, student, farmer, entrepreneur, CEO, union member, member of the local government, medical doctor, surgeon, lawyer, soldier, officer, builder, allotment gardener, gardener, driver, artisan, journalist, IT specialist, pacifist, ecologist, sportsman, angler, hunter, rationalizer, Americanist, supervisor, director, disabled person of the fourth category, horse enthusiast, co-owner, official, fan of cars, bridge player, food connoisseur, aficionado of good wine, worker.<sup>3</sup> I omitted Europeans, earthlings (inhabitants of the Earth), and citizens (of the country), because all Polish deputies share those identities.

## GENERAL CONCLUSIONS

In general, it has to be said that Polish parliamentarians almost unanimously renounce quota representation of specific social categories, e.g. women. They believe that the matter should be resolved by the ordinary mechanisms of the democratic political arena. A portion of female deputies agrees with that conviction, regardless of their political affiliation. ... The [research] material enables to observe at least three outlooks that create a continuum of sorts: starting with the expectation that a healthy parliament represents, more or less, all important social categories (even though the definition of this importance will be subject of argument), passing through the conviction that such representation should be achieved if only the situation and the voters' willingness allow, and ending with the opinion that the

<sup>3</sup> Since Polish is a language in which gender is also a grammatical category and nouns can have a feminine, masculine, or neuter form, it might be important to notice that only five words in this set – woman, wife, mother, daughter and female Pole – are feminine nouns. All other identities and professions are listed in the original version in their masculine grammatical form – AZ.

relationship between the social characteristic of representation and the voters themselves is irrelevant. Another peculiar variant emerges in the opinion that the question of correspondence between the individual makeup of the parliament and the society pertains only to those groups which are discriminated against. A deputy, who has not yet been quoted, expresses this clearly enough:

In my conviction, there is no reason for granting special privileges for women or men. In normal social relations, where there is no discrimination, the distribution will be normal one way or another. I understand that – just like in the case of minorities – there exists the fear of discrimination. That is why they [women] need to be supported, so that they are not discriminated against. This situation – like in a different case, not pertaining to elections – we need to support disabled persons so that they can function as able-bodied people – sidewalks, entrances, commutes, etc. I understand that those who think that women are somehow being discriminated against are postulating this feminine preference. That does not speak to me, but I respect this argument. ... Where there is a threat of political discrimination (that is why it does not pertain to the disabled), an electoral preference becomes needed. But as for the question whether political discrimination of women exists at all, I do not want to be part of this discussion. (101)

More light is shed on the issue, but the problem remains unsolved, as another obstacle emerges, namely: the question of how we should understand political discrimination and what are its criteria, i.e. when gender distribution in the parliament departs from the “normal” one, does it indicate political discrimination or not? Taking the mandate into consideration, is there an actual need and an actual reason for the physical presence of a deputy of this or that social category? The proponents would answer that it is needed all the more so – if one cannot oblige the representative to loyalty, then at least one can improve one’s chances by assuming that a representative who is the same (however we would understand that) as the category which demands immediate representation, is also more likely to experience the same needs and interests.



## CHAPTER FIVE

# Debate over Gender Quotas in Poland's Parliament in 2010

*Introduction by Adrianna Zabrzewska*

*Debate Translated by Anna Purisch*

In 2010, the Sejm of the Republic of Poland created a legislated gender quota for elections on local, national, and European levels. The Congress of Women, a social movement that brings together individuals and organizations dedicated to gender equality, organized the drive for a quota. Seeking a more balanced representation of female candidates on party lists, the Congress of Women consulted the new law with experts and raised awareness in cooperation with leading public figures. In six months after the establishment of the Congress in June 2009, its representatives prepared a civil proposal of the legal act, collected 150,000 citizens' signatures, and officially submitted the proposal on December 21, 2009. A public debate in the Sejm ensued.

The law on gender quotas was discussed in the Polish Sejm during three sessions, or "readings:" session no. 61 on February 18, session no. 78 on November 24, and session no. 79 on December 3, 2010. The first reading opened with a speech by Professor Małgorzata Fuszara who spoke as an official representative of the Citizens' Committee of the Legislative Initiative. Originally, the project of the law postulated a parity of 50%, but the draft was changed in the course of Sejm proceedings, and hence the second session was devoted to adopting a gender quota of 35% as the minimum percentage for both male and female candidates. On the day of the third reading, the deputies voted. Out of 404 deputies who cast their vote, 241 were in favor of gender quota law, 154 were against it, and 9 abstained from voting. The Sejm passed the law.

The draft of the bill was then examined by the Senate. The Senate introduced an amendment which claimed that lists comprised of three candidates must include at least one female or one male candidate. The Sejm passed the final version of the act on January 5, 2011.

### *Introduction*

On January 31, President Bronisław Komorowski signed the act amending the law on elections to municipal, county, and regional councils, the Sejm and the Senate, and the European Parliament. The Act of 5 January 2011 guaranteed women a quota of 35%, but it did not regulate the question of women's position on candidate lists.

### SOURCES

Congress of Women. Press Release “Prezydent podpisał ustawę kwotową” [The president signed the quota law]. Released on January 31, 2011.  
Polska Agencja Prasowa [Polish Press Agency]. “Prezydent podpisał tzw. ustawę kwotową” [The president signed the so-called quota law]. Press note from Monday, January 31, 2011. Accessed through the archives of President.pl, The Official Website of the President of the Republic of Poland. Accessed: April 6, 2020.

For a summary of the debate (in Polish), see also:

Rosół, Katarzyna. “Debata parlamentarna nad ustawą kwotową w 2010 roku” [Parliamentary debate on the Quota Act in 2010]. *Homo Politicus* 11 (2016): 77–88.

# First Reading

February 18, 2010

**Deputy Speaker Ewa Kierzkowska:**

We now turn to point 12 of the daily schedule: First reading of the citizens' draft bill amending the Act on elections to the Sejm of the Polish Republic and the Senate of the Polish Republic, the Act on elections to city council, county council, and regional assembly, and the Act on elections to the European Parliament, on the topic of the introduction of gender parity in candidate lists. (Sejm paper 2713).

Mrs Małgorzata Fuszara, representative of the Citizens' Legislative Initiative Committee, the floor is yours. Please. (*Applause*)

**Representative of the Citizens' Committee of Legislative Initiative Małgorzata Fuszara:**

Mrs Speaker! Mmes and Messrs Deputies! Ladies and Gentlemen who are listening to us!

In the name of the Congress of Women I am honored to present our proposal for an amendment in the electoral law based on providing equal opportunity to women and men during elections. The Congress of Women follows in the footsteps of women's organizations, especially the Union for Equal Rights for Polish women, who were active at the close of the nineteenth century and the early twentieth century in advocating for women's rights. At the time, the main demand of these organizations was for women to obtain voting rights. The formula that these women devised in their meetings was "without difference of gender" and it became part of the 1918 Electoral Law and was subsequently entered into the March Constitution of 1921.

We hope that, as with these demands, today the proposals prepared by the Congress of Women for amending the law will soon become law. The Congress of Women, having gathered several thousand participants in 2009, has decided that its main demand is the introduction of the 50% rule of equal representation of women and men on candidate lists.

Mrs Henryka Krzywonos, whom I do not need to introduce to this Chamber, was voted by the Congress "Woman of the last twenty

years.” After reading this demand, she said that this proportion should be 51 to 49% to reflect the reality of each gender’s participation in society. She referred to the rule of proportionality which in theories of democracy and in political studies means that women and men should represent the same proportion in decision-making bodies as they constitute in the whole of society. We are suggesting, however, equal proportions when it comes to representation on candidate lists.

Why are we proposing this legal measure? This is mostly because in Poland, as in many other countries, equality before the law does not entail equality of opportunity. The great Polish sociologist, Professor Leon Petrażycki had anticipated this situation, when in his speech commemorating the granting of voting rights to women in the early years of the twentieth century he said: “If our appeals concerning women’s participation in councils, in state service, in national representation became law, it would be naïve to think that on the basis of these laws real equality for women will emerge in administration, national representation etc. Old superstitions, egotistic interests of the representatives of the privileged sex, and other hurdles will for a long time, especially at first, hamper the achievement not only of full equality and justice, but even an approach to them.”

Though uttered more than a hundred years ago, these prophetic words remain valid. The time has come to change this situation and undertake concrete actions to achieve true equality of women and men, which in this case means creating equal opportunity for participation in public service and in national representation as mentioned by Professor Petrażycki.

What are things like in Poland at present? Hard statistical data show that inequality is glaring in Poland. During the last elections to the Sejm, women constituted only 23% of candidates and were often relegated to lower slots that, in practice, afford no chance of winning. We must remember that until 2001, this percentage was even lower – the percentage of women on candidate lists was in the teens, e.g. 16% in 1997, with a jump to 22–23% occurring only in 2001, as a result of two parallel events. First, some political parties adopted a quota system, and second, the Pre-election Women’s Coalition was active, thanks to which women’s NGOs supported female candidates, but specifically the principle of equalizing opportunities for women and men in elections, regardless of political opinions.

This jump in women's participation in candidate lists triggered an increase in women's representation in the Sejm. While between 1989 to 2001 women accounted for only around 13% of the Sejm – this rate dipped to below 10% in the years 1991–1993 – by 2001 due to these two factors women's representation had already reached 20%. Likewise, if we consider positions within the Sejm, it's worth noting in passing that, for example, women only lead three Sejm committees, and until recently, they led only two. These three women at the head of three committees make up only 12% of permanent committee leaders. Since the uptick in women's participation in 2001 – I want to stress again that this was an increase in candidate lists first and then in women's participation among elected persons – this percentage has not risen on either list and has plateaued at 20%.

It is also worth mentioning that even when women are featured on candidate lists, they do not get equal opportunity in election campaigns. I have researched the issue and I can tell you with full responsibility that when we talk about televised campaigns, paid for by our taxes – they are free for electoral committees – all these parties devote blatantly less time to showing female candidates and their statements. This disproportion gives women 10% of the time allotted to men. Our experience so far shows that internal party mechanisms are not enough to equalize opportunities for women and men in the universal elections. It is therefore necessary to seek new legal avenues. This is especially clear if we compare women's participation in the Polish parliament with the situation in other countries.

We place 68<sup>th</sup> out of 180 countries on the list of the Inter-Parliamentary Union – in terms of women's participation in the lower chambers of Parliament. If we only look at EU member states, we find ourselves in the middle of the list. One could argue this isn't the worst placement – we share the 14–15<sup>th</sup> spot with Luxemburg. But I would like to direct your attention to the fact that there is an abyss between us and countries with the highest percentage of female participation in parliament. I mean Sweden and Holland, with which we differ by more than 20%. In Poland women occupy 20% of seats in Parliament in the lower chamber, in Sweden – 46% and in Holland – 42%. This shows the gulf that separates us from the leaders in the EU.

There are three reasons given in the literature for why equal representation of women and men matters. The first concerns the rule of

justice. Leon Petrażycki noted already that the need to ensure equal rights to women is so obvious it does not require justification, only educating those who fail to understand the matter – it doesn't require proof, it requires educating. Similar arguments are to be found in contemporary debates where equal access to positions is deemed obvious, and no justification can be required from those who discuss the matter. Justification is only needed for its adversaries for whom it is acceptable that the representatives of half or nearly half of society occupy 80–90% of seats in representative bodies. This argument can be linked to the next argument about qualifications, the unused capital of skills that women represent. The last universal census showed that women are the majority among persons with higher education, especially among younger generations. For years women have also been the majority among persons with secondary education. The only measurable competence that we can discuss when it comes to politicians speaks in favor of women.

In many of the interviews I conducted during my studies on women's participation in politics in European countries, the same statement can be seen from both female and male politicians, that a woman must be several times better than a man to occupy the same position on a candidate list or even a similar position. This is the situation we seek to change. Education and expertise ought to be the main criteria for a candidate (man or woman) vying for the position of councilor, deputy or senator. These characteristics specifically speak in favor of women. We believe that not to use women's potential in pursuance of general welfare and the governing of the country is a loss for the society as a whole.

Another argument to provide equal participation in power revolves around the representation of interests. I would like to share with you the results of public opinion polls which were commissioned by the Congress of Women and conducted at the end of January on a representative sample of Polish society. In them, 80% of respondents, both women and men, declared that the increase of women's presence in decision-making bodies would result in a better representation of women's interests. I don't think I need to comment on what this means and what were the respondents' assessments of the current level of representation of women in decision-making bodies. It's worth underscoring that there is an absolute agreement between

women and men. This was the answer of 81% of women and 79% of men. Most respondents believe also that women's increased presence would mean that due attention would be given to social matters, that there would be better cooperation in politics, a more substantive approach in institutions, a reduction in the number of conflicts, an increase in honesty and less corruption. Respondents also expect a change of priorities, of style in politics, and an improvement in the quality of decision-making.

This hope for a shift of priorities is tied to the third argument, which in political studies is quoted for the sake of rebalancing the opportunities of women and men. It concerns the fact that women and men differ, therefore, have different experiences, perspectives, life preferences, and different priorities. Without adequate representation, the priorities, experiences, and perspectives of women are not and won't be considered in decision-making bodies. In other words, omitting this perspective simply means that it is considered unimportant and undeserving of attention or worth taking into account when making decisions. It's as if you told women, half of society: your experience is not needed when making decisions concerning us all.

In the literature on the matter, many years ago a theory was formulated about the existence of a critical mass: after it is exceeded a group can have real influence on what happens in wider circles of which it is part. This mass is set at a minimum of 30%. One cannot expect that if women's representation is 8% or even 20%, that their influence can be at all real.

What is the situation in other countries? In the contemporary world, quotas or parity as legal solutions are incorporated into electoral laws or the Constitution of over 40 countries. An excellent example is Belgium where the quota system, and later the parity system, that is assuming 50% representation of both genders on candidate lists, has led to an increase of women's representation in parliament from a dozen percent to nearly 41% (precisely 40.8%) in the higher chamber. This is data from December 2009. An important element of the Belgian solution is also what was written into law, was that people occupying the two highest positions on a list cannot be of the same gender. In Spain, where women occupy 36% of seats in parliament, neither gender can take up less than 40% or more than 60%

of positions on candidate lists. Analogous solutions, as I mentioned, can be found in over 40 countries.

Quotas and other strategies for balancing opportunities for women and men in elections are considered as democracy strengthening since they place the decision of whether to be represented by women or men into the hands of voters. We know that voters first choose a political option and then only choose a female or male candidate for whom they will vote. The first spots on the lists are the ones with the greatest likelihood of winning, so if within the option selected by a voter women are on the 9<sup>th</sup> or 14<sup>th</sup> position, then the statement that we often hear – that the voter chose a man for his/her representative – is not true, because the choice was in fact made for the voter by those who arranged the list. If persons arranging the lists say otherwise, they are being hypocritical.

In the latest public opinion polls, 56% of women declared that they want to vote for a woman. The percentage of men is lower, but also significant. Creating and repeating the erroneous opinion that it is voters who fail to choose women is not only false, it is also unfair towards voters and especially female voters and candidates. Far fewer people in these studies, 20-something percent declared they wanted to vote for men. Our proposal will make it possible for female and male voters to vote according to their choice, be it a woman or a man.

Another myth we often encounter when speaking of quotas and parity from opponents of such solutions concerns the fact that women's representation should be naturally increased, not “artificially” through legal acts. I want to strongly stress that there is nothing natural in the Sejm and Senate, in electoral law. The Sejm, Senate, assemblies, councils, electoral law, election thresholds, vote counting systems, divisions into electoral districts are all social and legal constructs. They can be planned and constructed in one way or another. We want a construction that would allow equal opportunities for women and men, for both genders, and this construction only depends on political will.

When it comes to our draft bill, I want above all to stress the fact that it was created to fulfill the constitutional equality of the sexes set forth in article 33 of the Constitution of the Republic of Poland, which establishes the principle of equality of women and men, among other things with respect to occupying positions, performing functions,



and acquiring public office. We have the opinions of top constitutional scholars, Professor Osiatyński and Professor Wieruszewski, regarding the conformity of our draft bill with the Constitution. They are ready to present their opinion in writing, if requested.

The bill we are proposing is simple. It anticipates that for those elections, and those elections only, that are conducted based on candidate lists, the number of women on the list cannot be less than the number of men. The consequence of not adopting parity would be the same as with the other conditions for the creating of candidate lists: the electoral committee asks for the list to be corrected and, if this is not done, it does not register the list. We count on political parties and electoral committees, according to the rules of fair play, according to the ban on discrimination against women, as well as the rule of equality of sexes before the law, expressed in numerous legal acts, to ensure that women and men are assigned positions that afford a real chance at being elected equally.

Once more I would like to refer to the public opinion polls from the end of January. It turned out that 60% of interviewed women and men – I stress that again: this was a representative sample of Polish society – supported our bill, 30% were against, 10% said: it's hard to say. Answers to this question are extremely interesting, because while women are among the true believers in parity (66%), over half of men support it (53%). Although support for parity is higher amongst younger people, it appears across various groups: grouped according to education, socio-professional position, and income. For example, above-average 67% support is to be found among housewives and students and pupils. Some of the connections with socio-demographic characteristics also defied stereotypical expectations: for example, it turned out that support among persons declaring rightwing political ideology as well as leftwing politics is similar and is even a little higher among rightwing people. Among those supporting the project we have a very high number of churchgoers. And once more I point out that support is especially high among persons who in these studies are referred to as housewives. I want to stress this because I don't want anyone to further offend these so-called "simple" women with such statements as are often used in some debates that the issue of political representation is of no importance to them as their interests lie in other, everyday matters that are more important

to them than political representation. Women are citizens who are cognizant of the fact that the manner in which societal problems are solved is very much connected to the issue of political representation and women's participation in politics.

We want to stress also that it is very important to us that this legal regulation be introduced quickly for it to apply in the forthcoming local government elections. This is something we don't always bear in mind, but political parties and party lists are not responsible for the majority of people receiving mandates at the lowest levels of elections. I only want to stress that although it is true that at the level of townships only 1% of mandates are acquired through party lists, then at the highest level only 28% of mandates are acquired through party lists, everything else is the work of local committees working for a given district or commune. If we do not introduce this solution to electoral laws for all, then we will continue to rely on, for example, parity on party lists, and this will not cover committee lists in local elections which aren't created by parties.

This is a citizens' initiative signed by 150,000 people. The signatures we have submitted to the Sejm are not exhaustive, since letters with signatures have been reaching us until recently. This is an initiative above party lines, it doesn't favor any political party. Support from various groups of people, located at various levels of the social structure, testifies to the apolitical character of this proposal. I thus turn to you in the name of the Congress of Women and in the name of all the women and men who signed their name under this draft bill to quickly adopt it. We know that whether this draft bill will be adopted quickly depends entirely on political will. We believe that just as this will was there in 1918, when change was more revolutionary – very few countries at the time gave women voting rights – now too this project will be adopted. We believe that this political will will not be lacking among our female and male deputies, and then senators after that. Thank you. (*Applause*)

**Deputy Speaker Ewa Kierzkowska:**

Thank you kindly, professor. The Sejm has agreed that it will hear 10-minute statements from parliamentary clubs and 5-minute statements from parliamentary groups on this matter.

Before I open the floor for discussion, Honorable Members, allow me to welcome in the name of us all, the representatives, women

and men of the Citizen's Legislative Initiative Committee headed by Speaker Olga Krzyżanowska, who had not that long ago (*Applause*) also spoken in favor of a very important Bill. Thank you, Mrs Speaker.

I open the floor. First, Deputy Agnieszka Kozłowska-Rajewicz will speak in a statement for the Civic Platform club. Please.

**Deputy Agnieszka Kozłowska-Rajewicz:**

Mrs Speaker! Ladies and Gentlemen, Movers' representatives! Honorable Members! Once more in our Sejm we debate the issue of parity on candidate lists, yet although the citizen's Bill concerns electoral law, the heart of the matter isn't quotas but the presence of women in politics. For some not entirely clear reason, women are nearly absent from politics. And despite common assumptions it is not merely a problem for women, it is also, and perhaps above all, a problem of political parties, a problem of our institutions of power, and a problem of our Sejm. We can of course wait until more determined women reach power structures, laboriously overcoming cultural and legal challenges, but women's participation in power is needed for our society and that is why we cannot idly stand by.

Today, during our debate on the Bill, but also on the day of the debate of our policies on women, political parties ought to ask the fundamental question about the causes of absence of women in their ranks and undertake all possible actions that could quicken the process of women's inclusion in politics. Gender quotas on candidate lists are only one of several tools available and used in equality politics. Several dozen countries in the last decades have used this to enact equality politics, either as legal solutions or as internal party solutions. In this chamber, we shall decide whether Poland will follow their lead, and we are willing to address the issue of the poor participation of women in politics.

The bill we are discussing today does not have any financial consequences, but the problem it touches upon is very important. In this sense our discussion has a historical dimension, just like the decisions that will soon be made regarding it in this Chamber.

The citizen's draft bill on the amendment of the electoral law assumes that candidate lists must be constructed respecting gender parity in order to be registered, that is 50% women and 50% men, always, without fail and without exception. The goal of the bill is to

increase the presence of women in politics. The authors of the bill assume that 50% parity on candidate lists will automatically ensure this goal is reached.

Let us take a moment to consider how participation in politics is expressed. If we listen carefully to the arguments of the movers, it becomes clear that when we say “participation in politics” we think “power,” and this means that the basic indicators of the presence of women in politics are mandates, positions occupied within party boards, positions in club boards, positions in local government and central government boards. And in this respect the situation in Poland is far from good. Although women hold positions such as village heads, mayors, city presidents, speakers and even presidents of clubs, these are rather exceptions to the rule that politics is mainly a man’s game. In our society more and more signals indicate the need to introduce effective mechanisms to speed up women’s inclusion in politics. In this context, the most common solution is gender quotas, though for obvious reasons these only solve part of the problem.

Why parity? Why do women’s groups and some parties choose to use this tool in creating their banner and tie their hopes to it? The number of mandates obtained by women doesn’t depend on whether there are more women on lists or less. It is not the percentage of women, but the positioning on the list that influences election results. If we truly want to include women in politics, if we really want to succeed, we must think of such tools that will truly increase the likelihood of obtaining mandates by women and of occupying positions on boards.

Civic Platform has special legitimacy to discuss various forms of gender quotas since we have been using such solutions for a while now in internal party regulations. Our internal gender quota system applies to candidate lists – at least one woman in the first 3 positions – and it has yielded the highest percentage of women with mandates among parties present in this Sejm. This year we want to widen this rule to cover the first 5 positions: at least 1 woman in the first 3 positions, and at least 2 women in the first 5. It’s easy to see that this gives a 40% quota at the top of the list. We are also introducing an internal resolution recommending the need for women’s participation in district and regional boards. Finding majority support for this type of regulation in male-dominated power wielding bodies is not easy, but it is feasible, and it bears fruit.

If all political parties, and especially those present in the Sejm today, had such policies we would most likely not have to discuss this citizen's bill about gender quotas, and we would be able to devote more attention to the legal barriers present in combining professional and family duties: daycares, kindergartens, remote work, tax regulations allowing to hire a caregiver at home.

*(Deputy Grzegorz Napieralski: All bills are with Mr Speaker.)*

But we are at the beginning of the road and we must discuss all available tools, including legislative tools whose use will lead to giving equal opportunity to women and men in Poland. Gender quotas have many opponents, and we will certainly hear from them in a moment, but they shouldn't be viewed as a special privilege for women, as a form of exerting pressure on political parties who have a lot of power when it comes to including women in politics. But they must have the will. A legislative quota is like an external memory aid, it does not influence the number of mandates of women directly, it can therefore be treated not like a key to change, but an additional tool, a form of pressure which is exerted upon political parties to have them use more efficient ways to bring about change.

It is no secret that the Democratic Left Alliance, which is a great supporter of the 50% bill lacks the determination to abide by its own statute in which only a 30% quota is enshrined. For some reason that number is unattainable.

*(Deputy Grzegorz Napieralski: Which is why we support this Bill.)*

This is an example of failure related to political will because you need a bill to force yourselves to follow your own statute. *(Applause)*

Luckily not all parties fail in this respect. The Civic Platform club, with its own experiences in using gender quotas, is ready to discuss this bill. Should we choose to legislate in the matter? If so, at what levels? How quickly should we implement the bill?

Considering the participation of women in political parties, which currently oscillates at around 20%, we believe that a more rational percentage than 50% is 30%. In the last parliamentary elections, 90% of lists did not fulfill this requirement. In the last parliamentary elections, many lists did not even exceed the 20% threshold. This means that even a small quota of 30% could trigger significant changes on

candidate lists when it comes to women's participation. A 50% quota would mean in practice an additional 7–8 or even 9 women per list. Everyone who has put together candidate lists knows that this isn't possible, therefore I think it is worth discussing the quota number, as it is vital to know whether we are talking about a certain political declaration or real action and a real tool which can be used.

There is also the issue of adopting the bill, and that of a realistic timeframe. If we consider legislative solutions which concern the electoral law and gender quotas on candidate lists, it seems that we need an extended timeframe. The next local government election certainly should not be covered by the bill.

There are further problems connected to this proposal. Some have voiced constitutional doubts since gender quotas, which are not being discussed in the Sejm for the first time, have resulted in completely contradictory constitutional legal analyses. These same articles of the Constitution are cited in arguments in studies leading to completely different conclusions.

Civic Platform sees the importance of the problem and expresses its desire to join the debate. Our deputies have differing positions and we propose therefore that the project be brought to committee where it can be analyzed in detail, discussed by experts, and where alternative proposals can be examined, even those that don't directly tie in with the bill, but agree with its goal and spirit. Thank you very much. (*Applause*)

**Deputy Speaker Ewa Kierzkowska:**

Thank you kindly. Deputy Beata Szydło will speak in the name of the Law and Justice (PiS) club. Please.

**Deputy Beata Szydło:**

Mrs Speaker! Honorable Members! In the name of the Law and Justice (PiS) Parliamentary Club I have the honor to present our position in respect to the citizens' bill to amend the Act on elections through the introduction of gender quotas on candidate lists.

First, I would like to stress that my club does not wish to table the mention to reject the proposal during its first reading (*Applause*) but would like to refer it to committee for further debate. We respect the principle that calls for in-depth analysis and discussion of every

citizens' project, and bearing in mind the sensitivity of the issue, we believe that further debate in the Polish parliament is required.

I also think that neither the proponents of gender quotas nor their opponents can at this time conclude that they are 100% right, or not. They cannot also predict the consequences of this law, as demonstrated by the experiences of other countries which have introduced such a system. Therefore, it appears that further discussion is fully warranted.

It is a fact that women's participation in public life is relatively small in our country. However, we immediately ask the following question: is this real, or is this a certain stereotype? And positing such a theory, we should ask further: what level of women's participation should be deemed ideal and satisfactory? An observation of the Polish political scene in the last years shows that women's participation is changing. It is also not a stable variable, but it varies in different years and election cycles. Women's participation in professional and social life is also changing. To simplify and generalize, we can say that more and more women in Poland are becoming professionally active and participating in political life.

Let us turn back to the question posed earlier. If it is so, and I believe this is a common opinion, then why do we raise the issue of gender quotas? Specifically, what level of activity do the authors of the bill believe to be ideal and fulfilling their standards for women in public and political life? Thus, will equality of rights, as mentioned by the Professor and others, be synonymous with equal opportunity?

The next issue concerns the answer to the question whether introducing gender quotas on candidate lists will enable a greater participation of women in politics. Different countries have different experiences in this regard. There are examples of countries in which the introduction of gender quotas has led to an increase, as in Argentina where in the course of 8 years women's participation in politics went from 15% to 34%, but there are also examples of countries such as France, where the expected result was not achieved. On the other hand, the example of Scandinavian countries, where women's participation is greatest in Europe, shows that gender quotas do not decide about women's participation in politics. An analysis of the solutions enacted in different countries leads me to conclude that the introduction of identical solutions is not possible everywhere. The question

also arises whether in countries which introduced gender quotas the participation of women in politics rose as a result of this legislation, or whether there were other factors which led to this. Cultural and social determinants also must be considered.

The next issue. If we assume that the participation of women in politics is too small, we need to formulate a diagnosis to explain why this is the case. Finding the answer to this question could prove key since only with this answer in hand can we say for certain whether gender quotas are the right solution, or whether we should be looking elsewhere. This doubt is connected to the assumption that in Polish legislation women's rights are equal to men's rights, and the equality of all citizens, including in public and political life is guaranteed by the Constitution. Therefore, if this is the case, then perhaps introducing further legislative solutions will prove ineffective and will become merely writing on paper, to be shelved alongside other politically correct acts. The other possibility is that the introduction of such a provision will have the reverse effect, and all who claim that we must look for concrete solutions to activate women, to enable them to combine public and political functions with familial and maternal duties, will be presented with the argument that there we have gender quotas and that's enough.

It seems we cannot argue with the fact that women's participation in political life is highly desirable. Women's presence in Polish politics is on the rise, as testified by their participation in subsequent elections, their performing of important state functions, management of local government, and the number of female ministers in various governments. The best example to give here is the government of Prime Minister Jarosław Kaczyński, in which many women led ministries, were vice-ministers, and in which a woman was Deputy Prime Minister. Most political parties already use internal gender quotas to varying degrees, and positioning women on candidate lists is considered the norm for many political groups and is perceived as an expression of modernity. It is certainly important for this process to continue and for more women to perform important functions, not only in politics.

The basic questions we must ask ourselves at this time is of a methodological, and not ideological nature: simply put, how to accomplish this? Quotas are an instrument which according to our movers could lead to this. The question is: how effective will they be? There is



no debate about providing opportunities for women to become more active in public life. The debate concerns the tools used to achieve this. And this is what the heart of the discussion is not only within my own parliamentary club, but also, for example, within the ranks of Civic Platform and other groups. This is the main argument in favor of referring this proposal to committee.

The next question concerns the quotas themselves: is the suggested rate of 50% currently achievable?

A further concern is what the means are by which this potential legislation will be enforced. According to the proposal, not fulfilling the quota requirements on a candidate list would result in a failure to register the committee list, i.e. *de facto* punishing the committee. Perhaps we should consider inverse solutions, namely rewarding the introduction of more women into decision-making bodies.

This is the next question which it seems we should be seeking to address in committee.

To sum up, the Law and Justice is in favor of increasing the numbers of women in public life, including politics, and above all, in favor of increasing their role. We are enacting this rule in practical ways, without the support of quotas, and the aforementioned government of Jarosław Kaczyński can be cited as an example again with Deputy Prime Minister Zyta Gilowska, Deputy Party Chief Aleksandra Natalli-Świat, leader of our parliamentary club Grażyna Gęszicka or the numerous female heads of party structures, councilwomen, mayors, district heads, women of Law and Justice who performed or perform their functions without gender quota legislation. We believe that the increase of women's participation in public life is a priority, and we propose an honest discussion on solutions that can lead to this. Our basis is to create conditions that will allow women to fulfill their professional, social, and political ambitions in conjunction with, for example, family duties and without the exclusion of women's other spheres of influence. It is crucial for our discussion to center on finding effective solutions and to analyze in depth the issue at stake and not for it to be merely an exercise in political correctness. Only then can we find a real solution, and not yet another missed or inapplicable provision. Therefore, as I have mentioned at the beginning of my speech, the Law and Justice (PiS) club is in favor of referring the bill to the Committee. Thank you very much. (*Applause*)

**Deputy-Speaker Ewa Kierzkowska:**

Thank you kindly.

Two deputies will speak in the name of the Democratic Left Alliance: Deputy Izabela Jaruga-Nowacka followed by Deputy Tomasz Kamiński. To reflect gender quotas. Please.

**Deputy Izabela Jaruga-Nowacka:**

That is so. Mrs Speaker! Plenipotentiary! I would like first and foremost to welcome the initiators of this wonderful initiative, the participants of the Congress of Women in the name of Democratic Left Alliance (*Applause*), I would like to welcome women who have been working for years in non-governmental organizations. Finally, from the tribune of the Polish Sejm I want to welcome all Polish feminists, women and men. (*Applause*) I know that it is hard to admit to being a feminist in Poland, but it is thanks to your work that it is possible for this debate to take place today in such a tone. It is because of your work that 60% of Poles, women and men, approve of a more equitable Sejm.

Ladies and Gentlemen, naturally we could multiply the hurdles and questions whether gender quotas are possible in today's Polish Sejm. As an experienced parliamentarian, I want to say that many matters which not only appeared impossible, but, to speak frankly, were not recommended, turned out to be possible if there was the political will. It was so, and that is why I hope that gender quotas will finally become possible. Questions, difficulties – as mentioned by the Plenipotentiary, pulling wool over our eyes, multiplying fears – can be listed, but it is not, Honorable Members, the fundamental choice we are facing today. Today we must ask ourselves whether we want Poland to be a fully democratic country... (*Applause*) Do we want our democracy to be crippled? After all, a democracy without women is half of a democracy. (*Applause*) Do we want Poland to be a just country? Are we a just country, if women pay taxes according to the same rules as men do, but here, in Sejm, with 80% of men, who follow their own system of values and their own point of view, get to decide what our pooled resources will be used for? This is also a need for social justice. Finally, Mr Speaker, Honorable Members, what...

*(Voice from the room: Mrs Speaker.)*

Mrs Speaker, I apologize.

Mrs Speaker will be addressing us next, and I know that she will be replaced by Mr Speaker.

Mrs Speaker! Honorable Members! Today we seek to finally answer the question whether the provision of article 33 of the Polish Constitution is to remain a hollow word, or whether the government does everything in its power to ensure that women and men's equality is no longer merely a constitutional declaration but is realized as a real law.

I will move on to the next matter which is, in my opinion, the most important one. Not long ago, the Secretary of the Council of Europe, Terry Davis, said that Europe cannot be competitive and win if half its team is excluded from participating in the games. He was referring to well-educated women. He spoke of how this harms our ability to seek out and formulate effective solutions to social issues. Today, Honorable Members, we must ask ourselves whether we want social change that will lead to such progress. This is the question in front of this Chamber. (*Applause*)

Mrs Speaker! Honorable Members! Mmes Deputies! Ladies and Gentlemen! Today we must answer the question of whether, when it comes to the great challenges facing Europe, not only in the economic context but also the demographic crisis, these were addressed correctly thus far. Our Parliament's answer to the demographic crisis was to forbid abortion, contraception, to curtail access to sexual education, occasionally rewarding us with a 1000 zloty grant on the birth of a child. Note well that there was a competition here for who would give a larger birth grant.

We do not want such solutions. They are not effective, and oftentimes they bring about reverse effects than anticipated. Today, women, together with men, must seek solutions that will allow them to combine social roles, family-related ones, as well as professional and public ones. But it is up to us to prepare tools that will fit when it comes to contemporary families and contemporary citizens. That is why it is mandatory that we have more women in Parliament.

These methods, as you are aware, have so far been ineffective. Everyone who is involved in decision making knows that considering the arguments of one side only usually leads to bad decisions and faulty solutions. In order to make the right decision, we need to hear out arguments from women whose cultural experience is different, and

from men, who have their own experiences. The slogan adopted by the Congress of Women wasn't: "All of power," but: "Full pay, and equal power." And today we fight for equal power and demand it. (*Applause*)

Honorable Members! My last sentence, since I wish for my male colleague to have the opportunity to speak, as per gender equality. Let's not cover the political scene with concrete, and I turn to Civic Platform, with their 30%. The glass ceiling, which is pressing down on our heads already, would only be removed for a few centimeters and covered in concrete for years to come.

In the name of my club I would like to sincerely congratulate you on this bill. Democratic Left Alliance will vote in favor of the bill. (*Applause*)

**Deputy Speaker Ewa Kierzkowska:**

Thank you. Deputy Tomasz Kamiński, Democratic Left Alliance.

**Deputy Tomasz Kamiński:**

Mrs Speaker! Honorable Members! As you can see, equality is not merely empty words on the left. (*Laughter in the hall*)

I address you as a member of the generation of people in their thirties, a generation that is not afraid of challenges, is not afraid of Europe and European standards. Gender equality is certainly such a standard. Just as my contemporaries, I would like to live in a Poland that is free from parochialism, dogmatism, and stereotypes, in a Poland that is open, where the rules of equality are respected, regardless of gender, religion or income levels. Is Poland, under the rule of the Civic Platform, such a country? (*Agitation in the hall*) It appears not, unfortunately. Europeanness, openness, modernity, civic mentality are great values. Those are the values claimed by the Civic Platform. It wants to be perceived as such by Poles. But this is merely packaging. These are merely slogans and ideals for Civic Platform, to attract voters, since, as it appears in practice, stereotypes and conservatism are the real face of the Civic Platform.

Today we mark our debut in terms of acting to increase women's participation in politics. We speak of the idea of women's and men's equality in politics and again it turns out that only Democratic Left Alliance is willing to address the issue. Deputy Jaruga-Nowacka referred to this.

Belgium, Greece, Slovenia, Denmark, Finland are examples of the effectiveness of gender quotas. They [quotas] are effective means for increasing women's participation in politics. They are proof that, as the Plenipotentiary and Civic Platform claim, gender quotas are not fantasies.

Children are taught to compare themselves to the best, to try to imitate the best, not the worst. Unfortunately, yet again you choose to model yourselves after the worst, you fear new solutions, European and international solutions. Quotas to you seem to imply equal distribution of power between Tusk and Schetyna, and not the idea of equality between men and women. (*Agitation in the hall*)

You have appointed a Plenipotentiary for Women's equality, and you think everything is fine. It turns out that the Plenipotentiary is herself a major opponent of gender quotas. What is going on here? This is your true face.

Today's debate is another test for you, for Civic Platform. A test to show what kind of party you are, a truly modern party or is this modernity only packaging for conservatism and parochialism. Today you reveal how much you share with Law and Justice, but not only, with Giertych too, because today one of your leaders said he was closer to Giertych than to Europe.

(*Voice from the room: Wrong debate.*)

You are joined in your rejection of in-vitro, your opposition to the separation of Church and State and, as we find out today, your opposition to gender equality. As you can see, Donald Tusk and Jarosław Kaczyński have much in common, but I didn't expect they would share a fear of women.

Finally, an appeal to my party colleagues. Gentlemen, why this fear of women? Why are you afraid of women? Are educated and worthy gentlemen afraid of women?

(*Deputy Janusz Piechociński: Are you a bachelor?*)

No. Those who fear women are insecure, dithering boys masquerading as men. (*Laughter in the hall*) But I tell you: Do not fear women. Women aren't fearsome, they are indispensable in public life. Thank you. (*Applause*)

**Speaker Jerzy Szmajdziński takes over:**

Ladies and gentlemen, the atmosphere has heated up, therefore I would like to invite Speaker Ewa Kierzkowska to address the Chamber and present the position of the Polish People's Party. Please. Please remain serious.

**Deputy Ewa Kierzkowska:**

Mr Speaker! Professor! Honorable Members! My dear predecessor, I heartily thank you for your address. It brought emotions, but it also showed how much we (women) are needed in Parliament. (*Applause*) I am very glad to see that all those who spoke before me have agreed to bring the bill to committee. This shows that we respect the will of those Polish women and men who with their signatures have lent their support to this Initiative. The citizen's committee deserves respect for their effort. Thank you.

Honorable Members! Let me begin with a quote: "We are equal to men not because out of every 100 man and 100 women there are the same numbers of mathematicians, nurses, presidents and thieves. We are equal to others when we choose our own path, including the one where we give birth to children and raise them, where we give up our professional careers to take care of a sick parent or disabled child. This also happens when we are left alone in such circumstances without men." This is a quote from a statement by Dr Elżbieta Fedyszak-Radziewiczowska and it is hard to disagree with her words. But it is equally true that not every one of us feels good having to stay home for a few years to raise children or for another reason. And there is nothing wrong with it, there is nothing shocking in having other ambitions

If a woman wants to be professionally active, it is her absolute right and she should be able to return to work or professional activity. But can women today really make that kind of choice? I shall not even attempt to answer this question, because we are all aware of what reality is like. Women need no help in becoming active, really, but something must be done to allow them to have equal access to this form of activity, including in the political sphere. And what is needed for this? Sensible family friendly policies, promoting men's involvement, families based on partnership models, an increase in the number of daycares, preschools, flexitime and promoting good practice in combining work family life balance.

I shall not answer the next question either, namely in whose interest this is, as we all probably know. I will not answer who should pass these laws. I will not refer to numbers, percentages, figures because both Professor Fuszara, when explaining the proposal, and my female colleagues from other clubs have mentioned these statistics. Suffice it to say that most democratic countries declare political equality in equal rights for women and men. We are however conscious that we are very far removed from this equality and women's real influence on decision making. It is believed that a minimum 30% participation of women in government guarantees real influence on decision making, hence our debate today.

The introduction of gender quota and parity is perfecting democracy – as my esteemed colleague Izabela Jaruga-Nowacka said – a strengthening of the rule of electoral equality and proportionality. The guarantee on candidate lists, and here we all hope this will be a temporary measure, of a certain number of spots for women equals creating equal laws and opportunity to compete in elections. We need this additional tool to gain equal access to the election procedure, and it remains up to the voters to decide whom they will elect.

A characteristic of Polish politics is that among councilors of various levels there are many women. Their representation drastically falls, however, at the parliamentary level. And we have heard more than once that this is tied directly with our tradition, Polish society's cultural mentality, but we live in the 21<sup>st</sup> century and it is high time we moved away from the glass ceiling syndrome for women, or the moving floor, and the escalator, going up ideally, for men, or elevator going only up for gentlemen.

I will quote Churchill, a quote many of you here present know: "Democracy is not a perfect system, but it is the best that has been invented yet." And it is true that it is not an ideal system. We can multiply examples when democracy has failed, but it has undeniable advantages. The issue is similar with parity. It is by no means the ideal solution. We can all agree on that. But have we come up with anything better to increase women's participation in politics? Not yet.

Let me share the following observation with you. I am not sure why this is, but among men there is huge solidarity.

*(Deputy Marek Wikiński: In the Polish People's Party.)*

It becomes clear in various situations. I'm looking at my colleague. There are many jokes about it. Men know how to support each other. They provide alibis to each other in various situations (*Laughter in the hall*) and they are charming towards us, but it often ends there. We must prove at every step that we are competent, hard-working, diligent, that we make fewer mistakes, or it would be best if we made none whatsoever. It is often said that we are jealous of each other and unsympathetic towards other women. Allegedly, women simply don't support each other and that's why it is so hard to function, to break through, and even during Tuesday's debate about the role of women in politics I heard the following opinion: The greatest enemy of women are other women. Competent, ambitious, educated, diligent, sensitive, strong, and consistent ladies, let us prove this isn't true. Let us prove that we truly stand together. Gentlemen, and you, prove that you stand together in solidarity, as John Paul II said: "True solidarity is one with the other, not one against the other." (*Noise in the room*)

I wish this debate didn't have to take place today, that we didn't have to talk about a compulsory legal provision to introduce gender quotas in electoral law. I wish too that we didn't have to discuss domestic violence and try to formulate legislation that would prevent it. I wish we didn't have to wonder where to find money to fund preschools and daycares. I also wish it were spring. Spring will come soon, and women will come to this Sejm soon too.

(*Deputy Andrzej Biernat: In Spring flowers grow.*)

I think that this temporary provision (*Laughter in the hall*) will give us access to electoral procedures, and it is simply something we must get used to, meanwhile we have opposition, and I don't really understand why. It's nothing terrible, and many a thing have been done at times despite us. Traffic laws – does anyone like them? They were forced upon us: "left, right, stop, don't stop, stop here, don't stop here." We rebel. Sometimes we exceed traffic laws, but we apply them and respect them. I think that this gender quota project is necessary for us to become used to the idea that this is natural and normal, and if someone refers to it as political correctness, I disagree. What is correct is that there be more women in Sejm (*Noise in the hall*) as Deputy Jaruga-Nowacka said, so that Polish democracy can blossom fully.



*(Deputy Marek Wikiński: And so that people would live better lives.)*

*(Voice from the room: All people.)*

Honorable Members! I am glad that we can work on this important and needed project in the committee and declare support for this in the name of my Club. Thank you very much. *(Applause)*

**Deputy Speaker Jerzy Szmajdziński:**

Thank you very much. I want to ask deputy Jan Filip Libicki to address the Chamber and present the position of Poland Plus Party. Please.

**Deputy Jan Filip Libicki:**

Mr Speaker! Honorable Members! Representatives of the Legislative Initiative Committee! It is my honor to present the position of the Poland Plus parliamentary group on the amendment to the Act on elections to the Sejm of the Polish Republic and the Senate of the Polish Republic, the Act on elections to city council, county council, and regional assembly, and the Act on elections to the European Parliament, on the topic of the introduction of gender parity in candidate lists, Sejm paper no. 2713.

I will say straight away that Poland Plus is opposed to the provisions of this project. And now a few words of explanation.

We embark on a public debate, and I believe this is a good thing. In Polish politics today this public debate is sometimes lacking. Therefore, it is a good thing that we are debating the issue. If we begin this debate, nonetheless, we should at least know in broad strokes what its end will be. The representatives of the Legislative Initiative Committee begin carefully and modestly, mentioning 50% quotas for women on candidate lists in all the elections I have mentioned. The question arises, however, where does it end? Do we not embark on a path that is guaranteeing debate, but this debate will never end? Won't we find out soon that we need quotas in the judicial branches, in public administration, in state-owned companies, in boards of directors? The European Union has member states where gender quotas exist for boards of directors that is in companies. Question: Doesn't this legislation lead us down a path towards unknown destinations? In our view it does.

As to our second argument, please allow me to refer to personal experience. If we introduce gender quotas, won't other groups demand

similar quotas? We have an estimated 10% people with disabilities in Poland. If we adopt this Law, won't disabled people demand 10% quotas in candidate lists? I, personally, and perhaps my colleagues from Civic Platform too, am proud of the fact that we have found our way onto candidate lists because someone noticed our achievements (*Applause*) and not because there were some enforced quotas, that suddenly disabled people should find themselves on these lists. I think that this proposal opens such debate and such possibilities.

Third. Let's face the truth: Even the largest parties in this room have difficulty filling candidate lists. It is easy to fill positions 1–4 and the last ones, but there is a mad dash to grab anyone for the middle of the list, and that is regardless of whether this is Civic Platform, Law and Justice or the Polish People's Party, such lists are very hard to finalize. If we add quotas on top, we will find ourselves in a situation where political life, and even social life in local government elections will become extremely complicated.

And lastly, two final arguments. The first is to express doubts of a constitutional nature, as mentioned by Deputy Kozłowska-Rajewicz. Accordingly, a question: If the opponents of gender quotas wish to organize in a political party, will they have to abide by gender quota laws when entering elections? (*Laughter in the room*) It would be (*Applause*) strange, if not to say bizarre. The question springs to mind whether we are not hampering citizens' freedom of association?

My last point. We are working for the sake of social integration. However, this type of project takes us towards social disintegration, where society stops being perceived as a whole, but as contingents or clans of particular social or professional groups. In our opinion, that is not a desirable outcome. This proposal has one distinct advantage, however, namely the 150,000 signatures behind it. This is the best – we should stress this – expression of civic society, which should be respected. And because we respect the fact that this was a citizens' legislative initiative (*Bell*), as the Poland Plus Parliamentary Club, first, we do not move to have the proposal rejected, and second, even though we won't all agree on this, I think that our majority will second the motion to bring the proposal to committee. However, I warn you that upon its return from committee we will vote against it. Thank you very much. (*Laughter in the room, applause*)

**Deputy Speaker Jerzy Szmajdziński:**

Thank you. Deputy Zdzisława Janowska will speak on behalf of Social Democracy of Poland parliamentary club. Please.

**Deputy Zdzisława Janowska:**

Mr Speaker! Dear colleagues from the Congress of Women! Honorable Members! I am glad that my colleague appeared before me, because I must counter his arguments. I speak on behalf of the Social Democracy of Poland (SDPL), which is fully in favor of gender parity on its candidate lists. It does not reach 50% but 30%, however, on lists for the European Parliament in my town specifically, that is Łódź, the number was 50–50. I want to say that my colleague... It is a good thing the proposal has been referred to Committee and will be subject to discussion during which – and I am convinced of it – we will convince him, since he has presented arguments that can be refuted. You have read article 32 of the Constitution which states that all...

*(Deputy Marek Wikiński: How many mandates?)*

...are equal before the law and cannot be discriminated against, as well as article 33 which states that women and men in Poland have equal rights in political, social, and economic life. I want to point out that there aren't many among those present in this room today – although some will be found – who remember the times when we passed the Constitution. This is our provision, this is our article. Thanks to it there can be continuity.

I shall present arguments in favor of gender parity, all the advantages of such an endeavor. The years during which we fought this great battle were the 1990s and the year 2000. The Congress of Polish Women is something exceptional. It is the crowning of something we have talked about for years when in Parliament. I salute my colleagues from the Parliamentary Group of Women, who fought all this time, over a decade, submitting bill after bill about the equal status of women and men. Let me remind you that in 2005 a Bill fulfilling the highest European standards, with European recommendations, did not meet the approval of this Chamber. I look today at the middle of this room, but it wasn't you, women of Civic Platform, sitting here and pronouncing yourselves in favor of the quotas, but with the votes of female and male colleagues of this formation, supported even by

the votes of Polish People's Party, even by votes from Self-Defense party (Samoobrona)...

*(Deputy Agnieszka Kozłowska-Rajewciz: Why "even?")*

Then, in 2005, this was a great event. But the bill fell through. Let's hope it won't happen again. Today it is unlikely and impossible.

Why is it this important, and why women? I don't want to repeat arguments, and will be brief therefore: knowledge, experience, qualifications, personal traits. Studies by the Centre for Public Opinion Research show that politicians are not well-regarded, in 80% politicians of the other sex unfortunately. Why do Poles believe that politicians deal in their own personal interests, why don't they identify with the interests of their region, country, place of origin? When asked about female politicians, things look better because our social group does not undertake unbecoming activities, activities that do not please the Polish public. Why do we have to do so? Because we are really underrepresented not only in Poland but also in the European Union. This is a battle that has been waged for several decades, for example in Sweden. It was nicely put, that we have a deficit of democracy, there are no women. Why has this battle been raging for so long? Because we have had to break stereotypes for so long. And despite everything, they still function and are exteriorized, made permanent by cultural values that are recognized in our society, in the media, and by religion. I would like to say that protestant countries have dealt with this much sooner. I am thinking about our female colleagues from Scandinavia, from Sweden. There is an aspect that relates to religion.

Can we introduce parity? It is certainly possible, because we are given the right to do so by the Constitution, by specific articles, and the times we are in. *(Bell)* What are the hurdles we can face? At this time, I would like to appeal to the chiefs of political parties. Women are not guilty of anything. Like I said, women are great, *(Applause)* but entering a political party is up to the chiefs of political parties. I don't know a political party led by women.

*(Deputy Andrzej Biernat: Łódź has a woman.)*

This is sadly lacking. Experts on the topic say the following: voters have no idea what happens when lists are prepared. They want to vote.

Experts call election-related problems, the role of the political party and the place of the political party, the secret garden of nominations. Please remember what goes on in the weeks or months before an election, how everyone settles their accounts, how they fight for the first, second or maybe the last spot on the list. Where are women then? How can they reach their bosses and really convince them? It is very hard, almost impossible. Therefore, in this matter I would say that looking at the latest election results – I appeal to the political party...

**Deputy Speaker Jerzy Szmajdziński:**

It is time to conclude.

**Deputy Zdzisława Janowska:**

Mr Speaker, one last sentence. I want to convince you, since this is about having both women and men on candidate lists. 2007 elections. 6187 people ran for seats in the Sejm, including 1428 women, or 23.08%. Take a look: 23.08% and 20% of women won mandates. Therefore, if the lists had more women, then this Sejm would have a lot more women too.

*(Deputy: Voters made the choice.)*

**Deputy Jerzy Szmajdziński:**

And on this optimistic note...

**Deputy Zdzisława Janowska:**

It's the same with Senate. Women truly have a chance to make it through if there are more women on candidate lists. Such are the results of our latest elections. Social Democracy of Poland is in favor of the Bill. *(Applause)*

**Deputy Speaker Jerzy Szmajdziński:**

Thank you very much. I would like to ask Deputy Jan Widacki to address the Chamber on behalf of the Democratic Parliamentary Club of the Alliance of Democrats. Please, professor.

**Deputy Jan Widacki:**

Mr Speaker! Professor! Honorable Members! The members of the Democratic Parliamentary Club are in favor of women's greater

participation in public life. This greater participation, especially in politics, is desirable for many reasons. Especially because of the rule of representation, which is so important to democracy. Women, who make up 50% of the population, comprise a considerably smaller percentage in representative bodies. It is also our hope that women's greater participation will act beneficially on the increasing savagery of Polish politics.

Such relatively small participation of women in public life in Poland has its easily identifiable sources. One of them is certainly the traditional division of social roles in the Polish family, and consequently in society as well. Another cause is social conditions, which effectively hamper women's public participation, oftentimes forcing them to remain in their traditional roles. Not enough daycares and preschools means women must stay at home and care for their children. This in turn strengthens the traditional division of roles.

The state's task is to try to remove these real obstacles to women's access to public life. Parity on candidate lists alone does not, of course, address the issue, since it does not remove any of the reasons why access to politics is restricted for women. It does not remove obstacles, but it points to a very serious issue, triggering much needed debate and discussion on the need to increase women's participation in public life. Therefore, with respect to our citizens' voices, and bearing in mind the need for a discussion on women's greater role in public life, we are in favor of referring the proposal into Committee. Finally, one more remark addressed to those who claim that the proposal interferes with the constitutional rule of equality. That is not the case, if you take under consideration that because of socio-cultural conditioning women have restricted access to activity. Creating parity will not create any special privileges but will even out this existing inequality, therefore fulfilling the rule of equality. Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

Thank you. That is all for addresses on behalf of groups and parliamentary clubs. Fifty-eight people have signed up to ask questions. (*Commotion in the hall*) This is information for our movers, so they can pay close attention to what will be going on now, since there will be much more pluralism now than before. Would anyone else like to

sign up to speak? I am closing the list. There will be 1.5 minutes for questions per speaker.

(*Deputy Krystyna Skowrońska: I would like to ask a question, please.*)

You want to add your name to the list. Of course.

(*Laughter in the room*)

Mrs Krystyna Skowrońska has been added. 1.5 minutes per question. First, Mrs Anna Sobecka, Law and Justice. Please.

**Deputy Anna Sobecka:**

Mr Speaker! Professor! I want to ask if the movers are considering the fact that an administrative imposition of numbers of women on candidate lists is tantamount to a deprecation of the role of women in society, since it means that without legal recourse women are incapable of gaining the right to political representation? Do the honorable deputies not think that very quickly parity will lead to a situation where women are promoted not based on their skills but based on their statistical usefulness in representing a given gender? This is in contradiction with the Constitution of the Republic of Poland according to which women and men ought to have equal rights, and not the same number of chairs.

Besides this, I don't know if you are aware, but studies have shown that most women want to fulfill themselves as wives and mothers, and only then combine motherhood with roles in the public sphere.

The American historian Elizabeth Fox, a specialist in women's studies, underscored in her work (*Bell*) that today the battle is between work and children, and that it isn't women, but children who are the greatest victims. Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Krystyna Grabicka, Law and Justice (PiS). Please.

**Deputy Krystyna Grabicka:**

Thank you. Mr Speaker! Minister! Professor! Do the movers realize that this Bill introduces the obligation, precept, duty of placing specified numbers of women on candidate lists when article 33 of the

Polish Constitution only gives rights. If we pass such a precept, it will be against the Constitution.

Second question. Media reports claim that in the population there are about 10% of people who love differently, i.e. people of different sexual orientation. Will you demand 5% for women who love differently on your list, and when?

Next. The Bill says: the number of women on lists cannot be lesser than the number of men. What about districts where the number of seats is uneven, like 9 or 15? Do we divide mandates in half, or do we include fewer men? I warn you that the latter also contradicts the Constitution.

Why are quotas not applied to presidential elections, to the Senate and to communities of under 20,000 inhabitants, and for local presidential, mayoral and village mayor elections? This is also inequality from a Constitutional perspective. Do you not realize you are embarrassing yourselves, that this is a new kind of *Sexmission* [a Polish movie], this time by the Citizens' Legislative Initiative Committee? And as an aside, let me say I was elected Deputy running from position no. 6 on my candidate list. Thank you. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

Thank you. I give the floor Deputy Anna Paluch, Law and Justice (PiS).

**Deputy Anna Paluch:**

Thank you very much, Mr Speaker. I want to ask the movers: do you really believe that quotas are the answer to the small numbers of women in our social and civic life? Do you not think that the reasons why a person, woman or man, finds themselves on candidate lists to Sejm, Senate, district and township councils, regional councils and European Parliament, should be qualification, expertise, knowledge of social issues, work in NGOs, experience, skills or personal traits at least: courage, the ability to persuade others to your point of view and beliefs? Do you not think that the essential barrier women who wish to participate in public life face is the lack of daycares and preschools, the inadequate number of female-friendly forms of employment, such as flexitime or remote work, that not enough similar solutions have been created for women to enable them to combine these two roles: the domestic and the social? Is this discussion today not really



a substitute discussion? Because as long as parents have to enroll an unborn child into daycare, women will really be unable to participate in public life. Thank you very much.

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Tadeusz Woźniak, Law and Justice (PiS).

**Deputy Tadeusz Woźniak:**

Mr Speaker! Honorable Members! Honorable ladies in the benches, the gallery, in Poland and around the world, I speak as a man who frequently kisses ladies' (*Commotion in the room*) hands, who gives them flowers, who kneeled when proposing to my wife. I have great respect for women, but I must admit that, as Deputy Grabicka I feel as if I found myself on the set of *Sexmission*, so in order to remain completely politically correct, I wish to assert that Copernicus was a woman.

(*Deputy Elżbieta Streker-Dembińska: And Maria Curie.*)

However, to approach the matter with utmost seriousness, I want to ask why representative Małgorzata Fuszara has not told us the entire truth about this bill submitted to Sejm. I also wonder why these nuances weren't noted by Deputy Kozłowska-Rajewicz. You ladies keep referring to the bill and quotas and 50/50 parity, which is completely false. It is absolutely false. If you still don't see the nuance, allow me to quote: According to the Bill – please hear me out – the number of women on a district list cannot be smaller than the number of men. In other words, there can be up to 50% men on a list, and women – at least 50%. (*Bell*) Women can be even 100%. (*Applause*) I also wonder what will happen on district lists when the number of positions is uneven. Lists will have to have more women than men. Let us not deceive others and talk about the bill and 50/50 parity. Let us say clearly that this bill contradicts the Constitution, since it is in obvious disagreement with article 33, paragraph 2. Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Artur Górski, Law and Justice (PiS). Please.

**Deputy Artur Górski:**

Mr Speaker! Honorable Members! The idea or the bill concerning 50/50 parity was born during the Congress of Women, in June 2009. Afterwards, an open letter was published signed by female luminaries from the world of science, culture, media, including scientists and researchers from the University of Warsaw and the Polish Academy of Sciences. I shall quote a few excerpts before asking my question: “We have serious doubts whether equal rights for women and men should be understood literally to mean the compulsory participation of 50% of representatives of both sexes in all important social political and scientific endeavors. Our equal rights in political, social and economic rights mean both the right to participate, and to avoid presence in various socio-professional roles. ‘Equal’ should not entail compulsory activity. This formal equality cannot interfere with competence-based sources of promotions, the relationship between quality of work and income, professional position or participation in representative circles, i.e. also in the Sejm. We oppose the introduction of gender quotas concerning women’s participation at 50% in parliament, government, science. Such solutions, instead of promoting women, suggest that they are not sufficiently gifted or industrious to become successful independently, without external assistance. Quotas do not guarantee that esteemed circles will welcome the best women. This system will very soon lead to promoting persons who aren’t exceptional, but statistically useful in representing the right percentage of a given gender.” (*Bell*) Last quote: “Neither the feminist movement nor any other is the only voice of Polish women and it should not claim the right to speak on their behalf.” My question for the Citizens’ Legislative Initiative Committee “Time for Women:” Are you familiar with this letter? Why haven’t you considered the voice of these exceptional women representing the world of science, the media and culture? Thank you. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Ewa Malik, Law and Justice (PiS). Please.

**Deputy Ewa Malik:**

Mr Speaker! Ladies and Gentlemen! I wish to add my voice to this debate, as my personal experience may prove relevant here. In

practice, it is the case that the chief of the region or party headquarters will often invite women who are active in the public or social sphere to feature on their lists as it raises the lists' attractiveness. I am an opponent of parity also because in politics what matters above all is how effective one is in implementing the program presented by the party during elections. If this is taken under account, it matters not at all how many women are on the list. It shouldn't be the case that, in a completely unnatural way and just to achieve parity, we would choose women who are completely unprepared for politics. The initiative, namely whether women really want to devote themselves to such a difficult professional path, must come from them, naturally.

It seems to be a big mistake to place people who have no preparation for this type of work and no talent in this field on candidate lists. This would be totally unnecessary and, in my opinion, even nefarious. In Poland more and more women are becoming socially and politically involved, which is reflected in the composition of various important institutions and authorities. (*Bell*) In my opinion we should not be hurrying this process. Do you not think that it could turn out that since we are speeding it up, soon we will have to create quotas for men? It would be best if this could take its natural course. I know from personal experience that women seeking access...

**Deputy Speaker Jerzy Szmajdziński:**

Thank you very much.

**Deputy Ewa Malik:**

...to this type of activity – I am finishing – as politics, find it, sooner or later. Really...

**Deputy Speaker Jerzy Szmajdziński:**

Really, thank you very much.

**Deputy Ewa Malik:**

...an active woman will not be stopped and will find her way sooner or later into Parliament or any other institution of public life. Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

Thank you very much. I give the floor to Deputy Piotr Stanke, Law and Justice (PiS). Please.

**Deputy Piotr Stanke:**

Mr Speaker! Honorable Members! The problem with parity is that, despite the claims of its proponents, it breaks the rule of equality. They are an expression of the “end justifies the means” type of thinking, which one can glean from reading the bill where it is stated that of course it would be better if the rule of equality didn’t need legal regulations. We reach thus the moment where we want to allow for parity while in fact breaking the rule of equality, and we want to replace it with group equality, here – gender equality. This situation is unacceptable and, in a sense, is offensive to women.

My question is: what is the point of introducing this bill since our current Laws, including our constitutional system, fully guarantee the means of representation in public bodies of all social groups. There are no obstacles to women filling 100% of candidate lists. Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Joanna Mucha, Civic Platform (PO). Please.

**Deputy Joanna Mucha:**

Mr Speaker! Professor! Deputies! Honorable Chamber! I should perhaps mention at the outset that I have been chosen from the Civic Platform Candidate list from a parity position, and I do not feel in the least offended because of it. On the contrary, I am very pleased with this. (*Applause*)

Ladies and Gentlemen! Parity in relation to candidate lists is naturally not an instrument to replace the cultural shifts that are occurring in all European societies. It is the other side – as I understand parity – of the same coin. On the one side, we should strive to make it easier for women to take part in public life by freeing up their time for this type of activity, and on the other side, we should unblock entry points to political life. This is how I understand parity and other mechanisms proposed by the Congress of Women.

I have spoken many times in favor of parity, and I think my position is known. Of course, it would be best if we didn't have to put this idea into law, if it could happen naturally. I always say that you don't need a law to walk straight. My question to you, professor, is as follows: Wouldn't it make sense to consider, since going from 20 to 50 is going to be a difficult process, (*Bell*) stretching out the process so that in the upcoming elections we have 30%, then in 4 years 40% and finally, after another 4 years reach 50%? Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Grażyna Ciemniak, Social Democracy of Poland. Please.

**Deputy Grażyna Ciemniak:**

Mr Speaker! Honorable Members! Minister! Esteemed representatives of the Legislative Initiative! I will say this at the outset: neither women nor men make it into Parliament on their own. They must first be elected by voters, and our duty as legislators is to create this opportunity. The existing regulations in Poland, declarations, commitments regarding the participation of women in politics have not yielded any results, and that is why there is a need to amend the electoral law in such a way as to have no fewer women than men on candidate lists. This will create opportunity for women to participate in public bodies, while voters still get to decide whom they chose, in accordance with qualifications, skill and desire to participate in public government.

It is worth stressing that article 23 of the European Charter of Fundamental Rights states that the principle of equality between the sexes shall not prevent the maintenance or adoption of measures providing for specific advantages in favor of the under-represented sex. Parity systems lie well within this provision. Therefore, I would like to ask this of the Minister: What is the government's position on the citizens' draft bill and what specific activities have been undertaken by this government to create better conditions for the participation of women in public life and to eliminate the causes for the limited participation of women in public bodies? Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Jadwiga Wiśniewska, Law and Justice. Please.

**Deputy Jadwiga Wiśniewska:**

Thank you very much. Mr Speaker! Professor! Honorable Members! I would like to ask myself and you if parity changes anything. Will it alter pro-family policies, will there be more spots in daycares and preschools? Please note that the Minister of Education is a woman, Mrs Katarzyna Hall. What is her focus? Among others on spending money to propagate the idea of preschool education while parents line up for places in preschools because there aren't enough preschools. Dear ladies, the Minister of Social Policy is a woman. And what do we have? The proposal by PiS to ensure childcare for all children under the age 5 has been frozen for 2 years now, as it is being blocked by Speaker Komorowski, even though Minister Feldak could bring a similar proposal to the Speaker herself.

I am glad because today in this room we are a small overrepresentation of women. Why aren't more men speaking? Is it truly the case that men create policies, and women, as the aforementioned Minister, have very little to say? I am glad we are having this debate and this discussion. I think it has been anticipated. The glass ceiling phenomenon is something clear and legible to us, women. We often see our male colleagues smile ironically (*Bell*) when we broach this topic, when we discuss it. I am glad all the clubs have spoken in favor of bringing this proposal into committee. At the same, I wish to express my regret that the many clubs did not have the courage to respect the will of our citizens during our debate on the proposed holiday of the Three Magi. Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

Deputy Elżbieta Jakubiak – but I don't see her.  
Deputy Zbysław Owczarski, Law and Justice (PiS). Please.

**Deputy Zbysław Owczarski:**

Mr Speaker! Honorable Members! Ladies and Gentlemen! The proposed bill assumes that the number of women cannot be smaller than the number of men on candidate lists. We can therefore

mathematically assume that a list with 100% women is in accordance with electoral law now and will be after the amendment. Whereas in the future a list comprised of 51% men will not be registered for formal reasons.

Mr Speaker! Honorable Members! In addition to political parties, electoral committees of voters participate in local government elections of all levels. These committees are formed from the bottom up through basic citizens' initiatives, that is, a group of people who come together of their own free will in order to have direct influence on the functioning of their self-government. If that type of initiative is mostly men-led, and this is reflected in candidate lists, this will be against the law, but will such a law be in agreement with common sense?

This bill is mostly political in character. I think that increasing the number of daycares, preschools, and centers of support for mothers and fathers raising children with disabilities will have a far greater effect on women so that they can in future take part in social and professional life, and if they wish to, participate in political life. Such a bill, as was mentioned before, has been prepared and brought to Parliament by Law and Justice. *(Bell)* I suggest compromising on this issue above the political divide, in order to in consequence – I am just finishing, Mr Speaker – remove the actual, not the illusory, barriers to the full participation of women in politics. Thank you for your attention. *(Applause)*

**Deputy Speaker Jerzy Szmajdziński:**

Thank you very much. Deputy Leszek Deptuła, Polish People's Party (PSL). Please.

**Deputy Leszek Deptuła:**

Mr Speaker! Minister! Professor! Esteemed colleagues! I am of course in favor of parity, to avoid further fruitless discussion... *(Applause)* but... *(Laughter in the room)* I wasn't going to speak on this matter, but three days ago I took part in a meeting with female teachers at the Polish Teachers' Union where I was asked to speak on the matter. If we are discussing electoral parity, let us also discuss parity in teaching. We want men to teach our children, because the proportion is currently 10 to 1. *(Applause)*

*(Voice from the room: It's true.)*

Because of that, dear ladies, I believe – of course I created candidate lists myself once, and I know full well how difficult it is in many cases to fulfill the requirement to include women on these lists; I am not referring to Deputy Skowrońska, because we, male members, cannot often keep up with how active she is and how well she is doing – that it is not in fact a matter of stiff legal provisions. Knowing our masculine, let's say, inclination to use women as décor, I declare parity is necessary. Should it be 50/50, however, I wouldn't be sure. Thank you very much.

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Marek Polak, Law and Justice (PiS). Please.

**Deputy Marek Polak:**

Mr Speaker! Honorable Members! I would like to say first that I am in favor of women's participation in public life, of course non-coerced, but I will focus on substantive matters, as did Deputy Woźniak.

And so, the justification to the proposal discussed here begins with the words, and I quote: "The Constitution of the Republic of Poland established in article 33 the equality of men and women in all spheres of life, as well as the equal right of women and men to occupy positions, fulfil functions and duties of public office." Meanwhile one of the provisions in the bill is as follows, and I quote again: "The number of women in a district list cannot be smaller than the number of men." The use of the words "cannot be smaller" clearly signifies that the number of women cannot be smaller than the number of men, but it also cannot be greater.

I have a simple question for the representative of the movers. How does this relate to the aforementioned law on the equality of women and men to which the movers themselves refer? Thank you for your attention. *(Applause)*

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Katarzyna Matusik, Civic Platform.

**Deputy Katarzyna Matusik-Lipiec:**

Mr Speaker! Minister! Esteemed Movers! Honorable Members! If asked a few months ago about my stance on parity I would have



answered at the time that it is unnecessary, that it doesn't add anything and is ineffective. That was a few months ago. For some time now I have been carefully following the public debate on this matter and asking myself whether I am not blocking women's participation in politics with such an attitude. Why was this my position? This was because my presence in politics, in the Sejm, in this Chamber was a result of the hard work I put in and of my determination, and not of gender quotas. Perhaps there are women who want to take part in public life, want to become active, but don't have the same determination that I, or my female colleagues in the club, had.

The institution itself and the legal provision seem potentially threatening to me. Hence my question, though perhaps the answer of the movers will dispel any apprehension I may have. *(Bell)* You said that you know the political situation of our country. Is such a high bar, namely 50/50 parity not going to block the registration of given political committees? Have you considered this?

**Deputy Speaker Jerzy Szmajdziński:**

Please be succinct.

**Deputy Katarzyna Matusik-Lipiec:**

Second question: What is the true goal of the movers? Is it to increase the number of women in politics, or to increase statistics?

**Deputy Speaker Jerzy Szmajdziński:**

Your time is up.

**Deputy Katarzyna Matusik-Lipiec:**

Or is it about this participation being real? Thank you very much. *(Applause)*

**Deputy Speaker Jerzy Szmajdziński:**

Deputy Wojciech Kossakowski, Law and Justice (PiS). Please.

**Deputy Wojciech Kossakowski:**

Mr Speaker! Esteemed Ladies and Gentlemen! You are still here.

(*Deputy Domicela Kopaczewska: Esteemed Gentlemen deputies, this is it.*)<sup>1</sup>

Social initiatives always deserve special attention on our part. The goal of the bill that has been submitted is to introduce the so-called gender parity. It assumes that the number of women in district lists in elections to the Sejm, European Parliament, and decision-making bodies of territorial local government cannot be smaller than the number of men. The debate on this issue is nothing new. Ladies and Gentlemen, in my opinion parity alone will not increase women's chances in politics. We do not need to amend legislation but work on social mentality. We live in a country where everyone has the right to run for representative bodies. I don't think that women are discriminated against in this respect. History gives us examples of many wonderful women who have played an important role in the history of Poland. That's why the introduction of parity is something artificial, unnatural. The change of proportion should happen in a conscious, unconstrained way. My question is as follows: What do we do when there aren't enough women willing to run? (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

Thank you.

I give the floor to Deputy Mariusz Kamiński, Law and Justice (PiS). Please.

**Deputy Mariusz Kamiński:**

Mr Speaker! Honorable Members! I want to make sure that after this debate, after all the questions, you don't have the wrong impression that all members of Law and Justice are opponents of parity, because that's not true. I am a proponent of this bill, although I am aware it is not the perfect solution. I believe, however, that we should give parity a chance, and in answer to why, I always give this example from my electoral district. From 1989, in the Podlaskie voivodship over 100 Members of Parliament have been elected. How many women? One. In the course of 20 years we have elected one woman out of a hundred

<sup>1</sup> An alternative translation could be: "Mr Speaker! Esteemed Ladies! Esteemed Colleagues! You are still here. (Deputy Domicela Kopaczewska: You mean esteemed Male Colleagues)" – AZ

deputies. This is telling. I don't believe we can change this without trying to introduce parity. That's why I believe we need to give this solution a chance. (*Applause*)

(*Deputy Tadeusz Iwiński: Please tell us which list she was on.*)

Of course, from the Democratic Left Alliance. Let me repeat: one woman out of 100 men. Parity is not everything. That's why together with my colleagues from the Law and Justice club we will be proposing other solutions which may perhaps encourage political parties, leaders of political parties, those who decide on the composition of candidate lists, to promote women more effectively and not only to have them on candidate lists but to help them win parliamentary mandates. I hope we can succeed. Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Maciej Orzechowski, Civic Platform.

**Deputy Maciej Orzechowski:**

Mr Speaker! Honorable Members! Minister! Bill movers! I will share my Sejm experience. I have met many smart, intelligent, great women in this Sejm. Will parity help bring more such ladies into Sejm, we cannot say. In talks with one female colleague, I realized this is not the only goal, however. Maybe this is just about there being more women. I think that men, unlike what one of my female predecessor speakers said, aren't afraid of women. Many gynecologists from different sides of the aisle sit in the Health Commission, who devote their entire life to women. (*Laughter in the room*) Let me remind you that prophylactic programs such as cancer screenings were directed at women specifically.

(*Deputy Krystyna Skowrońska: How about prostate screenings?*)

Prostate screenings appeared much later. That's why I would like this law, if it becomes law, to make Mary McCarthy's words untrue: women are smarter than men, but most of their energies are spent having to hide this fact from them. Thank you. (*Applause*)

(*Deputy Domicela Kopaczewska: Bravo.*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Adam Hofman, Law and Justice (PiS). Please.

**Deputy Adam Hofman:**

Mr Speaker! Honorable Members! Esteemed Movers! I will say my task is made easier since I speak from a club whose leader, as the only one in Parliament, is a woman. I could stop here and say we have done our bit.

*(Deputy Krystyna Skowrońska: She will be party leader.)*

I do believe, however, that we ought to go a step further. I am a proponent of increasing women's participation not only in politics, but also in economic and social life. Since we are discussing today the so-called gender quota bill, I will only focus on those matters that will effectively increase women's participation in politics. I admit that in this matter I am also a proponent of administrative methods, so quotas too. Although, as Deputy Mariusz Kamiński mentioned already, we are working on a proposal which will not reward (since the gender quota forces and doesn't reward, to show the will), that is, yes, we want to have 50% of women on lists and maybe we will succeed. But we might not, and there will only be 20% of women in Parliament despite their presence on candidate lists. Together with a group of deputies, we are working on a proposal that will reward effectiveness, namely what happens after elections, and not before. I will reveal part of my secret and say that I believe that the 30% proposal by Civic Platform is too little, it is too play-safe, and I must say that I will not be able to support Civic Platform's amendment because it is too short-sighted, *(Bell)* too play-safe.

I would like to say that it is worth working on this proposal, but also seeking other solutions, hence my question to Professor Fuszara: Would you and the movers consider choosing other paths of increasing women's access to public life if there was a chance they could be more effective? Thank you very much. *(Applause)*

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Kazimierz Hajda, Law and Justice. Please.

**Deputy Kazimierz Hajda:**

Mr Speaker! Esteemed Movers! Honorable Members! I am of course in favor of increasing women's participation in politics and other spheres of social life, but I don't know whether parity will be of use here. From a practical perspective, I expect enormous problems with list registration. There will be many instances where women are hard to find for these lists and in consequence there will be practical problems, like if a woman "forced" to join a list ends up in Parliament and we will have our own Albin Siwak syndrome, the older among you will remember, who was the reflection of parity in the Central Committee (Komitet Centralny) and entered history, unfortunately, the history of Polish humor, which I cannot quote here since it's before 10 p.m. On the other hand, such an acceleration is damaging, an obvious example of which is the Englishwoman in the European Union, whose name is best not quoted, as it was during our previous debate. I watched a debate on television once, Mrs Kazimiera Szczuka was bantering with Mr Speaker Niesiołowski. They were saying that there is a lot of support in the countryside for parity. I think that a healthy section (*Bell*) they were talking about the countryside, of country society, for whom parity is a foreign word – it is completely unnecessary, there are Polish equivalents – probably misunderstood and thought they were talking about EU subsidies, such as "podymne" [a 17<sup>th</sup> century tax on chimneys] or "pogłówny" [a tax on persons]. Thank you very much. (*Applause*).

**Deputy Speaker Jerzy Szmajdziński:**

Thank you for this information. I give the floor to Deputy Zdzisława Janowska, Social Democracy of Poland (SDPL). Please.

**Deputy Zdzisława Janowska:**

Mr Speaker! Minister! Professor! I am mostly directing my question to the movers, and to the woman in charge. We keep hearing negative opinions. It's a shame that those of you with negative opinions are contradicting public opinion polls. Professor Fuszara presented this data: over 70% of Poles want equality in political life. I think we are lucky that they aren't watching this debate, or they would be really upset.

Despite this, I want to compromise, discuss, act and I am certain that we will succeed. I find it hard to agree with the following

statements, and I will ask Professor Fuszara to respond: Will women really have to be “rounded up”? Aren’t there really enough women? Are women prepared enough? Where will we get them from? Why, if I have worked so hard, another woman can come along and take my place? I would ask you to answer where the women are, what is their activity, and will we truly have to fear that we will have to (*Bell*) round them up on our way to work.

Finally, I wish to appeal to my female colleagues. Let’s try to stand together in solidarity, to pull along more women, that is our role, and others, perhaps out of shyness, are only waiting for this. Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Tadeusz Tomaszewski from the Democratic Left Alliance.

**Deputy Tadeusz Tomaszewski:**

Mr Speaker! Honorable Members! Esteemed Representatives of the Citizens’ Initiative Committee! I personally am in favor of further work on this bill. I believe that this solution will give women greater opportunities at participation in public life, and at being here, in this High Chamber. The Initiative’s Representative who presented the bill spoke of what women’s representation was in the last 20 years in the Sejm, nonetheless there is no information in the justification, and it would be interesting to know whether you have conducted such studies, what the representation of women was in district and township councils, regional councils where lists are chosen. This is very relevant because of the apprehension of some colleagues who believe that with parity candidate lists can’t be filled. If our actions concerning women’s participation in public life are not coherent, starting with communes, through districts and voivodships, then it may indeed be difficult to find the required number of women for parliamentary elections. I wish to say that women’s participation in public life is a guarantee of solid, excellent work. I am honored to work in Parliament with female representatives from all clubs (*Bell*), who can be example for us, men.

Finally, I wish to address one more issue. Deputy Matusik-Lipiec mentioned she obtained a mandate to serve in the Parliament not

because she is a woman, but because she works, and voters noticed her. I would like to tell you that I am a fervent supporter of parity and that I am not afraid of competition from women, because voters always make the right choices, and it is our duty to create such legal mechanisms to allow more women into politics, and here, into this Chamber, too. Thank you. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Kazimierz Moskal, Law and Justice. Please.

**Deputy Kazimierz Moskal:**

Mr Speaker! Honorable Members! Professor! Truly, when it comes to women, they probably feel they are treated unequally, they feel they are discriminated against and if this is so, then it is unacceptable, shameful and even disgraceful, because no type of discrimination should be taking place. Nevertheless, I wonder, Professor Fuszara, if your initiative is effective. Is it really only parity on candidate lists and not during selection, establishment of lists, results and mandates that we should be considering? When we look at the women in the Parliament, they are charming, beautiful, smart, active and there should be more of them here. We could go to the 19<sup>th</sup> century and apply a bizarre system – women, men, 50% of each in the Sejm. This is a digression, a nod to history. But if we are talking about this rule, which cannot be implemented, it seems to me it is dishonest towards our nation. For example, imagine a party or citizens' committee called The Polish Men's Party is founded, women won't want to join it, and how will (*Bell*) this provision be enforced? On the other hand, if a woman has an entirely different perspective than a given party, then in relation to the voters, is this fair or not, if she has to represent herself and women, or the party and its program, this is certainly an important issue. One more thing. Why is there no parity in single-mandate districts in elections for mayors, city presidents and senators, because we ought to mention this. Thank you kindly. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Magdalena Gąsior-Marek. Please.

**Deputy Magdalena Gąsior-Marek:**

Mr Speaker! Minister! Honorable Members! I choose my doctor regardless of whether he is a man or a woman. I expect a competent professional, who will treat me effectively. It matters not what gender a given politician is, only whether he or she is effective. I agree with the statement that there are too few women in politics and that they are indispensable. Actions must be undertaken to encourage them to participate in public life and to create conditions for active participation, not to cram candidate lists by force, as with parity. My voters know me as a deputy from Lublin, and not a quota parliamentarian. Do the Movers not believe that the Constitution, as our fundamental Law of the State, ensures equal rights? And second: Can women not convince their male and female party colleagues and party leaders to feature them on candidate lists, and can they not convince their voters to choose them? Thank you. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Jan Kulas, Civic Platform (PO). Please.

**Deputy Jan Kulas:**

Mr Speaker! Esteemed Movers! Minister! Honorable Members! Every citizens' draft bill, including this draft bill, deserves due attention and careful consideration. This matter ought to be examined, because there is no doubt that we should increase women's participation in public life, namely in commune councils, in the national Parliament and the European Parliament, and perhaps in other structures. There haven't been other sources, other prescriptions until today. But there are exceptions. The Civic Platform, please note, [has] several dozen well-educated, competent and congenial women. And without parity, Plenipotentiary. It is possible. This is the only club, at this stage, that has measurable and concrete results in this aspect. The Civic Platform.

Moving on to my questions, as I understand now is the time.

Plenipotentiary, my first question is simple and complex: How do we make women interested in politics? Do you allow dialogue, compromise, and agreement when it comes to the size of parity? I am referring to what was mentioned on Tuesday during our debate: between 30 and 50%. Will you allow a compromise, or will you say: all or nothing?



Mr Speaker! Ladies and Gentlemen! Apart from this matter, which we will discuss in committee – since we ought to, we should, and such is the situation: two other matters are of importance here. How to increase our electoral frequency and how to convince Poles to choose representatives to local councils, to the state Parliament and to the European Parliament. *(Bell)* And, potentially most important, how to choose better and smarter people? Because in the end it's being good at the job and being smart that we should care about most. Thank you for your attention. *(Applause)*

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Waldemar Andzel, Law and Justice (PiS). Please.

**Deputy Waldemar Andzel:**

Mr Speaker! Honorable Members! As a politician I support women's work in public life, just as men's. But this should not be introduced by force, in a mechanical and administrative fashion. We ought to ask party leaders, party representatives, how many women and how many men are active in political parties. Being active in political life bears great influence on the choice of women and men to the Parliament and to local government. You can see that feminists, whom deputy Izabela Jaruga-Nowacka greeted, are largely behind this project. Even Democratic Left Alliance in parliament and in local government hasn't accomplished women's representation and lacks credibility in this. Elections for deputy, councilor or district councilor and township councils ought to be decided based on qualifications, competence, personality traits and active participation in public life, and all voters, women and men, should decide.

My question is: Won't the representatives of the Citizens' Legislative Initiative Committee seek in the future parity or quotas for specific professional women's groups, and then for various minorities, for example the homosexual minority? Thank you very much.

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Zenon Durka, Civic Platform (PO).

**Deputy Zenon Durka:**

Thank you very much. Mr Speaker! Honorable Members! Professor! My question is short: Are there similar legal solutions in European Union states, and if there are, how are they viewed in practice by opinion-forming circles of lawyers, political scientists, and journalists? Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Henryk Siedlaczek, Civic Platform (PO). Please.

**Deputy Henryk Siedlaczek:**

Mr Speaker! Honorable Members!

The Bill's flagship provision is the introduction of the rule stating that the number of women cannot be smaller than that of men on candidate lists. We are certainly opening a debate that is good and necessary. I would like, nonetheless, in light of the ongoing discussion, to remind everyone that this is, it seems to me, another instance of affirmative action that has been tested, for example, in the United States of America since the 1960s. As shown by the American example, the belief that the problem of inequality can be addressed legally is not merely illusory, but simply harmful. I am personally convinced that a just society cannot be built by these means. I respect, however, the voice of our citizens and so I would like to ask whether we shouldn't learn from the American experience. Should we be taking parity so literally? Won't we somehow end up stuck in some weird percentage-influencing orbit in the sphere, it would seem, of unnatural political-statistical-administrative quasi-effective parity? Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Piotr Van Der Coghén, Civic Platform.

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**Deputy Piotr Van Der Coghén:**

Mr Speaker, Honorable Chamber! What I am about to say will not please you, but I will say it. (*Laughter in the room*)

*(Voice from the room: Please, do!)*

No one can question my attentiveness to women. For the past 15 years I headed the Mountain Rescuers of Poland and I have always believed that gender does not matter, that what matters is the person, their determination, their courage and their skills. Thus, I threw the doors wide open to women in a highly elite, man-dominated division such as the Jurassic GOPR [mountain rescue team in the Kraków-Częstochowa Upland, a region known for Jurassic rock formations – AZ]. The need for women's participation in politics is undeniable. But women also have a special role to fulfill in life, to create a warm home, to give birth to children and to raise them. Therefore, if we want to have women in politics, we need to help them. Let's create a national program to build daycares, preschools and afterschool programs. Without the extra burdens, women will do great on their own, they're excellent. Let's activate female voters. They are the most numerous, and if they all go to vote, they can guarantee a majority of women and rule the country. But why do you want the Sejm to be like a tsar, a benevolent master, who, without helping them, throws them some cheap scraps in the form of embarrassing parity treating them like some poor Papuans who need some special protection?

*(Voice from the room: Hey, don't overdo it.)*

Why not choose only smart people, regardless of their gender? I apologize for the colloquialism that comes to mind here, but what does it matter if voters call a not so clever deputy a complete jerk or a dumb slut? Both invectives, when deserved, take away from the seriousness of this Chamber, and no quotas will change that. Thank you. *(Applause)*

**Deputy Speaker Jerzy Szmajdziński:**

This lectern should not be used for invectives.

Deputy Szymon Stanisław Giżyński, Law and Justice. Please.

**Deputy Szymon Stanisław Giżyński:**

Mr Speaker! Honorable Chambers! Isn't it unfortunate that parity means a *de facto* threat and profanation to femininity through the introduction of formalized legalization of the process of treating

gender as a tool to achieve a political career? Isn't it unfortunate that this organization who claims to represent Polish women repeats the maneuvers of a certain historical formation, when, say 60 years ago, the working class drank cognac with the lips of its predecessors? This representation, by the way, is organically connected to this historical formation, since point 10 of the manifesto of the Communist Party of Poland states the demand, in quotation marks: "reality in equality." And finally, my third question: Can anyone deny, in the context of our discussion on parity, the timeless wisdom of this folk rhyme: "How good, what a great beginning that I am a boy and you are a girl?"<sup>2</sup> Thank you kindly. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

Deputy Jerzy Rębek, Law and Justice.

**Deputy Jerzy Rębek:**

Mr Speaker! Honorable Chamber! Esteemed Movers! Let me begin half-jokingly. As we sit in our benches with our colleagues, we express the hope that perhaps in the near future we will become real stars, since we think that way of our ladies in parliament – beautiful, smart and diligent women.

We have heard many voice their concerns about women's role being diminished. It occurs to me, wouldn't it be better if the movers started their own political party and placed 100% of women on their candidate lists?

(*Voice from the room:* There was one, there is one.)

There is a real possibility, and perhaps then men will seek to be placed on these lists. I think this could be the best solution. It wouldn't raise as much controversy and emotions as we are seeing today for example, during this debate. I therefore recommend to the movers to start a women's party. Thank you very much. (*Applause*)

(*Voice from the room:* But the party already exists: The Women's Party.)

<sup>2</sup> An alternative translation could be: "Isn't it lovely, isn't it swell, that I am a boy and that you are a girl!"

**Deputy Speaker Jerzy Szmajdziński:**

The Party of Women is already registered, so a new one cannot be formed.

Deputy Teresa Wargocka, Law and Justice (PiS). Please.

**Deputy Teresa Wargocka:**

Mr Speaker! Honorable Chamber! Professor! I would like to comment briefly on three matters. Above all, I believe that the opinion polls you have conducted in parallel to this campaign clearly state that Polish society is in favor of increasing women's participation in public life. I fully agree with this stance.

My first comment concerns the fact that there is certainly a division among our community when it comes to the institution of parity. You have assumed the following motto: Women for Poland, Poland for women. In fact, one has the impression everyone is together on this issue. However, websites have published the position of the Forum of Polish Women, an organization active for the past 14 years, grouping 57 women's organizations, and the women of this forum say: No, thank you to parity. We ask for smart pro-family policies, to allow each woman in Poland to choose her path in life, to allow the woman who chooses to care for her children, if such is her choice, the same social recognition and prestige as a female politician.

The second matter I would like to discuss concerns discrimination. This is a question for the movers. (*Bell*) Have you ever received information that in Poland a woman was refused access to a political party or a position on a candidate list? I understand that such signals could be proof of discrimination against women in politics. I haven't heard of such a situation.

Ladies and gentlemen...

**Deputy Speaker Jerzy Szmajdziński:**

Thank you very much.

**Deputy Teresa Wargocka:**

...the constitutional norm speaks of equality without regard to sex, and you are creating a new norm of equality with regard to sex. This is really a major difference. One more question, in defense of men.

**Deputy Speaker Jerzy Szmajdziński:**

Your time is up.

**Deputy Teresa Wargocka:**

Ladies and Gentlemen, the two statements of the Democratic Left Alliance deputies were...

*(Deputy Zbigniew Dolata: It's in defense of men, Mr Speaker.)*

**Deputy Speaker Jerzy Szmajdziński:**

Excuse me?

*(Deputy Zbigniew Dolata: You have to appreciate it.)*

**Deputy Teresa Wargocka:**

...really divisive.

**Deputy Speaker Jerzy Szmajdziński:**

This can't help now.

**Deputy Teresa Wargocka:**

You have divided society into evil men who do not want to let women have power, and good women. In fact, in the history of Poland, women have always had...

**Deputy Speaker Jerzy Szmajdziński:**

Thank you very much.

**Deputy Teresa Wargocka:**

...high social and political standing. In 1918 we introduced voting rights, earlier than the United States, earlier than France...

**Deputy Speaker Jerzy Szmajdziński:**

Thank you for this history lesson.

**Deputy Teresa Wargocka:**

...and England. We do not have to fight men for our rights. Thank you.  
*(Applause)*

**Deputy Speaker Jerzy Szmajdziński:**

Deputy Maria Nowak. I don't see you. Deputy Tadeusz Iwiński. Please.

**Deputy Tadeusz Iwiński:**

Mr Speaker! Honorable Chamber! Dear ladies! The proposed bill is of course no panacea, but it is much needed political vitamin. It seems very useful. It is not perfect, there are errors which we should correct.

It is true, to refer to my predecessor, that women obtained voting rights in Poland more than a generation earlier than in France, and the Swiss have only accorded them in all their cantons a mere 19 years ago. However, we ought to be pioneers.

I have therefore three questions for Professor Fuszara. First, how do you rate the work of this current government and the minister here present, the plenipotentiary for equal treatment, when it comes to parity and quotas? Yesterday in an interview for *Rzeczpospolita* she said that your proposal was just hot air, a fantasy, etc.

Second, are you aware that for the first time during the second democratic elections, Democratic Left Alliance accomplished something historic, specifically in the district of Elbląg, it placed women in the first two spots of their electoral lists and in consequence they both became parliamentarians and later ministers? They were Małgorzata Ostrowska and Małgorzata Winiarczyk-Kossakowska. We must go even further, however.

Third question. Considering that analogous solutions are enshrined into laws in only 5 other European countries – let's hope Poland becomes the 6<sup>th</sup> – what happens if in further readings this proposal is rejected (which is something that I fear, unfortunately)? Do you anticipate continuing in the form of enlarged quotas for specific political parties? (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Nelli Rokita-Arnold, Law and Justice. (PiS). Please.

**Deputy Nelli Rokita-Arnold:**

Mr Speaker! Naturally my questions are directed at Professor Fuszara. I have great respect for everything Polish women have accomplished, women in Poland. I didn't need parity. I have always had great support

from the men along the way, and there were many wonderful women who lent me their support. When I attended the Polish Congress of Women I began to change my mind, I began to wonder if there were so many women who had this problem, shouldn't we, women, give this some serious thought and work to convince men that we can walk the same road with them.

I have a problem. This draft bill that has been proposed does not convince me, Professor. I expect, of course, a serious conversation which hasn't taken place so far, because I would like for this bill to introduce qualitative and not quantitative changes. The mistake was we didn't discuss this sooner.

I wanted to ask Professor Fuszara if she is ready for far reaching compromise, such as, for example, a ratio of 60 to 40, as in other European countries, or perhaps focusing on the first 5 positions. Should we not consider co-financing or supporting those parties and associations that support women, that feature women on their lists? Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Elżbieta Rafalska, Law and Justice (PiS). Please.

**Deputy Elżbieta Rafalska:**

Mr Speaker! Honorable Chamber! Professor! When introducing this draft bill, you spoke of your many years of experience studying participation of women in public and political life. This is where my question stems from. Have you studied the participation or the percentage of women on candidate lists of the three major political parties in the last two terms? This is my first question.

Second. Are you familiar with data concerning the percentage of women's participation in political parties? When speaking about women missing from candidate lists, we forget there is simply a lack of women within party ranks. These women are reluctant to become members of political parties, as if distancing themselves and saying that politics is dirty, that they don't especially want to have anything to do with it. In fact, Professor Fuszara, I hear more often from female friends who ask me how I can stand being in politics, than from friends who are jealous of my participation in it.



My next question. Sweden is currently pulling out of the quota system. Finland has the highest numbers in terms of elected female politicians, despite not having a quota system. The European Commission's report shows clearly that gender quotas alone are not enough, that they need to be accompanied by securing women's presence and position on candidate lists. Is this mechanism sufficient in your opinion? Thank you. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Monika Wielichowska, Civic Platform (PO). Please.

Deputy Monika Wielichowska:

Mr Speaker! Minister! Honorable Chamber! If only gender quotas guaranteed anything. But what? Equality? But we are and will be equal, the Constitution guarantees it for us. If only parity changed anything. But what? It will lead to artificial divisions, and democracy cannot be artificial. If only parity were introduced. What would it change? It's not as if it can remove any barriers. It will push through barriers with fake strength, and lead to a mechanic categorizing of men and women, but we aren't allowed to separate citizens according to their sex. Without this, both men and women can represent society fairly. If only parity existed. So what? It won't solve anything. I want to see more women in the Polish Parliament, but also in every other sphere of life.

To me, introducing parity is like taking a shortcut. Let's choose to change through policies that are supportive of families, in the Employment Code, and women will decide themselves if they want to become politicians, teachers, doctors or maybe show-biz stars. Nothing by force.

Are women who sit in the Parliament and who are professionally active, and those who climb the career ladder, career advancement, are they not proof enough that without artificial support career goals can be achieved? There are more and more of us everywhere after all.

As for seeing more women in politics, I would rather parties choose on their own to include more women and to secure more spots on candidate lists for women. Thank you. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Kazimierz Gwiazdowski, Law and Justice. He isn't here. Deputy Zbigniew Dolata. Please.

**Deputy Zbigniew Dolata:**

Mr Speaker! Professor! Honorable Chamber! In this debate men are on the defensive and every speaker here must justify their stance towards women. I will say that in my high school class there were 28 girls and only 3 boys. At university, again, a majority of women. I really enjoyed it. I went to work. My school's principal was for many years a woman, and after elections, another woman. Today, in the club – the leader is Mrs Gęsicka. I really recommend this, but the parity debate is something else.

I believe that introducing parity is detrimental to democracy, and I will also quote the words of Professor Petrażycki. I believe it is so obvious it doesn't require proof but requires adequate education. Parity democracy is as removed from an adjective-free democracy as is socialist democracy.

In my opinion, apart from being a detrimental solution, it will also be an ineffective one. I would like to suggest how to solve the problem to the representatives of the Citizen's Legislative Initiative. The solution is tried and will certainly be true. It is the curial system that existed in 19<sup>th</sup>-century Galicia. (*Bell*)

(*Deputy Krystyna Skowrońska: What nonsense you are saying.*)

What was it? Voters are divided into curiae, into specific groups, and these curiae choose their deputies from amongst themselves. Women choose women, men – men, inhabitants of the countryside – inhabitants of the countryside, townspeople – townspeople.

I wish to note that we have a huge deficit of deputies from the countryside. There is a great number of parliamentarians from cities. This would be a solution worth considering, as it would be effective, and society would be represented equitably. I think that during further works on...

**Deputy Speaker Jerzy Szmajdziński:**

Thank you for your initiative.

**Deputy Zbigniew Dolata:**

...on this bill in committees it would be worth examining the solutions adopted in Galicia in the second half of the 19<sup>th</sup> century, because it's worth using tried and true methods. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Anna Sikora, Law and Justice (PiS). She isn't here. In that case, Deputy Iwona Guzowska, Civic Platform (PO).

**Deputy Iwona Guzowska:**

Mr Speaker! Esteemed Professor! Dear ladies! Dear Movers! Honorable Chamber! In all honesty, I did not want to speak during this debate on parity, but I was obliged to do so by the women who until last night have been sending me emails, on the one hand respectfully addressing what I have done in life, and, on the other hand, disapproving strongly of my speaking against parity in a public forum.

I wanted to explain why. First, because I have never had to prove anything to anyone and don't have to now. I have always felt a free person above all, who has the right to do what I wish to do. When I boxed, I cut new paths, because it didn't fit with the accepted image of femininity, but I knew how to do it and derive immense pleasure from it, without forfeiting my femininity.

I am aware that women fighting for parity are looking for long-term solutions. They are active women, who want to have a say in politics, in public life. But I cannot believe that 50% of Polish women want to sit in the Parliament. (*Applause*)

Why did I find myself on a candidate list? Because there were so few willing, and I was offered to run with the Civic Platform.

Finally, I have one question for Professor Fuszara. What will be the consequences of not fulfilling the quotas on candidate lists? Thank you. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Andrzej Biernat, Civic Platform.

Please, with gusto. The clock is ticking.

(*Deputy Andrzej Biernat: Women first.*)

A little dynamism, please, don't be shy. Please.

**Deputy Andrzej Biernat:**

Mr Speaker! Honorable Chamber! Dear and beloved ladies! I personally know of no document in Poland, let alone the Basic Law, that would discriminate against women or bar them from anything. Women occupy the highest positions in every sphere of our lives. Mrs Speaker, who isn't here at the moment, does not owe her position to parity but to her hard work and the respect she has earned in this Chamber.

The slogan "equal shares" was popular in the previous regime and has luckily led to its downfall because equal shares don't equal good shares and don't allow for dynamic development. Women have the same rights as men, and even, because of their undeniable charm, have more rights than men.

Today 50%, tomorrow 60%, and the day after 70%. The film *Sexmission*, already mentioned here today, a very charming movie, lays out the vision of a world that has captivated even the two survivors of the male sex, but the final scenes of the movie aren't nearly as rosy.

I have a question that was inspired by Deputy Kamiński from the Democratic Left Alliance, since Democratic Left Alliance's statutes require 30% of women. Three days ago, Mrs Jaruga-Nowacka said on Radio One that there needs to be a law to force the Democratic Left Alliance to abide by its own statutes, a party whose standard claims are parity and solving the problems of women in Poland. *(Bell)*

**Deputy Speaker Jerzy Szmajdziński:**

No, she meant the Civic Platform, not the Democratic Left Alliance. Please...

*(Deputy Jan Kulas: The Civic Platform is doing fine.)*

**Deputy Andrzej Biernat:**

The question arises, should our Sejm be involved in solving the Democratic Left Alliance's internal problems?

**Deputy Speaker Jerzy Szmajdziński:**

Those of the Civic Platform certainly. *(Applause)*

Please finish.

(*Deputy Izabela Jaruga-Nowacka: May I correct this, Mr Speaker?*)

Please, do, because Deputy Biernat is misleading this Chamber...  
(*Buzz in the room*)

The truth will set us all free.

**Deputy Izabela Jaruga-Nowacka:**

Mr Speaker! I would like to correct Deputy Biernat, as he is misleading the entire Chamber. During the debate I said that not only in Poland are political parties withdrawing from this commitment, but also European parties. It isn't true that I said so about the Democratic Left Alliance. Thank you. (*Applause*)

(*Voice from the room: Bravo.*)

**Deputy Speaker Jerzy Szmajdziński:**

It is not good to speak untruths during such a debate, Mr Biernat.

(*Deputy Jan Kulas: You need to prove your allegation.*)

(*Deputy Zbigniew Dolata: Yes, Mr Speaker, but always, not merely now.*)

In this debate especially.

(*Deputy Jan Kulas: Everyone has the right.*)

To what, to lie?

(*Deputy Jan Kulas: To the truth.*)

To the truth.

I give the floor to Deputy Dariusz Lipiński, Civic Platform. Please.

**Deputy Dariusz Lipiński:**

Mr Speaker! Honorable Chamber! Professor! The Constitution of the Republic of Poland says in article 32 paragraph 1 that we are all equal before the law. Paragraph 2 of the same article specifies that no one can be discriminated against in political, social, and economic life for being a woman or a man. There is no doubt that the source of inequalities in the number of representatives of both sexes in representative institutions is not bad law or the constitution, which I have just quoted, nor the electoral law, because they do not discriminate

against either sex. The source of these inequalities is that too few women want to or can become involved in politics. We need to change this practice, and not the law.

The provisions in the citizens' draft bill raise serious constitutional objections. You propose that the number of women on candidate lists not be smaller than that of men. This means it could be greater, and this stands in contradiction to article 32 of the Constitution of the Republic of Poland.

I have a question for the Speaker: Can I table a motion for further constitutional analysis at this stage of the (*Bell*) procedure?

**Deputy Speaker Jerzy Szmajdziński:**

You can present them, they will be referred to during works in committee.

**Deputy Dariusz Lipiński:**

In that case I will bring this motion forth.

Now, however, I would like to ask to ask Professor Fuszara, the representative of the movers, a brief question: Is it true that in some countries that have gender quotas on candidate lists, and where when the required number, for example 1/3, of female candidates cannot be found, they leave a vacancy, which is an asexual being, so it does not affect the number of representatives of either sex, and therefore doesn't solve the issue? My next question is: Will the gender quotas suggested by you resolve this problem, if we cannot find the required number of women and wouldn't it be better if we tried to find ways to remove the reasons for these real, existing...

**Deputy Speaker Jerzy Szmajdziński:**

Thank you.

**Deputy Dariusz Lipiński:**

...barriers, because they aren't found in electoral law? Thank you.  
(*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Domicela Kopaczewska, Civic Platform (PO). Please.

**Deputy Domicela Kopaczewska:**

Mr Speaker! Professor! Let me start with a little history. It is the year 1999, I am running in a contest for a certain position, and I hear: It would be great if our boss were a man. Please guess, who said that?

*(Voice from the room: A woman.)*

Women.

I am convinced that today I wouldn't hear such answers, or such a motion. There have luckily been some cultural, social and media changes. Consequently, Professor Fuszara, you can refer to public opinion and its expectation for greater involvement of women in politics. Isn't it because it is seen as the right thing to say nowadays? Are you not convinced that what we say, and what we do in the voting booth are two different things? What can be done to make these choices identical?

My other question is as follows: What would you consider a success: that this High Chamber adopts the bill in its present form, despite difficulties and problems in its implementation, or that in the next parliamentary election there be many more women in this Sejm without this bill? Thank you very much. *(Applause)*

**Deputy Jerzy Szmajdziński:**

Deputy Izabela Jaruga-Nowacka from Democratic Left Alliance.

**Deputy Izabela Jaruga-Nowacka:**

Mr Speaker! Honorable Chamber! I, too, have a question for professor Fuszara. I would like to ask not about statistics, numbers, but about the significance of this change. In your opinion, did the politics and primary focus of the debate change when women appeared in the European Parliament? Did something that at one point was completely non-political, believed to be in the private sphere, felicitously become political? This is my first question.

I have a second question. We keep repeating that sex doesn't matter, that what matters are skills, competence, qualifications. Could you please define and explain what political competence is, since I keep hearing that there ought to be political competence? I don't know what criteria or competence are considered by political party leaders when nominating someone to a high position. We in this Chamber

know full well that often persons with very limited competence have been offered the opportunity to become ministers. This is something citizens notice too. What is, therefore, political competence?

My third question concerns quotas. Do you not think that adopting a 30% quota or a little above will shut off access to candidate lists for women for years to come? I would also like to know (*Bell*) your opinion regarding internal party regulations: Is the fact that there are no sanctions, external obligations, insofar as the formula of not registering candidate lists, financial penalties for not maintaining this parity – is it more effective than having internal regulations? Thank you very much. (*Applause*)

(*Voice from the room: Bravo!*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Mirosława Nykiel, Civic Platform. Please.

**Deputy Mirosława Nykiel:**

Thank you very much. Mr Speaker! Honorable Chamber! Esteemed Movers! Above all, let me say that if parity will help increase the number of women participating in politics, then I am for, but I do believe that in order to attain this goal we need a complex program. What kind of program am I talking about? Mostly internal party regulations, education and all kinds of support for women, creating the conditions for women to fulfill our beautiful biological role, I am referring here to more daycares, preschools, within reasonable distance from home and work, as well as education to promote the creation of partner relationships within families. A few other program ideas could be added to this list, and I believe that only a complete set of solutions will help us to reach our goal of increasing the presence of women in politics.

My question to the movers is as follows: If the movers share this approach to program solutions, do you declare further support for further action to increase the participation of women in politics? Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Ireneusz Raś, Civic Platform (PO). Please.



**Deputy Ireneusz Raś:**

Mr Speaker! Honorable Chamber! Civic Platform proves that it deals with the issue in a natural way, and this is confirmed by all possible studies. I wouldn't want this debate to ask questions which address issues, areas of public activity that the citizens' proposal does not cover. This creates the false impression that the concern is a little false, since there is no address of communes of under 20,000 inhabitants where women's activity is minimal. Majority ordinance is the rule in such places, and the majority of the Civic Platform's politicians support this election model precisely: single-mandate voting districts. How do you assure women's participation in politics then? The matter of Senate elections remains as well.

I also have a technical question: what will happen if – as is common practice – the committee has to move for a female candidate to be withdrawn from the list per that candidate's own request? Will a man also need to be withdrawn then? Because in practice this would make this initiative, if all these barriers aren't removed, simply unrealistic and unreal, not to mention its constitutionality.

I would also like Professor Fuszara to address one more question. I was incensed to read in *Gazeta Wyborcza* on December 21, 2009 that Professor Wiktor Osiatyński, the creator of these provisions, had declared that “Smart parties that care about the dignity of women and men approve of gender quotas, and mongrel parties don't.” In my opinion this needs to be addressed somehow here. I would kindly ask you to do so. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Mirosław Pawlak, Polish People's Party. I do not see Deputy Zaremba.

(*Deputy Krystyna Skowrońska: She might be in committee.*)

Please.

**Deputy Mirosław Pawlak:**

Mr Speaker! Honorable Chamber! Professor! When examining the proposed bill closer, and without emotions, we see that it harms not only the foundations of democracy, but especially women themselves. Indeed, it would bring back to the Polish legal system candidate

lists from the so-called Contract Sejm, when points for origin were counted when applying for university.

But since we are talking about the proposal, a few questions: What happens if a candidate list has 90% women and one man, and voters choose the man. What happens to the other mandates?

Question two: What is the legal obstacle to creating a list made of women only?

And finally, what if no woman agrees to run in a small district? Will all these mandates not receive seats, or will these elections be nullified by law? Thank you. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Bożena Kotkowska, Democratic Left Alliance. Please.

**Deputy Bożena Kotkowska:**

Mr Speaker! Minister! Professor! Honorable Chamber! There is no doubt I support the parity bill and will vote in favor; however, I do have a question for the Minister.

Minster, in connection to your statement during the women's congress in the Podbeskidzkie region that Polish women should be glad not to be living the lives of Afghan women, who must drench themselves in gasoline and set fire to themselves to protest cruel treatment, I would like to ask if you are familiar with the achievements of women in the 21<sup>st</sup> century and what have you accomplished during your tenure to ensure the equal status of women and men? Thank you very much. (*Applause*)

(*Deputy Jan Kulas: That was not elegant.*)

**Deputy Speaker Jerzy Szmajdziński:**

I give the floor to Deputy Piotr Polak, Law and Justice (PiS). Please.

**Deputy Piotr Polak:**

Mr Speaker! Honorable Chamber! Minister! Ladies and gentlemen of the Citizens' Initiative Committee! Does anyone addressing the Chamber today negate the fact that there are too few women in public life? No. None of the clubs have denied it. Numbers saying that 20–30% of women take part in politics are the sad reality. But does

this analysis really allow us to conclude that women's participation in politics is being blocked, that democracy in Poland, as we heard, is crippled, that true democracy requires parity? No. No responsible person in Poland today would say that women's participation in social life is blocked, that our democracy is crippled.

Article 32 of our Constitution guarantees that such a situation cannot be, speaking of the equal rights of women and men in political and social life. In my opinion the problem lies with the lack of internal conviction of women and their lack of desire for increased activity in social and political life. But should we and can we address this lack of will through legal provisions? I think not. Women should be active socially and politically, because they cannot solely be good wives and mothers, women also need self-realization in the social sphere, but the road to achieving this lays in providing good working conditions, good conditions for motherhood and family life, conditions that will yield greater activity of women naturally. (*Bell*)

Dear ladies! We love you and respect you for being women. Become politicians and activists out of inner conviction, determination and not due to the requirements of this or that parity, this or that legal provision. Thank you. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

Thank you. We are nearing the end. Deputy Krystyna Skowrońska, Civic Platform.

**Deputy Krystyna Skowrońska:**

Mr Speaker! Minister! Professor! Honorable Chamber! Above all, effectiveness – in politics too we need to be effective, therefore I would like in this debate about issues that matter, parity, to discuss separating two things – the issue of how to help women to perform their important work within the family, that is first (daycares, preschools, support connected with the Employment Code), and second, the issue of women in politics. In politics effectiveness counts, and therefore this initiative, if it was undertaken, if it was desired for citizens to sign it, the goal was to be effective. I ask therefore: When submitting this project, did you assume that this initiative will be a great step towards a serious conversation about how to involve women in politics? I ask therefore: When submitting this project, were you

counting, knowing about the involvement of women in political parties, how many women are there on candidate lists, that the 50/50 solution would be best, if a quota would be best? When promoting women, did you ask yourselves whether and how placing women on candidate lists means promoting women?

And last, concerning today's debate. To all these (*Bell*) who spoke of the harmfulness of this debate, I would like to say: Let us go back to the debate in which women spoke of receiving the right to vote. Certainly, this debate is different, it takes place at a different time, but we should be discussing how to involve women, how to encourage them so that they seek out politics and that there are more and more women, and not to present a target model. I think this is my main question for Professor Fuszara. Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

And lastly, Deputy Stanisław Pięta, Law and Justice.

**Deputy Stanisław Pięta:**

Mr Speaker! Honorable Chamber! All kinds of affirmative action are nonsensical. Points for working class-farming background under Communism, points for skin color in some American universities – these only embarrass the initiators.

I would like to say this: I don't think that gender ought to be a criterion here. I understand talent, diligence, commitment, service for the Fatherland – those are criteria we can take under consideration, and this project, inconsistent with the Constitution, inconsistent with the rules of democracy, inconsistent with common sense, simply denigrates women. I would like to know if you have taken this under consideration. Women don't need any form of extra leverage. The excellent sportswoman, Deputy Iwona Guzowska of Civic Platform, spoke here earlier. She gained success without any artificial forms of support. I think this means something. Thank you kindly. (*Applause*)

(*Deputy Joanna Mucha: The exception proves the rule.*)

**Deputy Speaker Jerzy Szmajdziński:**

The initiators have now become acquainted with the full spectrum of opinion in our Chamber. There are no more names on the list of deputies who have registered to ask questions.

First, I give the floor to the Plenipotentiary for Equal Legal Status, Secretary of State in the Chancellery of the Prime Minister, Elżbieta Radziszewska.

Please.

**Plenipotentiary for Equal Legal Status, Elżbieta Radziszewska:**

Mr Speaker! Honorable Chamber! Esteemed guests! There is no government position on the citizens' draft bill, therefore I would like to present my opinion, though in limited fashion, since most of you know what I think about the legal use of quotas and parity.

We all see those areas in which women are subject to discrimination, that they have a harder time starting their professional lives, and then combining the role of a mother with that of a professionally active person. This is the case in many areas and we should all be thinking about the tools, the instruments we could use to successfully remove these obstacles from women's lives. During today's debate many opinions were voiced on this subject, and I think that even though it is a pretext in some sense for discussion on this matter, it is a very important thing. Because it matters what types of effective solutions to introduce, and in what way, so that women no longer say: "It is much harder for me than it is for a man." We need a good diagnosis of the situation so that we know why women don't become involved in various aspects of social life, public life, including politics. Why is it that some women, even if they wanted to get involved, think they wouldn't have equal chances? It's important we answer the question how to free women, how to ensure they have time to participate in whatever type of activity they want, be it political, or outside of the home. It is important, however, not to introduce something that will lead, to use a colloquialism, to a war of the sexes, because women and men are not separate social groups.

The Constitution, if it guarantees equality, refers to equality of similar subjects, namely the equality of subjects such as women and men. That public opinion supports solutions that promote women has been known for a decade, since Professor Fuszara conducted similar opinion polls 10 years ago, and the results were published later, two years ago, by the Institute of Public Affairs.

This has shown Poles' wisdom for over a decade, since Poles want this. Only those tools and instruments need to be introduced that

would allow women to become more active in the fields they choose, allowing them to decide, leaving this up to internal family relations, so that they have the ability, if they wish to. Indeed, and this was mentioned here today, even within the framework of politics, we all want our representatives in the Sejm to be simply good lawmakers, regardless of being male or female, to competently perform their duties in the Sejm, or the Senate, whether male or female, does not guarantee wisdom, competence, or efficiency. All that matters is that we have wise parliamentarians, female and male.

Personally, I believe this model of gendered democracy, taking short-cuts, is unwise as it places us on the other side of the barricade in a completely artificial manner. And to the initiative presented by the citizen's committee, I'd like to quote a sentence from an opinion by Professor Banaszak about another project presented by the same group: It is clear for every lawyer that even passing the best law does not lead to change in the real world. Multilayered actions are needed – economic and educational. Achieving real equality between women and men by passing a single law must surely belong to the realm of wishful thinking. And I agree with this opinion. We need to work for the next 20 years, because I believe the last 20 years were wasted, and that every government in turn failed to do enough to alter our way of thinking. I believe, like Deputy Kotkowska, that there are matters that need addressing in Poland, concerning women and men, which are very important. We do not have the same problems as women in other countries, where infant girls are murdered upon birth, as in Vietnam, or where young Afghan girls set fire to themselves to escape domestic violence. Representative Kotkowska has misquoted me, because we in Poland have other problems, which are important to us, but we cannot pretend not to see the problems women face in other countries. Female solidarity, which doesn't really exist in Poland, demands from us that we remember the women who are horribly mistreated for no reason in other countries.

To return briefly to one item, I want to add that although I am critical of compulsory legal solutions, I am in favor of effective affirmative action. I do not, therefore, speak as critically about them as some people from feminist circles. Let me quote a woman from Kraków, someone I know well, Anna Lipowska-Teutsch, who has said the following about the divisions within the feminist world. Teutsch

calls the Congress of Women collective hypnosis conducted at a low cost with great political marketing. She says the same of herself. I am not an opponent of political battles. Politics is in everything, in this too. We are all aware that the group promoting the statutory solution today, is a political group, and we don't need great trackers or spies to discover this. Those who are on the left in this Sejm must be on the defense in regard to those who are outside of the Sejm, even though among today's Movers there are those who have experience in former years in government. And I deny no one the right to their opinion, because this is what tolerance demands of us, and tolerance is the patient hearing out of other people's opinions. I am not taking away anyone's right to express different opinions, but if today, as Representative Raś reminded us, one of the gentlemen who calls himself a feminist and is one of the initiators of the legal act we are discussing here, says, I think after all with a lack of objectivity, that this project is constitutional, that wise parties will support it and that mongrel parties won't, then this shows his attitude to people who have other opinions than him, because parties are not UFOs, parties are people, parties are women and men, who have the right in the name of their constitutional values to express their private opinions on every subject. And here we are even dealing with the undermining of someone whose opinions are different from that of Professor [Osiatyński]. This is not tolerant, or respectful of differing opinions.

I am counting on your understanding, because this matter is important to me, and I am glad of this debate regardless of the tone it is taking since this discussion is both ideological and political. It doesn't matter what we call it because for women in Poland it is important. I would like us not to forget, in the midst of this debate, of this parliamentary work, this political battle, the most important aspect and that is the introduction of equal rights for women in all spheres of life, in practice, in reality, since statutes can be beautiful, any written law, but their implementation can be worse, and this sphere of action cannot be eliminated by any statute. We must ensure together, without separating into women and men, into those who think left or those who think right, that the rule of equal treatment is respected. Specifically in regards to women, because this kind of affirmative action that was debated today here ought to be introduced for the elderly, who have a lot of free time, a great deal of life experience, and

for the young, who have just graduated university, and whose chances are worse, even though they are full of energy, full...

*(Deputy Jaruga-Nowacka: Towards women and men, the elderly and students.)*

...of good emotions and want to throw themselves into public work, often without remuneration, just to be noticed. There are people with disabilities, as Representative Libicki mentioned. This is about not losing track of what is important to all of us. However, these actions that will change our Polish reality, require not half a year, not two years and not even five. This is very arduous, positivistic, educational work, convincing those who disagree that they are wrong. For their type of thinking often leads to harm, discrimination and disregarding of equal rights. Irrespective of who we are, we are all equal, and the Constitution guarantees it.

One word only for Mr Speaker. I heard Mr Speaker was incensed but I was present during the debate on the radio, and I want to quote the words of representative Jaruga-Nowacka that I have requested be printed off the website of the Polish Radio: "There cannot be merely internal regulations, because they have no sanctions attached to them, and they do not work. Numerous parties, my own ex-Labor Union, currently Sojusz Lewicy, also have recorded gender quotas, only leaders, politicians always seek excuses so that there aren't good electoral opportunities for women and specific numbers of women" – this is an exact quote. So Representative Biernat was right, Representative Nowacka. Thank you very much. *(Applause, commotion in the room)*

*(Deputy Jan Kulas: Pity, it was a quote.)*

**Deputy Speaker Jerzy Szmajdziński:**

This was the Minister's stance. We heard something quite different from the Prime Minister. It's hard to keep track.

The Representative of the Citizen's Legislative Initiative Committee, Mrs Małgorzata Fuszara will now address the Chamber. *(Applause)*

**Representative of the Citizen's Legislative Initiative Committee  
Małgorzata Fuszara:**

Mr Speaker! Honorable Chamber! Ladies and Gentlemen! It has been a while since I was last in our Sejm, and I am a little unaccustomed to



answering questions asked by people who have already left, but I understand such is the practice here. (*Applause*) But I will try my best to respond to various questions, grouping them around specific issues, as it would be difficult to proceed otherwise.

I wish to thank the Minister for referencing my studies. It seems to me that my right to voice my opinion on this issue stems among others from the years I have devoted to the study of women's participation in politics and in public life. That is why this proposal is dear to me, and that is why I am very proud, and I want to underscore this once more, I am proud the moment has come, and I can present this proposal in the name of 150 people and many more...

(*Deputy Elzbieta Rafalska: Thousand.*)

...150 thousand people and many others who support us. (*Applause*)

I want to mention – since the Minister said this isn't something we can change quickly, or even within 5 years – who wasn't there with us at the Congress of Women, I want to say that the Congress of Women was created among others because there were practically no women present and they were barely involved during the official celebrations of 20 years of democratic change in Poland. We realized that a serious debate among women about what we lack in our democracy hadn't taken place. The Congress of Women created that opportunity for the first time for women to discuss among themselves what they would like to see implemented, and what it is about. The demands of the Congress of Women take up 30 pages. I truly encourage those who think that all our discussions centered only on gender parity to visit the website and see how wide these demands are. We have decided that the lack of political representation of women lies at the root of these problems, since we need to be present when decisions are made, in order to influence these decisions. This much seems clear.

I am very glad that the Prime Minister, in his own name, not that of the government, or of his party, has said in an interview with *Gazeta Wyborcza* that he is personally in favor of equitable solutions, perhaps not 50%, but 40–60%, if I recall the interview correctly, and perhaps not straight away in local elections, but in the next elections for local government. That irrespective of this debate, he will ensure those numbers are respected within Civic Platform. We remember

this, Mr Prime Minister, and we will be counting on this to happen, as we believe that support for our proposal stems from this naturally.

A great number of notes that were brought up here are to my surprise directed by you at yourselves. I cannot answer for you why you still haven't passed laws about daycare and preschool, because you should have done this a long time ago. Our diagnosis is that perhaps this is because there are so few women in decision-making bodies that these proposals, regardless of which political party and which government they originate from, are considered of little importance or little weight, and aren't placed high on this Chamber's list of priorities. These past 20 years have convinced us this is the problem and that is why we have decided to do something to allow for priorities in politics to shift.

There were many questions concerning representation at the local level, whether there would be enough women candidates. I want to say that I have also conducted studies at the local level, at the level of the county council. The situation is interesting in Poland, as only a few people know probably that in some councils, women are the absolute majority, while there are some where there is not a single woman. And for years this system has been reproduced, where no woman is a councilwoman. However, there is a group of councils where women are in the majority. I have studied these councils specifically, because if we want to find out whether women's participation changes anything in politics, then we need to seek our answers in those places where women are present. According to both women and men who answered our questions, filled out our questionnaires, women's participation changes priorities, changes the way these institutions work, positively influences the development of qualifications. I could talk about this longer, but my time is limited I believe. I can refer you to my publications, and I will be happy to make appointments to discuss this and will gladly share all of my knowledge on this topic with anyone who is interested in actions to promote women's participation in politics. I want to say that therefore I personally declare that I am ready to talk with anyone, from all political factions, about increasing women's participation in politics, and the ways to increase women's participation in politics. But my role here is different. I represent a Committee that has brought to you a proposal for which they (men and women) have gathered 150,000 signatures.

Therefore, I believe that you do have – I cannot position myself as someone who has room to negotiate – that is, room to negotiate regarding the ways to introduce a system of quotas or parity.

Some questions that were raised concerned other countries. I mentioned this in my speech, but I am happy to elaborate. Belgium for example had such a system, which was a progressive system, it was planned from the beginning that way, which was no less than 1/3 of women, as this is the threshold for gender neutrality, and which reached 50% on candidate lists over several years. The results achieved were splendid, and here is my answer concerning placement on candidate lists. Of course, it is a crucial matter. I said in my speech that we are counting on fair play and that you, without the help of legislation, will not allow women to be stuck in ineligible positions, in the middle of candidate lists. Of course, we are not naïve, and we know that there are ways to attempt boycotts of such a system, but we count on politicians, legislators, and political parties to remember that both the spirit and the letter of the law matter. And I don't mean that if we don't put down the law for women and men to share top positions on candidate lists then everyone will quickly abuse and ignore it. That is why we are proposing a parity bill, since, as I said, the elections in 2001, nearly 10 years ago, women's representation has plateaued at 20%. No other mechanisms have been effective here. And here we need to refer to the structural roots of this situation, as described and identified in scientific publications. These roots have nothing to do with my coming out here in front of you and saying that I became a professor, or someone became a deputy without any preferential treatment, because that is beside the point entirely. If those who have reached the highest positions never asked for equality for those who haven't succeeded in obtaining those positions, there would be no progress... *(Applause)* Therefore, we are duty bound as citizens in a democratic country to claim the right for women not to have to put in more work than men, and for women who are equally qualified or more qualified than men not to be pushed out by men because of their sex.

That there is a provision in our Constitution, that there are norms concerning equality of women and men, doesn't mean, as with other laws and other norms, that there cannot be laws to specify these rules. Arguing that something is in the Constitution and that's the end of

the discussion doesn't hold water. Everything that is in the Constitution is then spelled out in laws. And these laws are passed by the Sejm. Therefore, we move to specify this norm.

I want to point out to you that the goal of our proposal is to obtain equality on candidate lists and thus concerns all these elections that are held based on candidate lists. We want indeed, according to the rules of democracy, for everything to be based on individual choice. I would like to move directly to questions concerning other systems with indirect representation. Are there any attempts to level the playing field for women and men? There are. They are implemented and they are discussed. Usually, it goes like this (this too should be discussed at length, separately): There is a rule stating that there is number of people for the party to choose from, but it must be equal for women and men. There are rules where voting districts are selected in pairs, and each district must be headed by a woman and the other by a man. If only there is a will – and I return to this again: political will is decisive.

There was also a group of questions or arguments trying to undermine our proposal from a constitutional perspective, and the rule of equality. I will repeat again that we have extensive opinions by our country's top constitutional scholars, some who have authored this Constitution, that this proposal is constitutionally sound. I understand there are other opinions. These opinions were not referenced by the Minister. I won't address the fact that, if there are differences, then it so happens that only these opinions are presented to the Sejm that are against this proposal. However, if opinions are divided, then we know that you, as politicians, as our representatives, will decide on this matter. We can never expect that if constitutional experts differ in their opinion, they will eventually agree. Consequently, it is a matter of political will. Certainly, in Europe, in France, such a solution was questioned, and the Constitution was changed, because it was believed that if it needed to be changed to ensure equality on candidate lists, then the Constitution had to be changed. Or we could follow Spain, where quotas were introduced, and the case was brought to the constitutional Court, where the provision was very similarly worded as in our Constitution, and the Constitutional Court ruled that quotas were constitutional. When turning to examine other legal systems within the European Union, we can find different examples.

Aha, I wanted to touch upon one other matter. As I have said here several times, what we want is to ensure equality on candidate lists. This is not about preferential treatment for women. Our justification does have indeed – we were convinced to do so by our constitutional experts – that in cases where candidate lists have odd numbers of candidates, then there should be “half a woman” more, in order to show that we are breaking through the current mold. No one, however, is forcing parties or committees to have lists with odd numbers of candidates. Everyone can prepare an even number of candidates. I do not wish to discuss legal details, but the law is constructed in a way that allows this.

Even if we suggested preferential treatment of women, then it would be in compliance with the Convention on the Elimination of All Forms of Discrimination Against Women, which Poland has ratified many years ago. We are bound by it since the 1980s, and the Convention clearly states that temporary measures to address existing inequalities, discrimination, are means we accept. We have ratified this Convention, and I don't understand where all these questions, attacks, fears that suddenly women will push out all the men in this room because of this mechanism, come from and what legal doubts can there be? This bill is exceedingly simple from a legal perspective. It can be construed slightly differently, or just like we suggest, but really it all hinges on political will, and this bill could pass within two weeks as there are very few aspects here that need solving from a legal perspective.

There was a whole group of questions – I believe I have answered them in part – addressing the issue of whether we, the Congress of Women, the Legislative Initiative Committee, focus solely on equality, this aspect of equality and inequality that is equality in politics. I would like to state that this is not our sole goal. In the political sphere our aim is to monitor how quickly this bill will be passed, since I have no doubt it shall be passed, regardless of the political party or committee. We intend to monitor gender equality on candidate lists. We intend to support women in election campaigns, regardless of which political party they represent, because it matters to us.

I do not understand arguments that claim that egalitarian solutions are offensive to women. It means that what isn't? Discrimination isn't offensive? (*Applause*) A small number of women in Parliament

isn't offensive, but equality will offend women? This is truly bizarre reasoning. I find it hard to fathom anyone using these arguments. I am deeply offended as a woman that our representative bodies have so few women in them. I don't understand how I could be offended that there will be equal distribution of mandates between women and men as a result of elections and the removal of barriers which prevent women from participating. (*Applause*) I also cannot understand why some said that this would lead to having unqualified women on candidate lists. I have said this in my speech, and I wish to underscore this again, this is also to answer the question about political qualifications, the only measurable qualification a political candidate has is his or her education. Everything else is discretionary, we have not developed any rules. Perhaps it is time to set these rules down, rules that are transparent, as it is being done on the labor market, where a person's qualifications decide whether they are awarded a given position. If such rules are devised, we can discuss them. Currently women in Poland are better educated than men, therefore saying that we won't be able to find enough qualified women is offensive to women. Does it mean there are no qualified women? And if they don't want to participate, then the question should be: Why? Since it's not about what's wrong with women, what is so wrong with politics that women believe it is dirty, unfair, etc.? We should change politics, shouldn't we? (*Applause*) Whereas it seems impossible to me that we won't find enough qualified women (and there were a great many questions asking what if we can't). So many countries – we mentioned this already, over 40 – have quotas and some parity. They have found qualified women. Poland will be the exception? Are we the only country without qualified women? There are qualified women in Spain, in Belgium, in Macedonia, but not in Poland? This is absurd reasoning, in my opinion. It is impossible that there aren't enough qualified women in Poland, and that only in Poland women don't want to take part in politics. These countries have gone through this, and it seems logical that Poland must go through this too, or else we will remain frozen at 20% for a very long time.

Since our goal – let me stress this once more – is equality and ensuring equal opportunities for women and men in politics by all means, I can say in my own name, and, to the extent I have read correctly the intentions of those women and people who have discussed

women's political representation during the Congress of Women, and all those who participated in this, we will welcome with great joy, myself certainly, all party solutions, all trainings, solutions whereby in half the districts the first position will be reserved for women, in each district the second position will be reserved for women. This is all great.

I will say again that I represent the draft bill for which we have collected signatures, and which is a citizens' proposal, and that in my opinion these matters are complementary and that if a political party introduces this regardless of the law, then it won't have any problems, it won't question our qualifications, where to find women etc., because it will do it nonetheless. This is about convincing those who resist.

One of the deputies here asked what would happen if there was a men's party, which would have a program in which women wouldn't want to participate. What sort of program? One that discriminates against women and that's why they wouldn't want to be part of it? I simply cannot imagine a situation where a party's program is rejected by half of our society, since this is what this scenario would entail.

We have heard many talk, and some rhyme, about how we are girls and boys. Precisely. If we are men and women and we are different, then this difference needs to be reflected in representative bodies where important matters are decided. This concerns us all afterwards.

I want to stress once more that if someone claims that this is unimportant, then they are claiming that the experiences, the perspectives and points of view of half of our society, of women, are irrelevant when making decisions. We protest this view. We believe it matters extremely, and we believe that's why we need more women in politics. *(Applause)* I believe this is the main question I would like to answer. There were some specific questions. I understand that if this High Chamber refers this proposal into Committee, we will discuss it then.

Will it not block registration? Like every other condition, this will block registration if unfulfilled. If there aren't enough women, you must shorten your lists. There are many solutions which were employed by those countries that have introduced quotas and parity.

I want to stress this again, unfortunately we are not part of the avant-garde. We would be the 40<sup>th</sup> or 50<sup>th</sup> country to introduce quotas, and it is easy to look at what's been done. I think that the fact that we

*First Reading*

are not part of the avant-garde doesn't mean we have to be the last, because if we wait a bit, not only Rwanda will outpace us, not only will Macedonia outpace us, the whole world will outpace us, and we will only be proud of what happened in 1918. I wish we could be proud also of what is taking place now. Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Szmajdziński:**

Thank you, Professor.

I close the discussion.

The Speaker of the Sejm, having consulted with the Presidium of the Sejm moves for the Sejm to refer the Citizens' draft bill amending the Act on elections to the Sejm of the Polish Republic and the Senate of the Polish Republic, the Act on elections to city council, county council, and regional assembly, and the Act on elections to the European Parliament, on the topic of the introduction of gender parity in candidate lists to Extraordinary Committee in order to examine certain aspects of Electoral law. If I hear no opposition, I will assume that this Sejm agrees. I hear no opposition. Thank you very much, Professor. Thank you to the Representatives of the Citizens' Legislative Initiative Committee. Three-minute technical break.



# Second Reading

November 24, 2010

## **Deputy Speaker Stefan Niesiołowski:**

We move to consider point 12 of the daily schedule: The report of the Extraordinary Committee on the citizens' Draft Bill Amending the Act on Elections to the Sejm of the Polish Republic and the Senate of the Polish Republic, the Act on Elections to City Council, County Council, and Regional Assembly, and the Act on Elections to the European Parliament, on the topic of the introduction of gender parity in candidate lists (Sejm papers no. 2713 and 3577).

I ask the Committee Rapporteur, Deputy Halina Rozpondek, to address the Chamber. The floor is yours.

## **Deputy Rapporteur Halina Rozpondek:**

Mr Speaker! Honorable Chamber! In the name of the Exceptional Committee for the examination of draft bills of electoral law I am honored to present a report about the citizens' draft bill amending the Act on elections to the Sejm of the Polish Republic and the Senate of the Polish Republic, the Act on elections to city council, county council, and regional assembly, and the Act on elections to the European Parliament, on the topic of the introduction of gender parity in candidate lists (Sejm papers 2713 and 3577).

The debate on the need to increase women's participation in politics is an old one in Poland. It is a key issue in terms of increasing the quality of our political life and the ability to solve women's fundamental problems pertaining to jobs, family, raising children. Women are more and more active in the professional sphere and in public life. This increased activity must be harnessed for use in politics.

In his message on the World Day of Peace in 1995, the Holy Father John Paul II noted the beneficial influence of women's increased presence in the social, economic, and political life of nations at the local, national, and international levels. I believe today there is no need to argue for this, but instead to consider ways in which this activity can be stimulated, how women can be motivated and

encouraged to participate further in politics. Today's debated draft law is exactly such a proposal.

The Citizen's Committee of Legislative Initiative Time for Women has initiated this bill. This bill recommends the institution of gender parity on candidate lists for the Sejm, all levels of local government and European Parliament. It has prepared the relevant provision in the law, adding the following paragraph: The number of women on the list cannot be smaller than the number of men, except for special elections for councils in cities of up to 20,000 inhabitants. Another provision in all the mentioned electoral laws concerns district election committees, which issue documents accepting candidate lists, if the quota has been fulfilled as per the bill. Consequently, not abiding by the quota means not registering a list.

The movers of the draft law justified their project by referring to article 33 of the Constitution which discusses the equality of men and women in all spheres of life, as well as the same right to occupy positions as men, to perform functions and obtain public positions. They noted in their justification that although women make up a permanent majority in our society, their participation in the elected groups coming from general elections to public power is definitely minoritarian.

The draft law, I wish to underscore once more, refers to elections to the Sejm, city council, county council, and regional assembly and the European Parliament, where results are established based on proportionality, although there was a constitutional error here, namely parity was anticipated for elections to boroughs of up to 20,000 inhabitants. The parity requirement will not apply to Senate elections, presidential elections and for single-positions in executive organs of self-government.

The first reading of the citizen's project took place during the session of the Extraordinary Committee on February 18, 2010. After a lively debate the project was forwarded to the Special Committee for discussion of some acts in terms of electoral law. During these sessions, emotional discussions were held about the need for parity and the absence of this need, as well as the compatibility of the draft law with the Polish Constitution. The committee called upon experts who were to analyze the draft law. On July 8, 2010, the extraordinary committee formed a subcommittee to look into the citizen's draft bill

amending the Act on elections to the Sejm of the Polish Republic and the Senate of the Polish Republic, the Act on elections to city council, county council, and regional assembly, and the Act on elections to the European Parliament, on the topic of the introduction of gender parity in candidate lists, which looked into legislative-technical aspects, and proposed amendments.

Two main amendments, of the parliamentary club Civic Platform and Deputy Marek Borowski, concerned the reduction of the quota from 50% to 35%, and the importance of the composition of the first three spots and the first five spots on the list. The first three spots, MP Borowski suggested, should be 2 to 1, it does not matter which way, and the first 5 spots, 3 to 2. An amendment was also put forth concerning the consequences of a withdrawal by a candidate from the list, to ensure the order is maintained in such cases.

The discussion revolved around the constitutionality of this citizens' project, with varying opinions among experts and participants. Some argued it went against the Constitution, claiming that it would endanger equality, others thought there is no basis for such conclusions. The work of the Extraordinary Committee and its subcommittee resulted in today's report on the amendments to the draft of the law. Above all, the title of the draft law was changed, and is now: Draft Bill Amending the Act on Elections to City Council, County Council, and Regional Assembly, and the Act on Elections to the Sejm of the Polish Republic and the Senate of the Polish Republic, the Act on Elections to the European Parliament. The preamble was cast aside, as a preface to a legal act, since it was deemed unnecessary for this type of bill. The order of articles was changed, beginning with the earlier laws. In Article 1 concerning elections to city councils, county councils and regional assemblies in article 98, paragraph 2a was added as follows:

"Lists, mentioned in paragraph 2 pt 2:

- 1) the number of female candidates cannot be smaller than 35% of the number of all candidates on the list;
- 2) the number of male candidates cannot be smaller than 35% of the number of all candidates on the list."

This means a change in relation to the citizens' project, in which parity was 50/50. The committee members decided that the idea of a quota or parity needed to be implemented, and decided to change

the number to 35, equal for men and women. Should the need arise, these quotas will be incrementally increased. The provision was not substantively changed which says that in order to register a list of candidates, the established quota of 35% women and 35% men needs to be kept. The same changes are recommended by the Extraordinary Committee in relevant articles and paragraph of Act on Elections to Parliament of the Republic of Poland and the Senate, and the Act on elections to European Parliament in articles 2 and 3 of the draft law.

The committee did not agree with amendments suggesting names of men and women be introduced interchangeably, one after the other on lists, and the amendment considering the need to guarantee fulfillment of the quota in the case of a candidate's resignation.

Article 4 of the proposed law regulates transitional rules. Rules in articles 1–3 are to be used in elections ordered after 6 months from the bill's entry into law, with the reservation that for the new special election and by-elections to organs of local government of all levels during the term, during which the bill came into life, rules now apply.

I would like to stress again that the bill agreed upon in committee and subcommittee meetings is to be applied in elections in proportional districts. In the Senate elections, in elections to executive organs of local government and boroughs of up to 20,000 inhabitants quotas will not apply.

Mr Speaker! Honorable Chamber! The Extraordinary Committee presents this High Chamber with a report from many months of debate, and a consensus for suggested solutions. All participating clubs have approved the submitted report, which provides a chance to increase women's participation in candidate lists and consequently, in politics. There are other needed actions, which I would call work at the base, to encourage women to become candidates in eligible functions, but this is up to parties themselves and NGOs. In the name of the Extraordinary Committee I would like to move for passing the draft law submitted in this report. Thank you. (*Applause*)

**Deputy Speaker Stefan Niesiołowski:**

Thank you very much, Deputy.

Parliament has agreed that on this point of our schedule we will hear 5-minute-long statements in the name of our clubs. I open the debate.

I give the floor to Deputy Agnieszka Kozłowska-Rajewicz, Civic Platform.

**Deputy Agnieszka Kozłowska-Rajewicz:**

Mr Speaker! Minister! Honorable Chamber! There are not enough women in politics. This impacts mostly the quality of politics, where not all socially vital perspectives are being considered. Women's experiences, which in our culture are so divergent from those of men, are needed in politics as much as those we already have. Priorities and sensitivity to specific types of problems connected with life and professional experiences are reflected in the creation of laws and execution of power at the national and local levels. In order to govern well, to progress, we need women at all levels of government as well as men. John Paul II spoke of this in 1995 in his declaration on the 28 Day of World Peace. He said not only that the increase of women's numbers in politics is beneficial, but also that the process remains unfinished. Therefore, we do not ask: if, we ask: how?

The citizens' draft law, which we call the parity law in short, suggests solving the problem of the small level of participation of women in politics by introducing gender parity on candidate lists. Candidate lists must contain at least 50% of women. That was the proposal of the movers. Most parliamentary clubs decided to shy away, saying this is too radical. All clubs agreed with the diagnosis that low participation of women is wrong, unfair and of little value to the state, that it is harmful for the development of the country and that we want to change it. That's why the draft law was sent into committee, where questions of constitutionality and specific provisions suggested in the novelization were discussed in detail, in search of a solution that would be acceptable to all.

During the works in the subcommittee, deputies from Civic Platform proposed an amendment, which would change the quotas to 35% for both genders and limit its use to proportional elections. This amendment was accepted by all members of the subcommittee and later approved by the committee without opposition. This proposal is also egalitarian in character. It is aimed not at women, but at political parties. It forces parties and non-party election committees to build candidate lists that are comprised of at least 35% women and at least 35% men. On the one hand, it allows for flexibility in

preparing lists, which can have fewer males or females, depending on local conditions, but it also blocks the creation of single-gender lists, which has happened several times, and which we have all agreed is wrong, and even pathological.

The draft bill in the version amended by the committee is not revolutionary, but it offers a mechanism that will allow the gradual inclusion of women in politics. Details must be debated of course by each political party. Civic Platform organizes trainings, conferences for its female members and sympathizers. Recently, for the second time, we have an act which guarantees high positioning to women on candidate lists to the Parliament. There are many ways to include women in politics, and I believe that all political parties will find effective ways.

The idea to solve the problem of women's small participation in politics through legislation has been met with a lot of criticism. We heard that a 35% quota is not only to support unqualified women, but even that it would go against their wishes, i.e. driving women into politics by force: a well-known argument.

This gives a false picture of the problem, since the proposal under discussion relates to candidate lists. We want women to become candidates, we do not hand out mandates. The voter has a pen in hand, and it is him who will indicate his candidate, whether male or female. An invitation to be on a candidate list, by itself, is no lifting up. Mandates are not given in return for nothing, for participating in elections only. Everyone who has participated in elections at least once knows this. Comparing parity and quotas to affirmative action – for example to points for provenance in university entrance exams during communism – is also wrong. We are not suggesting that female candidates receive extra votes after elections, we do not guarantee a set number of mandates in the Sejm, we merely want them to be on candidate lists. We are creating conditions for, or if one prefers, giving women the opportunity to be elected. But voters make that final choice. There is no fear, therefore, that Parliament will have parity, as it was whispered in the hallways, we are not making it easy to obtain a mandate; we are only providing equal opportunities. (*Bell*) This mandate is of equal value as any other. For this same reason, I appeal... Mr Speaker, may I have another minute?

**Deputy Speaker Stefan Niesiołowski:**

Go ahead.

**Deputy Agnieszka Kozłowska-Rajewicz:**

For this reason, I appeal for solidarity between women who already hold power, between those who aspire to it, between those who emphasize they made it to the Parliament without the help of quotas, and those who would probably not have made it onto the candidate list without additional encouragement from their party. Encouragement alone is not lifting someone up. Let me repeat. Being on the candidate list does not mean automatically receiving a mandate. Voters decide whom they will elect. The way you are invited to be on a candidate list does not make some mandates better and others worse. At most, if someone really wanted to introduce a hierarchy of mandates, they could order them according to votes cast for a given candidate, since this is a measure of political significance. According to others, women are not fit for politics, since politics is a brutal, dirty game. This may mean, reading between the lines, that women are too sensitive, or too dumb or inexperienced to exist in the world of politics. Such arguments can only raise embarrassment.

**Deputy Speaker Stefan Niesiołowski:**

Please, it is time to wrap up, Deputy.

**Deputy Agnieszka Kozłowska-Rajewicz:**

Politics is exactly as the people who make it. If we invite into politics people of mediocre character, politics will be dirty. Character has nothing to do with sex, and the ability to navigate politics depends on experience, and not on whether someone is a man or a woman. Each of us can cast their mind to remember women and men of noble character, and people of weak character, women and men. Let's invite to candidate lists those people whose characters will make politics reach the right quality. Women aren't worse than men, they are better than men.

**Deputy Speaker Stefan Niesiołowski:**

It's time to end, Deputy.

**Deputy Agnieszka Kozłowska-Rajewicz:**

It is our history and our culture, and not our personal traits that are the cause for such small numbers of women in politics and at the highest echelons of power. Women around the world have gained the right to vote relatively recently and these historical delays cannot be made up in just a matter of decades. Women are equally fit for politics as men. They need politics, they become involved for the same reasons and with the same goals as men do. However, our culture, our social roles and expectations mean that women can follow their political interests and aspirations less frequently: there are children, a home to manage, parents to care for, jobs to tend to.

**Deputy Speaker Stefan Niesiołowski:**

Deputy, you have exceeded your time by half. I am sorry but, in a moment, I will have to turn off your microphone.

**Deputy Agnieszka Kozłowska-Rajewicz:**

In this case, I will state one last formula. The Civic Platform club supports the draft law in its modified version. 35% for each sex is a proposal that is well suited to a policy of equalizing opportunities and building a civic society. In the name of the Civic Platform Club, I recommend the High Chamber vote in favor. Thank you very much. (*Applause*)

**Deputy Speaker Stefan Niesiołowski:**

Thank you, Deputy. Deputy Andrzej Mikołaj Dera, Law and Justice.

**Deputy Andrzej Mikołaj Dera:**

Mr Speaker! Honorable Chamber! My first note: ladies should be allowed more time to speak, *à propos*...

**Deputy Speaker Stefan Niesiołowski:**

If you can enforce such an amendment in the rules, then of course...

**Deputy Andrzej Mikołaj Dera:**

In the future. Mr Speaker decides about time.

(*Deliberations are now under the leadership of Deputy Speaker Jerzy Wenderlich.*)



**Deputy Speaker Jerzy Wenderlich:**

Speaker Niesiołowski was waiting because he wanted to have the special pleasure of announcing you.

**Deputy Andrzej Mikołaj Dera:**

I am flattered. Ladies and gentlemen, I will present my club's position towards the project of the draft law concerning changes in the Act on elections regarding the so-called sex parity. Many words have been spoken today about activity. I believe we must ask ourselves a fundamental question: Is women's activity something we can enforce through a bill, or are we talking about a state of mind, rules of functioning and a certain culture? Let us conduct a short analysis of whether a 35% provision will guarantee women at least 35% participation in the Parliament.

*(Voice from the room: No.)*

Unfortunately, no. This is what we are talking about: we will get to the bottom of it in a moment. Does this bill guarantee anything for women, or not? To guarantee women's activity is to convince every political formation, because I agree with my predecessor that this bill is aimed at political parties, that they must take women into account. Dear ladies, believe me, I respect women, because they are active, educated, nice and amiable. I could multiply these adjectives. Acceptance of women should come from positions gained on lists. This is crucial, important. It was visible during the campaign. The debate on women's activity has contributed to – to take a broad view – many more women occupying higher positions on lists. We do not need to create provisions in laws in order to ensure such positions for women. At least Law and Justice has no problem with this. Our ladies have opened lists, occupying first, second, third positions. Regardless of this, I wonder what will the Women's Party do when forced to introduce a 35% gender quota for men, but that isn't our problem.

To sum up: We should consider the inner conviction, the spirit and not the letter of the law. These provisions are in fact artificial, not guaranteeing anything to women, they are an empty legislative procedure. It appears that this isn't what this is about, to create artificial provisions. Let us examine why they are artificial. If there aren't any active women in a county or district, since this is what we are referring

to, then the quotas will be fulfilled because – please excuse the term – “fill-the-gap” women will be chosen: wives or daughters of men who are running for office. This doesn’t guarantee anything, it is not the right way, we shouldn’t be focusing on this. We should instead be creating legislative conditions to allow any woman who really wants to become active, to leave her child in daycare or preschool, to give her the guarantee that her social activism will not have negative repercussions on her family life, on raising her children. These are the conditions we should be supporting in this Chamber. This is where our focus should be, not on discussions whether a 35% provision will provide such guarantees. I think we do not need to convince each other, since my predecessor spoke of this herself: this doesn’t guarantee anything. Why then introduce provisions which do not guarantee anything? Currently this seems a matter of political correctness, it is being talked about. This provision, which guarantees nothing, is being glorified and sold as women gaining something.

Dear ladies, legal provisions will not give you anything, if there isn’t a change of attitude, change of mindset, real activity. Many women, with whom I have spoken have said to me: Deputy, I don’t want to be active because of some quotas, I would like to show that I can do this better than men. There are women who do this [work] fantastically. The presence of women in this room proves that without gender quotas women can easily appear on lists. Women hold important government positions. This – and not the creation of artificial mechanisms, saying this is how we have greater participation – is proof that we fully appreciate their femininity.

I appeal to everyone, regardless of their sex: Let us respect each other, respect our sexes, respect men and women. Let’s choose the best on candidate lists, regardless of whether they are men or women, believers or non-believers, whether they have this or that skin color, because these types of segregating bills can cause... (*Bell*)

I am nearly finished, Mr Speaker, I won’t prolong. These kinds of bills could make people with different sexual orientations or other faiths believe that they should be given minimum percentages on lists. This is a road to nowhere. I call for women to be active, for parties to respect them, awarding them the right, highest possible places: this will guarantee that women’s participation in politics is adequate, and considerably larger than it is now. Our club will not support artificial provisions...

*(Deputy Marek Borowski: But you won't be against?)*

*(Deputy Mirosława Nykiel: You won't be against?)*

...that do not guarantee anything for women. Thank you very much.

*(Applause)*

*(Deputy Halina Rozpondek: In Committee the club was for.)*

**Deputy Speaker Jerzy Wenderlich:**

Thank you very much. I have allowed the commotion to fade.

I give the floor to Deputy Stanisława Prządka on behalf of the Democratic Left Alliance.

**Deputy Stanisława Prządka:**

Mr Speaker! Honorable Chamber! Those who haven't participated in politics for hundreds of years will not suddenly do so just because they feel like it. Even if they have every right, they lack the full scope of opportunity to do so. This applies to women. For hundreds of years women have not participated in politics. For our democracy to be normal, to allow for the equitable participation of women and men, we need mechanisms that will temporarily support women. Parity or quotas on candidate lists are such mechanisms. The latest local government elections have shown very clearly that women want to participate, but it is very hard for them to get onto candidate lists. They are relegated to lower positions on lists or fight pointless battles to remain in better ones. Women's participation in these elections, as in previous times, was based on men's whims, as men put together candidate lists. Beginning with the next elections we want the law, and not the good will of given politicians, to regulate female quotas on candidate lists. This is the desire of the initiators of the citizen's project, and the wish of women in Poland. Deputy X, a woman, has submitted 900 interpellations and deputies' questions, while the man sitting in this room to her left – 54 interpellations and questions. Yet another female deputy has 167 interpellations and questions to her name, while the male deputy behind her, only 20. Women are stewards of the quality of the work of deputies. If there were more of us, then Polish society's trust in the work of Parliament could increase.

We therefore work hard and deal with important and difficult issues. One of our female deputies is a budget expert, another is an exceptional specialist in healthcare, yet another is an expert on EU funds, and another on national defense. You have no reason to be embarrassed by us, gentlemen. Facts show we are worthy interlocutors, sometimes opponents, when it comes to subjects such as public finance, energy safety or regional politics. In fact, this concerns every other field. We want to be partners in work and in politics. For many years we have proven that we are well-prepared to perform these functions.

Gentlemen, we must openly say the time has come for us to become equal partners in public life too. We are ready, and this “debate” should be well behind us. Of course, we can refer to the rules of democracy which relies on the assumption that every person has identical rights and dignity. Yet, for years, your practices, gentlemen, have led to us not being featured on candidate lists despite our dedicated work for the party, but always work in the second row. That we haven’t spoken out against this was a mistake. Now we want to fix this mistake effectively.

This debate concerns parity, but in fact it shows that Poland needs a debate about democracy, about women’s rights and exclusion problems. Parity means a change of priorities, which is recommended for Polish society, for all of our citizens.

Gentlemen, please explain the following to me: Why is the gambling bill passed in less than 48 hours and why is it more important than the bill on daycares, where legislative work is going at a snail’s pace? Meanwhile only 2% of children have guaranteed care in nurseries, and 28% of preschool aged children can attend [public] preschool? How can women enter politics independently and without any help if they must combine duties and perform tasks that family life (by nature) places upon them? (*Bell*)

If I may, Mr Speaker, one moment and I will be done.

The results of our local government elections show that this is a man’s world, while it ought to be everyone’s world. We are an equal part of society, we want to work for the benefit of this society, and we can tackle every problem and matter concerning our citizens. You cannot continue shutting off our access to opportunity.

Democratic Left Alliance club has always spoken in favor of introducing gender parity. In his presidential campaign and in his

campaign for local government, the leader of our club Grzegorz Napieralski has pointed to this problem as one of the most pressing issues. We are not satisfied with the solution adopted in the report of the Extraordinary Committee and the introduction of a quota mechanism: the number of women and men on lists cannot be lower than 35%. Which is why in the name of the Democratic Left Alliance I would like to introduce an amendment to bring back the possibility of introducing parity. In case the High Chamber rejects our amendment, we will vote as a club to adopt the suggested, consensual solution, assuming that the quota measure is progressive and that the number will grow until we reach full parity. Thank you for your attention. Mr Speaker, in the name of the club I submit our amendment. *(Applause)*

**Deputy Speaker Jerzy Wenderlich:**

Thank you very much. I give the floor to Speaker Ewa Kierzkowska.

**Deputy Ewa Kierzkowska:**

Mr Speaker! Deputies! We have reached our goal. I do not say we [in the Polish feminine form] have reached our goal, but we [in the masculine] have reached it. Let me begin differently. I want to thank the women who were involved in making this happen. They were going to witness today's proceedings in the galleries, but because of the changes in the schedule, they aren't here yet. They are keenly interested in what we are discussing here. They authored the draft of this bill. The draft bill they submitted finally forced this Parliament to examine this very important issue. I would also like to extend my warm thanks to those who worked in the committees.

In fact, I would like to say that we set out to work on this project, on this proposal without delay, even though in the beginning it looked like we would be able to pass the bill before local government elections. It turned out this was impossible. This was perhaps for the best, since seeing the way in which candidate lists were put together in these elections, practically in all groups, everyone was convinced even more that this draft bill was necessary and that quotas are needed in our Act on elections.

Ladies and Gentlemen! I remember when these women came to see us with this draft bill. They marched from club to club and talked with the leadership. Everyone approached the proposals

of the citizens' project with great caution, though they were eager to declare that they will solve the issue in their own statutes, regulations, internal party rules and will handle the problem without being forced to do so by law. Such declarations were uttered, and we remember them. However, we can see their implementation on the National Electoral Committee's website. This was the case with all political groups which participated in the local elections campaign. Let me repeat: it's a good thing that the debate continues today. Naturally the solution reached is not optimal, as my predecessor noted, but it is a compromise solution. And I think, it will be a guarantee when it comes to the future parliament. These will be the first elections in which these regulations will be applied. This is also a guarantee of what my colleague from the Civic Platform mentioned when she said women have a huge natural sensitivity and need to work out compromise through dialogue and understanding, talk and constructive proposals. That is why this project was worked out through compromise and dialogue. This is a guarantee that in our next parliament such solutions and practices will be used more frequently because there may be more women in the Sejm. Whether this project, this Law...

*(Women from the committee of legislative initiative together with their representative Professor Małgorzata Fuszara are now present in the galleries.)*

Good morning, Professor. Welcome. The Law and Justice deputy tried to prove that this project guarantees nothing. That is not the case. It might not guarantee equal access to electoral procedures, but it does guarantee 35% participation in candidate lists. As I said, this is not an optimal solution, but it is acceptable. The Polish People's Party club will support it. Thank you again for working out this compromise and I hope that not all in the Law and Justice party share their colleague's opinion. I hope that at least my female colleagues from Law and Justice will join the voice of reason and allow Poland to join democracies in the EU where this system works admirably well. In some, it is a temporary solution, perhaps in Poland at some point in the future there will no longer be a need for this type of provision. As for the pessimists, let me say that in these countries democracy thrives, and it has not been shaken to its core because of the introduction of quotas or parity in electoral law. Similarly, in Poland, there

won't be any quakes. And I am convinced of it, and certain that the quality of Polish politics will only change when more women sit in the Polish Parliament. Thank you kindly for your attention. (*Applause*)

**Deputy Speaker Jerzy Wenderlich:**

Thank you, Speaker. I give the floor to Deputy Marek Borowski to speak on behalf of the Social Democracy of Poland.

**Deputy Marek Borowski:**

Thank you, Mr Speaker. Mr Speaker! Honorable Chamber! The Social Democrats of Poland support the idea of increasing women's participation in politics, which is obvious, since everyone supports this, but also the idea of regulating the matter through legislation. As I understand it, it doesn't come as a surprise to anyone, since our position on the issue has been known for a long time. Naturally the citizen's project was far more-reaching in its scope. The proposal before us has been constructed slightly different as a quota. I think that the authors of the bill themselves understand that the project could go further only through compromise. The question was only what the compromise would be. I personally believe the number reached is a good one. Let me remind you that we currently have 20% of women in Sejm and the numbers were similar on candidate lists. Broadly speaking we can say, although this differs across parties, that this is the median. Therefore a 35% quota nearly doubles the numbers of women on lists. This is a very big jump and it will require all parties to prepare for it at the base. We must also stress that this bill will be in place at the end of this year, or the beginning of next year. We will be colliding with the Electoral Code, something that hasn't been alluded to yet. The electoral code, already prepared, with a report to be presented during our next session, anticipates this matter, and becomes law in February, that is, a few months before the elections and before the bill comes into life. This means that a jump from 20% to 50% could create some problems. 35% is in this case seems to me an optimal solution. Perhaps 40% would have been a better solution, but we will not waste time weighing matters like an apothecary, since this is quite significant anyway.

Deputy Dera has unfortunately left us inconsolable with his departure. It wasn't entirely clear what Law and Justice would do in this

matter, but I hope that they will at least refrain from voting against, since it's just not proper, this proposal should be agreed on universally.

If we lack any other arguments, and there were many – when speaking from this podium, Professor Fuszara quoted a great many, and they were brought up in committee and there is no need to repeat them here – if, however, there are those who remain unconvinced, let them accept this simple, logical reasoning: It will not harm anyone, that's certain. Second, can it help? Say it is a 10% chance, or a 15% chance. I believe that it is higher, but let's say this is it. Can it help? It can. In that case, if I may say so, let's approach the issue with benevolence, simply. There is one more matter, and I have brought an amendment forward and the Deputy Rapporteur has mentioned it. Since we have said A, let us say B. The issue is not merely that a little over 1/3 of spots will be reserved for each gender, of course we are referring to women here, since we know that women are in a minority at present. We know well that lists can contain anywhere from 14 candidates, as nowadays, to 38. The new Code reduces the number of candidates, but we know it will range from 11 to 29. In such circumstances we can fulfill the norm and position 1/3 of women, but place them in “doomed” positions, and such is the nature of our elections, let us not hide it, that this positioning matters. Consequently, one can escape the quota by positioning women low on the list and giving them very little actual opportunity to win. I want to mention that this will then matter in the judgement of how the bill works. If it appears – and we cannot guarantee this today – that the positioning is not beneficial, and then, after the upcoming elections, we declare that this bill didn't do much. And then all the critics will ask: Why do we need this provision? It would turn out that it didn't add anything. (Bell) If I may, just one more moment, Mr Speaker. All attempts later at increasing the quota to 40% would be doomed and the general evaluation of the concept would be negative, it would be terrible. And why? Because positioning on the list was not guaranteed. The motion to use a zipper system, that is to alternate women and men on candidate lists, was rejected and I am not returning to it, but the proposal which I had brought forth then and which I am bringing forth now in the name of our group, which says that for among every first three positions there needs to be at least one from each gender, or a ratio of 2:1 – as suggested by the deputy – and in the first five, a ratio of 3:2.



I appeal to all who will be voting for these quotas to not take a half step, but to take a full step forward, because only then we will really have moved forward. Mr Marshall, here is the amendment.

**Deputy Speaker Jerzy Wenderlich:**

Thank you very much.

**Deputy Marek Borowski:**

Finally, I, too, would like to extend my congratulations, as Speaker Kierzkowska has. I am impressed by this initiative of a group of women who mobilized many more women and men, who organized the Congress of Women, and the next and the next, soon to be third. This is a wonderful citizens' initiative, a great sign of citizens' activity. I think this is how we imagine civic society, a society that can influence reality through their activism, wisdom shown by the women and men supporters, since there were those too. Therefore, congratulations to all the women, to Professor Fuszara whom I saw there briefly, to the women active in the Congress and its program board. I hope we can pass this law and that we will learn of its positive effects – as early as after our upcoming elections – here, in the Parliament benches. Thank you very much. *(Applause)*

**Deputy Speaker Jerzy Wenderlich:**

Thank you Deputy Borowski. Four deputies have signed up to ask questions. Would anyone else like to sign up?

I don't see anyone. I am closing the list of those who want to ask questions.

First Deputy Piotr Stanke will ask a question, Law and Justice. Perhaps, let's establish...

**Deputy Piotr Stanke:**

I only need a minute.

**Deputy Speaker Jerzy Wenderlich:**

Only one minute. Perhaps others will need a little longer.

**Deputy Piotr Stanke:**

Perhaps a little longer.

**Deputy Speaker Jerzy Wenderlich:**

One minute and a half, yes? 1.5 minutes.

**Deputy Piotr Stanke:**

Thank you very much. Mr Speaker! Honorable Chamber! The foresters have arrived. This begs the question of whether we will have quotas among foresters, and I see they are only men, so maybe we could use 35% of women. Let me return to my question. According to article 32 of the Constitution we are all equal in law. Everyone has the right to equal treatment by public authorities. No one can be discriminated against in political life, in social or economic life for whatever reason. The general reference to the rule of equality is also to be found in the preamble to the Constitution, in which we refer to all citizens of the republic of Poland, all of them, and to their equal rights and duties for the common goal – that of Poland. On this basis, we can assume that the goal of our legal system and the Constitution especially is to protect civil rights, including equality. Naturally we must also assume that the goal of this draft law is highly desirable and right, namely the increase of women's participation in politics, but will the rules in this draft law really serve this purpose? My question concerns the very point of creating a law in this matter. Shouldn't our efforts be focused on activating women and men, on supporting new initiatives to help build a civic society, and not on creating artificial parity and percentages? On a side note, let me also add that when I put together lists in the last elections to local government, I had lists that had women in the first 3–4 positions. This new law would have made me change this. Thank you very much. (*Applause*)

**Deputy Speaker Jerzy Wenderlich:**

Thank you very much. I was more accurate, saying you'd need 1.5 minutes. Deputy Grażyna Ciemniak from the Social Democracy of Poland (SDPL).

**Deputy Grażyna Ciemniak:**

Mr Speaker! Minister! Deputies! The citizen's project anticipates that the number of women on district lists should not be less than that of men. Women constitute 51% of citizens of the Republic of Poland, and as many have stressed already, they are decidedly in the

minority in public bodies. It's worth reminding that in the Sejm we are 20%, and in the Senate only 8%. So far, political parties have declared their support for women's participation in candidate lists, but without effect. That is why I believe we need legislative regulation. I would also like to note that article 23 of the Charter of Fundamental Rights of the European Union states that the rule of equality does not hinder taking measures to ensure specific advantages for the underrepresented gender. This can only strengthen our legislating efforts to increase women's presence on candidate lists. I believe this effort is well-worth undertaking to ensure that there are no fewer than 50% of women on candidate lists. It is possible. I want to say that in the last elections for local government my electoral committee candidate list boasted 50% of women, and in the first positions. Women were happy to run for local government, they were very active in the election campaign. *(Bell)* My question therefore has to do with the proposed 35%. What is the justification for not implementing the courageous proposal of the citizens' project? Was there really no way to convince the gentlemen, our male deputy colleagues, to support parity as per the citizens' project? Thank you for your attention. *(Applause)*

**Deputy Speaker Jerzy Wenderlich:**

Thank you very much. Deputy Zdzisława Janowska, Social Democracy of Poland, please ask your question.

**Deputy Zdzisława Janowska:**

Mr Speaker! Honorable Chamber! The day has come when we can talk about legislated support of women's representation to the Sejm, Senate, and local government. A very long time has passed since our fight of over a dozen years began to introduce equal treatment in legislation for women and men. It hasn't been adequately addressed until today. We are now seeing, I believe, the beginning of desired changes. I say this as someone who has been tirelessly fighting for women's rights and for the inclusion of women in decision-making bodies in all spheres of life. I say this also as someone connected to the Women's Congress, a member of its Program Board and as a deputy. I am a Deputy for the third time, and I know well what it means to become one and what the cost is. We must endlessly prove that we

deserve the respect of our male colleagues. Women are great at what they do everywhere, in every place, also in politics. I believe that the proposed 35% is definitely too little. I have also finished my election campaign a few days ago and my committee was comprised of more than 50% women. And they wanted to occupy first position. *(Bell)* My question to the colleague leading legislative work is: Why was the amendment rejected which have prevented women from being relegated to bottom of the list positions, and which would have positioned them at the top of candidate lists? Were these types of changes boycotted? Is there any way we could continue working on introducing such an amendment? Because there is not much use in a quota if women are allocated bottom list positions, starting, say from position no. 10. Thank you very much. *(Applause)*

**Deputy Speaker Jerzy Wenderlich:**

Thank you very much. Deputy Franciszek Jerzy Stefaniuk from Polish People's Party, ask your question.

**Deputy Franciszek Jerzy Stefaniuk:**

Mr Speaker! Honorable Chamber! Dear Ladies! We fully support your greater presence in all positions. To prove these words, I want to point out that the Polish People's Party has satisfied 100% of women by assigning the function of Deputy Speaker to the Sejm to a woman. My question concerns a certain unease, since very often the problem lies not in dismissing women, but in locating women who want to become candidates. In this situation, I ask: if a candidate list does not have the required quota for both genders, as the law requires, are there to be empty spots? For example, if there are too many women, and not enough men, will the list be registered, or not?

*(Deputy Halina Rozpondek: It will not be registered.)*

Precisely. Such are the issues. This is about avoiding the kinds of situations we had in the old system... where...

*(Deputy Stefaniuk speaks through a muted microphone.)*

*(Deputy Ewa Kierzkowska: Please turn on your microphone.)*

*(Deputy Stanislaw Kalemba: Change of speakers.)*

*(Leadership of deliberations is taken over by Deputy Speaker Marek Kuchciński.)*

**Deputy Speaker Marek Kuchciński:**

Excuse me. Here you go.

**Deputy Franciszek Jerzy Stefaniuk:**

I remember the electoral law of the old system being highly efficient, since it assumed the existence of a certain key: only there were no elections then. Women were as if nominated. *(Bell)*

Mr Speaker, my microphone was turned off.

But I like to look at women so much! Look how lovely it is when parity is fulfilled. We would like parity to exist, to have more and more women – let me say this again – but we don't want to be backed into a corner. When preparing candidate lists for local government elections, I saw that there are political formations where not all places were filled, let alone with parity. There weren't any candidates, men or women. I just don't want us to make things more complicated. But I will say in good conscience that I would prefer not to run in the next election, but to have my wife run. But who can convince her? *(Applause)*

**Deputy Speaker Marek Kuchciński:**

Thank you very much Mr Speaker. I would like to ask the Extraordinary Committee Rapporteur, Deputy Halina Rozpondek to address this Chamber again. Please.

**Deputy Halina Rozpondek:**

Mr Speaker! Honorable Chamber!! It's a pity Deputy Dera is no longer here since he is the one who contested the purpose of today's proceedings. I would like to stress strongly, in front of you, that we are debating a draft law prepared by citizens which has garnered more than 150,000 signatures and which has been submitted to the Speaker and the committee. We must give our citizens and voters the opportunity to bring forth their draft laws, especially since gender quotas and increasing women's participation in politics, as I have underscored in my report, have been the subject of debate in Poland for many years. As Mr Speaker Borowski said, this bill – examined by the

committee – will certainly not harm anyone, and it won't guarantee anything. The bill doesn't say there must be 35% of women or men in the Sejm, it only says that women and men must be present on candidate lists, that they are to be candidates, 35% each. This is merely providing the opportunity for women to actively join political life. We want them to believe that if they find themselves on candidate lists, they have a shot at political life.

In local government elections, as my colleague has estimated – there were about 31% of women only. And this is, please note, nearly reaching the gender quota. However, there are areas, specifically in local committees, where there are no women at all. Party committees take notice of this more often. There, women participate as candidates in proportional terms. We want to even out these chances, and we want both local and party committees to be obligated to fulfill the 35% parity.

Deputy Prządka and Deputy Ciemniak asked why we couldn't guarantee 50% in this draft as in the citizens' initiative. Our male colleagues have nothing to do with it truly. This was the result of very serious, months-long discussions. I would like to say that there was no lack of voices, and perhaps even a majority of voices claiming that this bill has no reason to be. We wanted to work out a compromise that would at least allow us to try, to start with 35%, and to increase this number if the need arises, as I said in my report. This is the compromise we reached. 50% was a number the majorities in clubs would not agree on. 35% is what was reached in committee, I want to stress that. Deputy Dera is absent, but he too approved of this as the representative of Law and Justice. Thanks to this, we have reached a compromise of 35%.

I am convinced that this High Chamber will pass the Law. Deputy Borowski has slightly changed the meaning of the amendment, but it is close – it is about women in the first three and the first five positions on lists. Naturally the amendment will be examined both by the committee and the High Chamber. I think it is the role of political parties and electoral committees to approach the enacted law seriously and actually implement it, not by giving women spots at the bottom of lists, but making sure they find themselves at the top three or five positions. Our party – as deputy Kozłowska-Rajewicz has noted – has such a rule and we guarantee: one woman in the first three spots and

two women in the first five. Each serious party should approach the matter similarly, whether they are for it, that there should be parity, as we heard on the left, or, as Deputy Dera said, they are open to women and give women great opportunities like Law and Justice.

Deputy Stefaniuk asked what happens if the gender quota is not fulfilled on a list. That list will not be registered. Such a provision is suggested. There is a year left before parliamentary elections, so parties and electoral committees should prepare candidate lists to reflect the bill as will be passed, I hope, by the Sejm. Thank you very much. *(Applause)*

**Deputy Speaker Marek Kuchciński:**

Thank you very much. I close the discussion. Since during this second reading amendments have been put forward, I suggest that the Sejm refer this project once more to the Extraordinary Committee to look into some draft laws in elections in order to present a second report. If I hear no objections, I will assume the Sejm has adopted this proposal. I hear no objections. Thank you very much.

# Third Reading

December 3, 2010

**Speaker:**

We move to consider point 28 of the daily schedule: the report of the Extraordinary Committee on the citizens' Draft Bill Amending the Act on Elections to the Sejm of the Polish Republic and the Senate of the Polish Republic, the Act on Elections to City Council, County Council, and Regional Assembly, and the Act on Elections to the European Parliament, on the topic of the introduction of gender parity in candidate lists (Sejm papers no. 2713, 3577, and 3577-A) – third reading. I would like to ask Deputy Rapporteur Halina Rozpondek to present the additional report of the Committee.

**Rapporteur Halina Rozpondek:**

Mr Speaker! Honorable Chamber! The Special Committee has examined 5 amendments which were tabled during the second reading on November 25. The Committee moves to reject all amendments. Thank you.

**Speaker:**

Thank you very much. We move to vote. The Committee moves to pass the Bill contained in our report in Sejm paper no. 3577. The Committee in its additional report presents amendments we will vote on first. In amendment 1 to article 98 paragraph 2a of the Electoral Law to city council, county council and regional assembly, the movers suggest that candidate lists in elections to councils in city councils of more than 20,000 inhabitants be established according with gender quotas.

The movers propose in amendments 2 and 4 that the number of candidates for district lists for the Sejm and European Parliament elections follow gender quotas. We will vote on all these amendments together. The Committee moves to reject them. Adopting them will cause amendments 3 and 5 to be moot. Deputy Jarosław Stolarczyk, Civic Platform will ask a question. One minute. Please.



**Deputy Jarosław Stolarczyk:**

Mr Speaker! Mr Prime Minister! Honorable Chamber! I would like to refer to the introduction of gender parity on candidate lists. I am personally in favor of it. I want to extend a helping hand to women (*Commotion*) who are capable of fighting for our Polish interests. But I am concerned by one thing, hence my question: Does it not offend the intelligence of those wonderful women, who have through their creativity, work, and commitment reached the places they wanted to reach? I think we are seeking to artificially introduce people who wouldn't feel fully at ease in this role and who don't necessarily fulfill parliamentary standards. Let me describe a certain precedent. African American students have a certain guaranteed number of spots at universities, the so-called affirmative action quota, and this leads to absurd situations. Despite high grades, many talented white Americans (*Commotion*) cannot access these universities, while often African American students with mediocre grades are accepted in their place. It would be unfortunate, if in the name of parity...

**Speaker:**

Your time is nearly up.

**Deputy Jarosław Stolarczyk:**

...we would allow this type of situation, designate weaker representation to such institutions. I warn against this. Parity yes, but wisely and with moderation. Thank you. (*Applause*)

**Speaker:**

Thank you very much for this statement.

**Deputy Grzegorz Napieralski:**

May I?

**Speaker:**

Only one person per club can speak.

**Deputy Grzegorz Napieralski:**

We switched. May I?

**Speaker:**

Deputy Grzegorz Napieralski. Please. Time – one minute.

**Deputy Grzegorz Napieralski:**

Mr Speaker! Honorable Chamber! We have just heard the very interesting declaration of the Civic Platform Deputy (*Merriment*) which I admit, was surprising. But I want to say in full seriousness at present, as the matter is very serious, that I am the leader of a political party and I know how... (*Merriment, applause*)

(*Deputy Waldy Dzikowski: A surprising statement.*)

**Speaker:**

Your question, Mr Leader, your question.

**Deputy Grzegorz Napieralski:**

I knew that this would surprise you, but this is truly the case. (*Merriment*) Prime Minister Donald Tusk will certainly confirm this, and so will [Party] President Kaczyński (*Merriment, applause*) and Prime Minister Waldemar Pawlak (*Merriment*). It is very hard to construct candidate lists without such a provision in the Polish law. (*Bell*)

(*Deputy Anna Sikora: Not true.*)

Why? Because the issue is deep-seated, it concerns not only our convictions but also our approach to the subject. This problem is deep-seated within us, since even as we speak... (*Merriment*)

**Speaker:**

Your time is up, Mr Leader.

(*Deputy Cezary Grabarczyk: Now it only gets worse.*)

**Deputy Grzegorz Napieralski:**

I understand that this subject makes you laugh, and I understand how you approach it, but the matter is really very serious. And if we could... (*Merriment*) Please... Mr Speaker. Can we calm the room please?

**Speaker:**

No, I can only take away your turn. (*Merriment, applause*) It's been 2 minutes already. Last sentence.

*(Voices from the room: Thank you!)*

**Deputy Grzegorz Napieralski:**

Listen, I am asking you to adopt this amendment. *(Commotion)* It will mean that in our next parliament the majority *(Merriment, applause)* will be represented... *(Commotion)* Minister, I know you oppose such standards. I know, you oppose placing women... *(Deputy Cezary Grabarczyk: And who will win in Łódź? Who will win the elections in Łódź?)*

...but this is really a good amendment.

**Speaker:**

Thank you very much.

**Deputy Grzegorz Napieralski:**

Try to support it, prove that your declarations during the presidential elections...

**Speaker:**

Thank you very much.

**Deputy Grzegorz Napieralski:**

Are real...

**Speaker:**

Thank you.

**Deputy Grzegorz Napieralski:**

That you kept your word, that you can keep your word.

**Speaker:**

Thank you very much.

**Deputy Grzegorz Napieralski:**

...because these are normal European standards. Prove that you are a European party, support the amendment. Then we will all be able to claim success, since this is your amendment.

**Speaker:**

Deputy Kierzkowska, Mrs Speaker. Please.

(*Deputy Jerzy Feliks Fedorowicz: Attention, silence!*)

**Deputy Ewa Kierzkowska:**

Thank you to my colleague. Ladies and Gentlemen! Mr Speaker! Mr Prime Minister! Honorable Chamber! Both speeches of my predecessors show decidedly the need for more women to enter the Polish Parliament. (*Merriment, applause*) Thank you very much.

Since I am using question time, I would like to say the following. We are equal partners in discussion, talks, and participation in politics. (*Applause*) And I would like therefore to ask this of the rapporteur, my colleague, Deputy Rozpondek: Does the gender quota or parity provision mean that voters won't have a choice anymore?

**Speaker:**

Thank you. Deputy Beata Mazurek, 1 minute. Law and Justice.

**Deputy Beata Mazurek:**

Mr Speaker! Honorable Chamber! Mr Leader Napieralski! From this podium your sadly now departed colleague, Izabela Jaruga-Nowacka, said she wanted to introduce gender quotas because you have these quotas in your statutes, and you don't abide by them. She used this place specifically to introduce gender parity in elections.

(*Deputy Tadeusz Iwiński: We have gender quotas.*)

My next point. Parliament should be comprised of those women who want, who want to work in this Parliament and not those who will be forced to do so. We will do just fine without you, only allow us to do our work. (*Applause*) Propose a woman to lead your party, place women in the first positions on your lists. (*Merriment, applause*)

I want to ask a question of the rapporteur. If the Sejm decides to introduce gender parity, what will happen if we don't have 35% of women on a list, if we can't find enough women?

(*Deputy Małgorzata Kidawa-Błońska: Or men.*)

What should we do then? Who should run instead? Your mother-in-law, your sister, your mother? (*Merriment*) Thank you.

(*Deputy Mirosław Sekuła: I vote for the mother-in-law.*)

**Speaker:**

Thank you. Your turn, Rapporteur Rozpondek. Please.

**Deputy Halina Rozpondek:**

Mr Speaker! Mr Prime Minister! Honorable Chamber! I want to underline above all that proceedings on this project were necessary. This is a citizens' project, presented by the Time for Women Initiative. As a result of a compromise worked out in the committee sessions and Extraordinary Committee, we agreed on a quota of 35%, since when it comes to 50/50 parity, the majority of deputies wouldn't agree. Accordingly, we now have a proposal with a quota of 35% women and men on candidate lists. In answer to Mrs Speaker's question, I want to stress that we agreed on 35% and this guarantees spots on candidate lists but not in the Parliament. As to the second question, the list will not be registered if it doesn't have at least 35% of men and 35% of women. Thank you very much. (*Applause*)

**Speaker:**

Thank you very much. Let us vote. Who of the deputies is in favor of adopting amendments 1, 2 and 4, please raise your hand and push the button. Who is against? Who has abstained?

404 members voted. 46 voted for, 352 voted against, 6 members abstained. I declare Sejm has rejected the amendments. In amendment 3 to article 143 paragraph 2a of the Act on Elections to the Sejm of the Republic of Poland and the Senate of the Republic of Poland the movers propose to add points 3 and 4.

In amendment 5 to article 59 paragraph 2a of the Act on Elections to the European Parliament the movers propose to add points 3 and 4.

We will vote on these amendments jointly. The Committee moves to reject them. Let us proceed. Who among the members of parliament is for the adoption of amendments 3 and 5, please raise your hand and press the button. Who is against? Who has abstained? 401 members voted. 46 voted for, 353 voted against, 2 members abstained. I declare that the Sejm has rejected the amendments.

Deputy Girzyński, Law and Justice. You have one minute.

**Deputy Zbigniew Girzyński:**

Thank you. Mr Speaker! Honorable Chamber! I have decided to ask my question moved by leader Napieralski's speech, who said that this is a fundamental problem within us. One is almost tempted to ask, Mr Leader: Would you like to talk about it? (*Merriment, applause*)

This problem, however, is real. In the last elections, the committee made up then of Social Democracy of Poland, the Democratic Left Alliance and the Democrats' club couldn't find a place for a brilliant female parliamentarian even in the first three positions in the Warsaw district. In my own district of Toruń, there wasn't a single female candidate in the first six positions, because this is how you constructed your lists. Congratulations on how you care. If Mr Leader would like to talk about it with someone, I am at your disposal. (*Merriment, applause*)

**Speaker:**

Thank you very much. Let us vote on the entirety of the Bill. Who among the members of parliament is in favor of adopting the entirety of the Bill on the amendment of the Act on Elections to the Sejm of the Republic of Poland and the Senate of the Republic of Poland, the Bill on the Act on Elections to City Councils, County Councils and Regional Assemblies and the Bill on the Act on Elections to the European Parliament on the topic of the introduction of gender parity in candidate lists, as worded by the Extraordinary Committee, please raise your hand and press the button. Who is against? Who has abstained?

404 members voted. 241 voted in favor, 154 voted against, 9 members abstained. (*Applause*)

I declare that the Sejm has adopted the Bill on the Act on Elections to City Councils, County Councils and Regional Assemblies and the bill on the Act on Elections to the Sejm of the Republic of Poland and the Senate of the Republic of Poland and the Act on elections to the European Parliament.

## CHAPTER SIX

# Interview with Professor Małgorzata Fuszara

*Conducted, Transcribed, and Translated  
by Adrianna Zabrzewska*

## INTRODUCTION

Professor Małgorzata Fuszara is a sociologist of law, a researcher of women's presence on the political scene, and a long-time observer of public life in Poland. Designed to supplement documents and discussions included in this book, the interview presents the experience of Professor Fuszara from the perspective of a person who not only witnessed, but also significantly contributed to the events that led to the passing of gender quota law in Poland. In this chapter, the readers will find: (a) memories dating back to 2009 when the Congress of Women began working on the citizens' proposal of the legal act; (b) observations from the parliamentary debate of 2010 during which Professor Fuszara spoke as the representative of the citizens' legislative committee; (c) reflections on the law's immediate aftermath in 2011, and finally, (d) remarks on the state of equality politics in Poland 2019, just a few months before the parliamentary elections.

It is important to mention that the interview was recorded on June 27, 2019, i.e. one day after a controversial ruling of the Constitution Tribunal of the Republic of Poland. In 2015, an NGO dedicated to advocating tolerance and equal job opportunities for non-heteronormative persons wanted to print their campaign materials at a printing house in Łódź. A man working there refused to take that commission, arguing that he does not want to support LGBT movements through his profession. In 2016, LGBT Business Forum reported this incident to the Commissioner of Human Rights who informed the police. After the investigation, the case went to district court. The court ruled that the printer is guilty of breaching Article no. 138 of the Act of May 20, 1971

which states that any service provider who deliberately and without valid reasons refuses to provide professional service is to be punished with a fine. However, Minister of Justice and Public Prosecutor General, Zbigniew Ziobro (Law and Justice) disagreed with that sentence and made an appeal for the judgement to be overruled. On June 7, 2018, the Supreme Court of Poland dismissed the Minister's appeal, reaching a conclusion that the printer's conduct showed signs of discriminatory practice. One year later, on June 26, 2019, the Constitution Tribunal declared Article no. 138 to be unconstitutional. Thus, not only did the tribunal give premises to clear the printer of his charges, but also implicitly opened a gate that can lead directly to the violation of anti-discrimination law in Poland.

Professor Fuszara was deeply moved by the Constitution Tribunal's ruling. No wonder then that the echoes of this ruling can be heard in the interview – and the same goes for several other events from recent years. In a speech delivered in May 2018, the former Prime Minister Beata Szydło (Law and Justice) congratulated the councilmen of Zakopane on being the only town in the whole country that refused to implement the legal act on domestic violence prevention. Such statements can be read as part of a larger narrative of the currently ruling party and the current president. As mentioned in the interview, President Andrzej Duda likes to emphasize that the Istanbul Convention – ratified in 2015 by President Bronisław Komorowski – is, in his opinion, unnecessary and without merit.

Both the Polish original and its English translation had been provided for Professor Fuszara's consideration and revision. Professor Fuszara authorized the text of the interview and the introduction that accompanies it. While transcribing the interview, I tried to find a balance between the peculiarities of live speech and the decorum of written language. I omitted most interjections characteristic of spoken Polish (e.g. interjections comparable to English "like," "you know," "sort of," "kind of," "well," "etcetera"). I removed also those phrases that Professor Fuszara corrected in the following part of the same statement. In square brackets, I occasionally added phrases or words designed to provide more context or to correct minor grammatical errors that are bound to appear in the spoken language. Such additions might include specifying the subject in sentences that originally featured an implied subject, adding a word or two in the case of sentences that trail off, or clarifying dates and terms. Needless to say, given the differences between Polish and English grammar and syntax, some of these changes had to be different for each language version, but in both cases the overall sense remains the same. Following Professor Fuszara's suggestion that surfaced during the editing process, I also used square brackets to clarify one crucial historical reference. I used italics for marking words



that I interpret as being pronounced with added emphasis. In one case – important for understanding that particular fragment – I marked the interviewee’s laughter. The chronological sequence in which the questions appeared during the interview remained unchanged. I shortened my own questions for the sake of brevity. I also omitted one short exchange in which I asked Professor Fuszara about the state of quota research today. More specifically, my question was: Is there any current research on how today’s Polish parliamentarians perceive quotas in retrospect? Since according to Professor Fuszara such research does not exist – or at least she has not heard of it – I took the liberty of cutting this fragment out of the transcription. Hopefully, this decision makes the text more coherent and helps the readers to focus on the main subject of the interview.

Warsaw, June 27, 2019

**It's 2009, the Congress of Women springs into existence, the proposal of the citizens' legislative act is being drafted, signatures are being collected, the social campaign is gaining momentum, and all that is accompanied by an arduous media debate. Looking back, how did it feel to be part of all that? What was your role in this initiative? What kind of atmosphere accompanied these events?**

**Prof. Fuszara:** During the first Congress, we collected postulates from different groups. I was responsible for leading a group on women in politics. Our main objective was to introduce quotas, or more specifically: *a parity* of fifty-fifty percent ratio on candidate lists. Later on, when all postulates from all groups had been collected, parity became one of our first demands.

It is worth noting that this was a time – which, in a sense, continues up to this day – when many countries were introducing quotas. So, we were not an exception. And this, in my opinion, is not a matter of coincidence. It is a matter of great injustice that women's access to power is of lesser proportion than that of men. Especially since, let us remember: Women had to enter the world of politics as shaped by men, this is a fact. For a very long time there had been many arguments used to discredit gender inequality, arguments that pointed to women's lack of education and competence. At the turn of the nineteenth and twentieth centuries, when women were barred from higher education, it was easy to use this kind of argument. Today, however, the same argument may be used in favor of women. Women constitute approximately sixty five percent of all people who graduate from universities each year. They had always been in the majority when it comes to secondary education and today they constitute a significant majority of people with tertiary education in Poland. As such, this argument may be now used in favor of women. It may also be used on behalf of this part of society that understands not only that equality is a value in itself, but also that we are otherwise wasting [the potential of] so many well-educated people and we are shunning them away from power – that is, from places where decisions concerning us all, men and women, are being made. Additionally, these [governing] bodies are being deprived of excellent women specialists, their outlook, their experience...

This is the [first], substantial argument on why quotas, parities, gained so much popularity. The second one is strategic: Parities are a *clear message*. It is very difficult to make such a clear message from, for instance, equal pay, because this is a certain kind of process – or from combating violence, even though the evil of violence can be easily underscored. But otherwise it is evident that these are processes. With quotas, on the other hand, the story is simple – you introduce quotas, you have quotas. It is a strategically good move for showing one’s effectiveness, for showing that something has been achieved. I think this was the reason why we had decided to deliver this particular postulate. It was just so *concrete*.

The decision was to make it a citizens’ proposal, and that was dictated by our experiences from the act on equal status of women and men – by “our” I mean professor Eleonora Zielińska’s, mine, and the parliamentary group of women’s. That legal act had been put forward as a parliamentary project and it ended up being discredited, rejected. But with citizens’ proposals, it is not that easy. In order to win citizens’ support, political parties often want to show that civil proposals are not rejected. During the first reading – when I presented the project of the legislative act – you could hear arguments like: “Even though we ourselves are against [quotas], we will be in favor of sending [the project] to the commission, precisely because it is a citizens’ project.”

I have to say that the atmosphere was phenomenal. This is my main experience. Most importantly, the more we talked about it, the more the society’s support grew, and you can see that in opinion polls. When it is not discussed, when it is not explained, this equality issue often makes people say: “Come on, quotas? But that’s offensive to women! Suddenly you give them something extra, because they cannot manage on their own.” Only when you *show* people that women are discriminated against, that they are absent, that they are ousted, that political parties are created by men, led by men, and women are not placed on the lists; that women’s presence on [candidate] lists is decreasing instead of increasing, only then an awakening begins – [an awakening] that stems from knowledge. This knowledge is a specialized one, since common sense just does not do the trick here. Common sense works only when something is easy to explain, like: “Men got together and they are discriminating against women”

– but it is not that simple! Discrimination is inscribed in social structures, in ways of [social] advancement, in hierarchies which already exist – and it is not easy to demonstrate that and make people realize that problem.

Luckily, most media outlets quickly caught on and also assumed [gender equality] to be self-evident matter. The atmosphere back then fostered this kind of equality project, and this, in a sense, fueled us. I myself took part in collecting signatures. We collected them in different ways, in different places, of course. Even though unpleasant things happened, my own experience of collecting [signatures] at one of the shopping centers was a very pleasurable one. People were signing [gladly], saying that they had heard on TV that we were going to collect [signatures]. I remember Grzegorz Miecugow stopped by for a while, and since he was the vice president of TVN [media group] back then, of course cameras followed him, of course the material got aired, and of course everybody in the shopping center had already heard something about it. So those had been really nice experiences. After all, we had prepared ourselves for that really well. We published a special bulletin about quotas, an information [booklet] which we handed out even if somebody was mistrustful and wouldn't want to give their signature. I was the author of that [bulletin] and I kept saying: "Here you go, sir or madam, it's about quotas. Maybe you would like to take a look, see what this is about, what it looks like."

It had been a really positive experience, especially since it also had the value of *public debate*. If we had tried to pull it off, so to speak, with the help of parliamentarians – and it is not that difficult to find fifteen parliamentarians [willing to support a project] – then this debate would have never happened. If it is a citizens' project, if one needs to rely on mobilization... As the Congress, we had no structures back then. To the very last moment, we had no idea whether we would succeed at collecting those signatures – it was nerve-racking! But it did engage a lot of women, a lot of people. Many people – and I heard it from my family and friends – took those [petition] lists to their workplaces, copied them, and collected the signatures. Those were very uplifting experiences and eventually we got more [signatures] than needed – I think they stopped counting at 120,000 officially confirmed signatures, so there must have been

more; we estimate it could have been around 150,000. Which is not that easy if you don't have any structures. Usually, it is political parties or churches, for instance, who use citizens' legislative proposals, because these institutions have structures and it is easy for them to start this kind of initiative and collect those signatures. But for someone who had just been born, like the Congress back then, it is not easy at all.

My role – I will probably get this wrong, but you can check how it was officially called... [Ministress of Gender Equality and Anti-Discrimination in the Shadow Cabinet of the Congress of Women, Deputy of the Time for Women Committee]. These are certain requirements of the legislative process, because the committee was officially represented by attorney Jacek Ambroziak, who was responsible for formal matters regarding further contacts with the Parliament. I was responsible for the substantive side and for presenting [the project]. Hence, I was, I believe, his deputy, selected by the Committee to present [the project] during the first reading – because there is this nice procedure that the representative of the committee presents the legislative project on the committee's behalf.

**Was it easy to present these substantive arguments – and in an equally supportive atmosphere – during the first reading? I'm just wondering, is it easy to enter a situation in which you do not speak in front of fellow academics, but...**

**Prof. Fuszara:** Yes, it is difficult, but this was a risky subject for politicians. It was risky to say “no.” When it comes to other subjects, such as reproductive rights, we know that there is a huge portion of the society which one can appeal to with a given narrative. [Saying “no” to parities is like] saying “no” to the equality of men and women, and we had been underlining that right from the very start... Right from the start we had been saying that anybody who is against [quotas] is against women's presence in politics. And we succeeded at enforcing this kind of narration. To be honest, all kinds of leaders of unfavorable parties – and officially it was Law and Justice that had declared they were going to be against it, that women would continue to be absent, they had been declaring that right till the very end... Leaders of Law and Justice were absent from the first reading.

As far as substantive arguments are concerned, it was easy for me in that sense that I have been dealing with those issues for years. [These arguments] were not attacked as an idea or vision, but there were a whole lot of questions which gave me the opportunity to answer them, and to do so from the top of my head. After all, those things were not new to me, I did not have to prepare or even to take notes, apart from those that helped me to remember what had been said... So as far as merits of the matter go, this was quite simple for me. But it is not like you put forward a project, then the first reading happens, and this is all there is to that. Contrarily, this had been accompanied by a huge [campaign]... In fact, this was handled by several PR agencies. A lot of people had been working with us as volunteers back then – lawyers, all kinds of agencies that know how it's done... We had a whole schedule of face-to-face meetings with all important politicians. These included the chairs of all legislative commissions of the Sejm and the Senate, the marshals of the Sejm and the Senate, the prime minister, possibly even the president. I remember it was the summer vacation season back then, so we had to somehow split, but since there had been so many of us, we managed to divide ourselves into groups and subgroups, and to visit all these important people. We convinced them that this is what the society wants, that there are no reasons whatsoever not to enact it, that it is a spurious argument to say that [parity] limits the freedom of choice, because it is only about bringing [women] to the lists, while all candidates are later chosen in direct elections.

We convinced everyone we could. To mention one of the more interesting meetings – I was quite surprised that the agency came up with this idea – we also paid a visit to Archbishop Kazimierz Nycz. This was a very good move, because we had the chance to explain that [quotas] are a matter of politics and that without equality women will protest in those domains that the Church particularly cares for, that is, having children, raising children... Because when there is no equality, women – and you can see that very well – will simply not have children, they will show very little interest in that particular sphere of life. These arguments were seen as convincing and we experienced no resistance there, quite the opposite, we received a declaration of support. A while later, I was at the radio and got a phone call – since it was a phone-in kind of audition – during which somebody accused us

of using the parity against the Church. And we said: “There is *nothing* here that would be against the Church and what is more, we are in touch with the hierarchs and we had informed them that [quotas are] a matter of equality, which is a self-evident matter.”

So we went to a lot of different meetings, because it was also a kind of promotion campaign. Whenever you have any kind of legislative proposal, or a citizens’ initiative, or a kind of project like the discussion on whether we should or should not have refugees in Poland, it is not like you can do it by means of administrative power and the thing will work [right away]. No, this is a process and what plays a key role in this process are: message, justification, explanation, and discussion. My first field of expertise is sociology of law and I was very happy as a sociologist of law to witness a discussion on legal solutions, on how the law can help us, what quotas are really about... That meant a whole lot to me.

**Both the first reading and the very project of the legal act featured parity, that is, quota of fifty percent, but in the second reading the discussion was already devoted to thirty-five percent quota. How did that happen?**

**Prof. Fuszara:** All this happened out of our reach. We could introduce [this project] only because the Civic Platform – who formed the [parliamentary] majority back then together with the Left – decided to support it. More specifically, their decision was to oblige their parliamentarians to vote for it – they had party discipline. And a discipline, in sense, of a double kind, because they had been also obliged to be present. As we remember, Prime Minister Hanna Suchocka once lost the vote of confidence by one absent vote, so we know all these games very well... But you had to keep an eye on everything, because first the Sejm commissions needed to be held, then the Senate commissions. There had been situations when we were convinced the whole thing is going to flop because some commission did not convene. In those cases, we had to intervene with a number of female politicians who were on our side and who were themselves “for.” They were the ones who made sure everything went well inside the party. So at that point, those discussions were happening at the party level.

I understand that the Civic Platform decided to support the project, but not to such an extent that we would have a fifty-fifty ratio. As we know, to have more women on the lists, the number of men needs to be decreased, and that's a limited number of places, so I think they were afraid of resistance stemming from within their party structures. And this thirty-five percent, as I've heard – much to my surprise – was a reference to the Round Table [*laughter*]. But I don't know if that's true. And that those thirty-five percent came up because somebody said we should do the same thing as back then [when, in the partially free elections of June 4, 1989, thirty-five percent of seats in the Polish Sejm had been elected in democratic elections and consequently secured by Solidarity. As established during the Round Table talks, the remaining sixty five percent of seats had been reserved for the Polish United Workers' Party and its satellite parties]. So, if we say that we had partially free elections, now we can say we have partially equal [candidate] lists.

It needs to be said that all this had been possible thanks to the support of Prime Minister Donald Tusk, who sustained Civic Platform's support, and thanks to the great involvement of Civic Platform's women politicians, and a couple of supportive male politicians. The proceedings in themselves were quite nice, because some of them had been chaired by the then Deputy Marshal of the Sejm, Ewa Kierzkowska from the Polish People's Party. Only supportive people were designated to lead the proceedings, which in itself is of course very nice and interesting. She [Kierzkowska] also got to lead the last voting session, as a sort of reward. I remember that I sat in the gallery during that last voting and I just couldn't believe my ears when I heard from Law and Justice that they will have trouble getting women [on the lists], that they will have to bring in their wives, daughters, female friends... And now, as we can see, they're doing really great with women's participation. So this is simply a matter of breaking down a certain kind of resistance.

**And what about the most negative reactions that you recall? Because I'm wondering what it is about quotas that raises this kind of resistance. In all discussions, we repeatedly get to hear that quotas are offensive to women.**



**Prof. Fuszara:** This is an argument which is raised all over the world whenever quotas are being discussed. In my opinion, it stems from miscomprehension. That is to say, this is not a *prosthesis*, this is *equalizing preexisting inequality*. But you need to put that explanation forward and justify it. Back then, a plethora of women started talking about their experiences of discrimination. By the way, since I had the results from my earlier research, I could cite quotations from anonymous women politicians who – even though they had been very successful in their parties – had been diligently prevented from being that successful for too long, because in that way they strengthened their status and could pose a threat to [male] party leaders. So, this is not an accident that there are no women party leaders. Whenever one comes along, also on the Left, she is “curbed” in such a way that she will never grow [to be a leader], nobody will ever pass party leadership along to her. Katarzyna Lubnauer had been a party leader for a while, but Nowoczesna [Modern Party] had a strong equality component to their program, plus it was a somewhat peculiar situation when [Ryszard Petru lost a leadership challenge to Lubnauer and] she became the leader. But to have a party select a woman – as it happens, for instance, in Germany – to have them choose her on their own... Here we still have a long way to go.

### **And how do you see the road that would get us there?**

**Prof. Fuszara:** Ah, but let us go back to your question on negative reactions! I don't think that there had been that many hostile arguments. I do have those kinds of experiences, of course, but from totally different debates. At the time when I served as the Government Plenipotentiary for Equal Treatment [in the years 2014–2015], I had such experiences from a debate on the ratification of Council of Europe anti-violence convention, the Istanbul Convention. That time, all kinds of things happened, things that... Even though I have been watching the parliament for years, I did not expect that. The type of argumentation, the oceans of misunderstanding, the will to shut your eyes and deny reality, all that persistent talk about how things are different than they really are – all this was common. What makes this kind of discussion difficult is that those who know they will vote “for” are often absent, so one gets very little support from the

room. Only the attackers are present and this poses a certain kind of problem.

What was also quite surprising for me was that there had been expert evaluations [on quotas which said that] this is against the Constitution. This is a discussion that happens all over the world and, for instance, the Constitutional Tribunal of Spain considered this, i.e. the relation between quotas and the freedom of political party activity, since this is the context in which this particular matter is most often being considered. The decision was univocal – different values might be conflicted, but as long as equality is not reached, it remains a pre-eminent value. Plus, after some time things usually grow quiet and everybody gets used to this law, so there are no huge problems here.

How do I see the future? Usually, I am a very optimistic person, but today is not a good day since yesterday we had that abominable deciding of the Constitution Tribunal on the case of the printer, to put it colloquially. But this is not a case of a printer, but a case on antidiscrimination law – and this decision repeals that law. And I would like to ask the men and women who serve as judges whether they really think that if signs saying “We do not provide services to Poles” start appearing in London, would that mean more freedom? Because if a service provider is allowed to refuse that service things like that could happen. And this is not a random example. I had dealt with it during my time as a plenipotentiary. There was this self-satisfied owner of a restaurant in Sopot who put up a sign “Russkies not allowed”... In order to fight that, I wrote a letter to him saying that if he doesn’t remove that sign, the case will go straight into the prosecutor’s office. We need to take into account that other countries might also say they value freedom... What happened yesterday is a sign of regress that takes us back to where we had been *thirty years ago*.

It is hard to be optimistic when it comes to equality, because... It is somehow the case that the current parliamentary majority tends to silently withdraw from all kinds of things, like President Andrzej Duda who said the anti-violence convention is not needed – which is a scandal, especially coming from a lawyer – or like Prime Minister Beata Szydło who praises Zakopane for not administering *the law*, and a law that postulates the obligation to constitute an anti-violence committee... These are horrendous matters that not so long ago would have seemed improbable to us.

We certainly are facing a regress when it comes to equality and women's rights. But after each regress there comes a progress and here my long-term optimism comes into play [when I think that] the longer equality principles are being negated, the stronger the dissent it will eventually evoke. Just like the legislative act on reproductive rights awakened many women, girls, young women who had never been to demonstrations before, they had never felt threatened... I think that we get more and more signals that will eventually make us assert our rights once again. The sad part is that – as you get to see in pretty much any analysis ever written – that progress in women's rights is this rotating spiral which slowly moves upwards. In this moment, we are stuck in a hole, but maybe we will soon manage to climb out of it.

Some things – one might think obvious things – are still not sorted out. To me, [the fact] that there should be an equal distribution of men and women on the lists is the most obvious thing in the world. That we should set up shelters for beaten-up women, that we should make sure alimonies get paid, that children... These are things that should go without saying! This should be a matter of “how to do it?” and not “should we do it?” Going back to the question of “should we?” simply does not subscribe to my outlook on the world. But as you can tell from [the example of] quotas, there are such moments, such times, such components of social movements, social dynamics, that we really manage to push things forward.

**So, the time for optimistic prognoses is not the best one, but who knows, maybe one day...**

**Prof. Fuszara:** Yes, there is not much we can do about it at this moment... But if we were to say something optimistic, which is what I always like to do: It gets easier to convince local governments to get interested in matters of equality. I have just got back from a meeting of a women's council, a board of experts to the President of Warsaw, Rafał Trzaskowski. A map of all equality initiatives in Warsaw is currently being created. For instance, hardly anybody knows that Warsaw has initiated a nursery program, that 1,800 spots in private [nurseries] have been bought [by the city], without building new nurseries... Even though I underlined that it might be a good way to encourage women to be entrepreneurial, since usually it is women

who work at nurseries, who create nurseries, and hence it is a smart way to show how different spheres of life can come together, the professional sphere and childcare... And there are many similar projects that haven't yet been publicized.

These are steps taken by local governments. These things should, of course, be done at the national level, but the greater the number of local initiatives, the greater the spheres of equality. Gdańsk has a program like that, Poznań has a program like that... Cities are turning into places that are safe for women, friendly for women, friendly for equality and I believe that [these cities] are going to serve as models. In the times when state administration is resigning from such initiatives or is pursuing different priorities, our hope lies in those places on which we, citizens, have a direct impact.

**Let us go back for a moment to 2011, the year when the quota law starts operating, and it is certainly a great success, but I guess that there are also voices which say that, quantifiably speaking, the overall effect is rather...**

**Prof. Fuszara:** ...small. Yes, and again, this is a matter of two different narratives. I said right from the very start that without the zipper system – which we failed to put through... I fought for it also during my time as the plenipotentiary, but alas, there was no support from the party in this case... We know from political science research that it takes three terms to reach thirty percent, and thirty percent is the critical mass as established in the Beijing Platform. Today, it is debatable whether [critical mass] has that much impact or not, but this is a different issue. We knew all that and I did warn that [change] will not come immediately. It happens in some countries that it comes immediately, but only where there is a very specific distribution of power. If the Left is very strong in a given country, and if they have their internal policies on the zipper system or on putting women at the top of the lists; or if the Greens are strong and they have both female and male leadership – whenever parties like that win, they tend to push forward... In our case, the Civic Platform – which follows a rule: one woman in the top three and two in top five on the list – also pushes up the number of women in parliament. If [Civic Platform's] position is weakened – and we do not yet know what Law and Justice

will do about women, we will have to see – it can happen that the percentage will decrease, and we will not arrive at those thirty percent. Many factors can come into play.

Of course, there had been political scientists who said: “This is useless” and tried to warn us... What surprised me was the argument of political scientists who said: “Yes, we are in favor of promoting women, *but not like that*. This will only increase the feeling of disappointment, because many women on these lists will lose.” And we told them: “Women are adult people and they know you can either win an election or lose. They know [what happens] if you have a low position [on the list], so they either go for it in order to gain some recognizability, to see what it’s like, to take that risk – or they don’t go for it.” And the legislator should not get all sentimental over them – this is what is offensive to me, this [argument]: “We will protect women, so they will not lose.” This is absurd! They can’t lose if they’re not on the list.

People tried to argue that the results had been modest, but the [percentage of women] rose from twenty to twenty-four percent, and later to twenty-seven percent, so the logic that now it should reach thirty percent should work – but we cannot know for sure, because we do not know what Law and Justice is going to do, as they have the chance to be the main political force and they had initially been against [quotas]. We do not know how those parties which are expected to observe these rules will fare [in the next elections] – and whether they will [observe them at all]. Unfortunately, the truth is that it is more difficult in coalitions, because so many elements come into play.

### **And why hasn’t the zipper system been introduced?**

**Prof. Fuszara:** I don’t know, I’ve never heard a smart explanation for that. It might be worth adding that the rule unofficially adopted by the Civic Platform – that is, that the ratio is two to one in the first three places on the list and two to three in the first five places – follows the Spanish model. But they didn’t put [that rule] on the legal act and I asked them, why? All kinds of parties with whom I talked, in Macedonia, in the Balkan countries where quotas had been introduced earlier... People in Macedonia, in Spain said to me: “Our party has

its internal documents, its statute that talks about fifty-fifty [gender quota ratio] – but that’s why we have the power, to introduce it to the election system...”

We couldn’t convince the Civic Platform to adopt the zipper system. Perhaps, they knew that they will not be able to pull this off in all of the regions, and so they wanted to have more flexibility. Unfortunately, as the politicians say: It is not enough to be right, you need to have political will. And in the case of all equality projects that I had taken part in there was hardly any political will at all...

**One more question. We know that equality is a certain kind of process, a certain kind of progress that needs to take some time... So how to define a satisfactory, reasonable progress within that process?**

**Prof. Fuszara:** The aim for all projects like that is fifty-fifty. This is clear and this should be everywhere: corporate boards, management positions, legislative power, executive power, because after all we [as a society] are composed of men and women on a more or less fifty-fifty basis. It is said that women and men have different experiences – and, in a sense, the right-wing says the same thing: “We have *drastically* different experiences.” But when you ask them why women are not supposed to be present in decision-making [bodies, the answer they give you is]: “Because we say so.” This is like saying: “Your experience is irrelevant when it comes to making decisions that matter.” This is not openly stated, but still...

Once, I did interviews with women politicians of all options, including rightists – some of them are currently in the European Parliament, representing Law and Justice – and they all talked about discrimination, about inequality within the party, they were also angry about that. I have never met a woman who would say that inequality does not exist. Perhaps the one thing that set them apart was that right-wing women were more likely to accept a hierarchy in which they themselves were subordinated to men: “There is the male leader, the men are the bosses, we entered this kind of world, so we will comply to that.” And this is an individual struggle for one’s position, without recognizing that women as a group have it more difficult, and since they have it more difficult, then we should fight this back, because there is

virtually no reason why they should have it more difficult. There is no systemic perception and no resistance against inequality, including, for instance, the remaining, ultimate inequality in party leadership.

I have also had a very interesting experience when, as a plenipotentiary, I participated in the debate of the Council of the European Union on quota policies in national companies and firms. Unfortunately, not all countries agreed to that, so there was no possibility to decree it... I remember that this [discussion] was supposed to get crossed out of the program, but it didn't, because a couple of countries decided to take the floor. And those were the countries which had themselves introduced quotas, France, Belgium, Sweden, if I remember correctly... I couldn't help but notice that such countries like France and Belgium, countries which we do not associate with Scandinavian equality, were saying: "This should have been introduced all across Europe ages ago! We introduced quotas, the percentage of women rose from this [number] to that [number], as well as the percentage of women who are being offered trainings, workshops" – because this is what follows. [What follows is] the thought that a woman is supposed to rise from the ranks, that you need to offer her more so that she can adequately fulfill her role... After all, nobody in companies, in firms, in private business does not think [of women] in categories of somebody who will be a nuisance on the management board or somebody who is completely useless. You need to pick the best people out of a pool of candidates, those with great training and those who excel in substantive matters – we already know that the argument that women are less educated than men is a false one; technically speaking it is men that tend to be the uneducated ones in this country... So this is clear and this should be presented as self-evident matter.

These are the standards which in some countries get to be recognized as obvious... And they acquire more obviousness [over time]. Just like with voting rights – back in the day people thought them to be a tremendous sensation. Who would dare to question women's voting rights today? Janusz Korwin-Mikke, for sure, but he is not a serious politician, let's be frank... The same goes for equality – for equality on lists of candidates, for equality on management boards. I think all this will eventually become obvious. What is crucial is that we, women, should not wait for it for the next one hundred and fifty years.





## CHAPTER SEVEN

# Voice, Body, and Gender Quota Politics in Poland<sup>1</sup>

*By Adrianna Zabrzewska*

In *For More than One Voice: Toward a Philosophy of Vocal Expression* (2005), Adriana Cavarero, an Italian feminist philosopher of sexual difference, puts forward a bold theory that, starting all the way back from Plato, the entire tradition of Western thought was deaf to human voice as such. What it paid attention to was only the meaningful substance the voice carried – the idea, the concept, the word that transcended the silent realm of the mind and made themselves heard for other minds to contemplate and admire. Relegated to the realm of the female and the feminine, the musical, asemantic voice that signified the finite, fragile, and flawed human body was deemed insignificant. The binary divide between mind and body, meaning and form, public and private was distributed between the two sexes of the human species, sanctioning a social, political, and cultural gendered order in which men went out into the world together with other men and shared their thoughts on the agora, while women stayed home and sang to their children. Contrary to those feminist projects that

<sup>1</sup> This chapter is written by a feminist with a background in literary studies and philosophy. While quotas have been a social science project, the approach of applying social science theories has been done multiple times. After decades of quota success and failures, social scientists have developed numerous typologies of the arguments for and against (Krook et al 2009; Dahlerup and Freidenvall 2010; Krook 2016: for a quick reference, see Table 1, p. 274. See this book's Chapter One for bibliographical references). We intend for this chapter to look at the arguments in a new way, though we know that it has echoes to the social science literature – JKD & AZ.

focus on voice solely as a tool of women's empowerment, Cavarero's project points to the necessity of reclaiming the very concept of voice as such. It is a voice that – in a logic somewhat reminiscent of Hannah Arendt's political philosophy (1958/1998) – heralds a human being's entry into the political scene. What this voice also announces is a person's embodied and gendered uniqueness which, once heard, cannot pass unnoticed.

As I read through the already historical comments of Polish deputies who back in 2011 tried to wrap their heads around the concept of gender quotas, I found myself thinking about Cavarero's theories. Namely, I could not help but notice that many opponents of female quotas seem to perpetuate a peculiar – and perhaps, indeed, patriarchal – dynamics of the political sphere which gives primacy to meaningful substance but disregards the embodied uniqueness of a human being. "Gender does not influence knowledge, activity, sensitivity, and other qualities necessary for being a good parliamentarian. This is a feature ascribed to individual people, regardless of their gender," said one of the detractors of the gender quota law. What this respondent – and many other parliamentarians who use this kind of argument as an argument *against* female quotas – did not seem to realize is that gender *is* what makes a person. Moreover, just by acknowledging the simple fact that only one gender has a privileged position on the political arena as its creator and longtime actor, it becomes evident that this arena is not an impartial realm reigned solely by virtue and intellect. Alas, it is an acknowledgement that some politicians fail to make.

The purpose of this chapter is to discuss the opinions on female quotas provided by Polish deputies in the Polish Parliamentarian survey POLPARL 2011, conducted in the summer of 2011 (see Appendix A). The answers were provided in written form – some of them were collected in the course of the web survey, some of them were given on paper after the physical, printed copy of the survey had been delivered to a given parliamentarian's office and picked up later. The parliamentarians wrote their answers using short phrases, not necessarily grammatically correct.

Similarly to Western feminist scholars, I believe that in order to change both actual politics and academic discourses on politics it is necessary to realize "what [it is] about politics as an academic discipline and politics as a practice and the ways the two interact that results

in this overrepresentation of men and a profound gender blindness” (Celis et al. 2013: 6) – and, one may add, a profound gender deafness. My intention is to seek this “what” by trying to understand how Polish parliamentarians perceive gender and whether they are able to see – and hear – it at all. In accordance with the basic premises of this source book, the idea is to listen closely to what the deputies have to say and organize their arguments according to the concepts they themselves use. Without pretending that it is a work of a social scientist, the chapter nevertheless takes its cue from social science in terms of methodology and structure. The goal of qualitative analyses presented in this chapter is that the texts in themselves will guide the researcher and provide their own concepts – a strategy similar to the one adopted in Pawłowski and Dubrow (2011), who also used the 2005 data on the term “descriptive representation” (see Appendices A, B, and C).

## DATA AND METHODS

In the survey, after answering other items on inequality and representation, the respondents were asked to evaluate female quotas in general terms of good and bad. The same question provided them with space to justify their opinion and write their answer. As such, this part of the survey looked as follows:

*Question 9a: What is your general opinion about the act on female quota? Generally speaking, the act on female quota is: Good / Bad.*

*Question 9b: Justification.*

Out of 129 parliamentarians who took the POLPARL2011 survey, 92 decided to use section 9b of the questionnaire to further comment on female quotas. I divided the respondents into “Proponents” and “Detractors” sets by using the answer to question 9a in which the parliamentarians provided their general opinion in terms of “Good” and “Bad.” As such, 33 respondents were marked as “Proponents,” and 51 as “Detractors.” The cases in which the answer to 9a was missing, but the comment in 9b was still provided, I coded as “Other” (n=8). I organized the opinions into subsets arranged according to themes that surfaced in those texts. The title of each subset echoes

the parliamentarians' statements and hence uses words and phrases borrowed directly from their comments. The chapter quotes and discusses 65 out of 92 opinions. Since the remaining 27 comments in the sample make use of similar or even identical arguments to the ones discussed here, there is no need to cite all of them.

To reduce the possibility that the demographics and party ideology would influence the coding, all opinions were printed separately and marked with an ID number. That way, variables such as respondent's gender, party affiliation, age cohort, social class, and his/her roll call vote on gender quota law in 2010 could still be easily identified by consulting an Excel spreadsheet with these characteristics. However, these data were not visible during the process of distinguishing recurring themes. Once I coded the opinions and wrote preliminary observations, in some cases I decided to bring those data into the discussion. Most often, this was done to verify certain premonitions that I had about a given respondent and to see how their statement relates to the variable of gender (e.g. to see who claims that female quotas are offensive to women).

I considered boundaries between themes and irregular cases. Some themes were bound to overlap, since several ideas might appear within one respondent's comment. As for irregularities, several respondents who evaluated quotas as "Good" in general terms used the comment section to express their skepticism about the quotas' practical implications. Similarly, some of the Detractors might have evaluated the quota as "Bad" not because they are opponents of gender equality as such, but rather because they would, for instance, be more satisfied with a different quota ratio, e.g. 50 percent instead of 35. However, in both cases the irregularities are marginal enough not to distort the proposed methodological approach.

In order to account for the nuances of the Polish language and make sure that the English translation faithfully reflects the meaning of the original (and my understanding thereof), I decided to cite the parliamentarians' comments in my own translation – hence the quotations might differ from the translations included in the Appendix to the book. Each quote in this chapter is accompanied by its original Polish version. The original quotes underwent minor edits that removed spelling mistakes (for a different translation and without such corrections, see this book's Appendix B and C).

## DEFINITIONS AND PROBLEMS

Before delving into specific examples, it might be worth starting with a preliminary observation that pertains to all comments made by Polish parliamentarians. Polish as a language does not distinguish between “sex” and “gender” the same way that English does. Sometimes, their respective meanings are appropriated by “płeć biologiczna” (biological sex) and “płeć społeczno-kulturowa” (literally: socio-cultural sex). Since this differentiation does not appear in quotations featured in this chapter, it is almost impossible to tell in what sense the deputies are using the word “płeć” and what kind of meaning they would ascribe to the distinction between sex and gender. As such, it remains a puzzle whether Polish parliamentarians know that sex is *not* a prediscursive,<sup>2</sup> natural basis on which gender is built by means of discourse and sociocultural practices but is always already gendered as part of a larger system of power and knowledge production (Butler 1990; Butler 1993). As feminist theoreticians know very well, even though the sex/gender distinction has been constructed in mainstream philosophical and cultural narratives as a binary pair inscribed within the larger nature/culture divide, the relationship

<sup>2</sup>“Prediscursive” would mean “existing prior to discourse” or, in other words, “that which comes before language.” By insisting that sex is not prediscursive, Butler simultaneously claims that sex is not a static, bodily-given fact that comes across as “natural.” When the midwife or the ob-gyn exclaims “It’s a boy!”/“It’s a girl!” one could assume that the logic here is: A person delivers a baby, they see that the baby has a penis/vulva, and so they proclaim it boy/girl, announcing the child’s gender on the basis of a stable, non-linguistic referent – or, to put it bluntly, the organ between its legs. For Butler, however, that a particular sex organ evokes the category of “boy” or “girl” is already a socially constructed, discursive phenomenon that can be approached only retroactively from the position of language. This does not of course mean that Butler questions the materiality of the human body as such, but this approach did raise certain controversies on part of many feminist thinkers who wanted to bring language and matter together. As Karen Barad writes, while revisiting Butler’s theories: “Is the matter of things completely social in nature? Are we to understand matter as a purely cultural phenomenon, the end result of human activity? And if so, is this not yet another reenactment of the crossing out of nature by culture? And if not, then how can we explain what nature is in relation to this cultural field? ... [W]hile Butler correctly calls for the recognition of matter’s historicity, ironically, she seems to assume that it is ultimately derived (yet again) from the agency of language or culture. She fails to recognize matter’s dynamism” (2007: 64).

between the two terms is not a clear-cut dichotomy, but a mutual entanglement of material and discursive, ontological and epistemological, natural and artificial, biological and social phenomena that continuously influence, shape, and define one another (see Barad 2007).

If the deputies do not know all that it might be possible that at least some of them use the term “płeć” in reference to biology – and biology that they understand as pure nature that stands separate from culture and its state-building powers. If we assume that this binary conceptual framework belongs to a metaphysical tradition (both Platonic and Christian) which equates personhood with universal reason that transcends the natural state of mortal and sinful body in search for higher ideals, *and* if we agree that the splits between mind and body, society and nature have been connoted with the divide between male and female within a hierarchical dyadic pairing that privileged the male (Grosz 1994), then the very gesture of naturalizing gender becomes gendered in itself. Reducing gender to a question of “mere” or “pure” biology of sex, and subsequently renouncing it as insignificant to political activity, may be seen as an attempt to save the male-oriented dominion of politics from the intrusion of what that dominion perceives as alien forces – that is, to put it simply: of women. The fact that gender quotas “are more accurately viewed as sex quotas, ... as they focus on the biological markers of male and female rather than the social markers of masculine and feminine” (Krook et al. 2009: 781) complicates these matters even further.

Another semantic issue should be confronted at this point. Both proponents and detractors of gender quota law cited in this chapter use the word “parytet” (parity). The word “kwota” (quota) does not appear in their comments at all. This is, I would argue, closely related to the local context. When back in 2009 the Congress of Women set out on the task to ensure a more equal representation of women in politics, the civil proposal of the legal act prepared by the Congress was, indeed, a parity, that is, a quota of 50 percent for men and women. The heated media debate that ensued at that time (see Łukasik-Turecka 2012) and the debate during the first reading in the Sejm in February 2010 both popularized the term parity. Perhaps the term became so customary that in the summer of 2011 – i.e. several months after the law was signed by the president and everybody knew that the parity had been, in fact, reworked in the course of legislative

proceedings into a gender quota of 35 percent – the parliamentarians still insisted on referring to the bill as “ustawa parytetowa” (“parity bill”) rather than “ustawa kwotowa” (“quota bill”). As such it was “parity,” not “quota,” that was targeted by the opponents of the new law. This offers an interesting contrast when compared to the experience of Western Europe where it is the term quota, rather than parity, that seems to attract negative attention (Krook 2014). For instance, in France of the 1990s, the concept of parity was adopted to make quotas look more attractive by entailing an equitable share of power between women and men, rather than suggesting special representation for minorities (Krook et al. 2009, Krook 2014). From Kurczewski (1999), we know that Polish parliamentarians in the 1990s were more willing to embrace quotas for national minorities rather than gender quotas for women, a group that constitutes half of the Polish society (see Chapter Four). From 2010 debates and 2011 web survey, we can still observe that *paritas*, the etymological root of parity that in Latin stands for equality, does not make gender quotas any more appealing to some Polish parliamentarians.

Since it is not possible to verify in exactly what way the parliamentarians use the word “płeć,” throughout the text I simply use the term “gender.” In translations of the opinions, I use “parity” to render the meaning of the original statements, but in my own text, I choose to use “gender quotas” as the broader term that more adequately reflects the actual state of legislation that introduced a 35 percent gender quota, and not a parity of 50 percent. However, I would like the readers to have these semantic dilemmas in the back of their heads as they read through the comments cited in this section – as an exercise in being attentive to what the politicians are not.

## FINDINGS AND DISCUSSION

The following part of the chapter lists and discusses the most common arguments made by detractors of gender quotas, proponents of gender quotas, and those parliamentarians who claim to have no opinion on the subject in question.

## DETRACTORS

### *Gender as Political Category*

Respondents insist that gender is not a valid political category and that individual characteristics are far more important at determining a person's effectiveness on the political scene. What the parliamentarians considered to be valid and desired characteristics for a politician to have were: competence, skill, knowledge, engagement, experience, honesty, work ethic, and popularity among other party members. Comments representative for this particular theme include:

- 1) *It's the competence and the will to act that matters, not gender.*  
Liczy się przede wszystkim zaangażowanie, kompetencja, a nie płeć.
- 2) *Gender does not influence knowledge, activity, sensitivity, and other qualities necessary for being a good parliamentarian. This is a feature ascribed to individual people, regardless of their gender.*  
Płeć nie ma wpływu na stan wiedzy, aktywność, wrażliwość i inne cechy konieczne dla dobrego sprawowania mandatu parlamentarnego. To jest cecha przypisana indywidualnym osobom bez względu na ich płeć.
- 3) *What matters in politics are views, honesty, diligence and persistence, not race, gender, or age.*  
W polityce liczą się poglądy, uczciwość, pracowitość i stałość, a nie rasa, płeć lub wiek.

The logic of the above statements suggests that their authors perceive individual experience as a factor existing externally to gender – as if this experience was shaped outside of a network of cultural gender practices. In this respect, two opinions from this particular set deserve a separate commentary, as they are built on somewhat different premises:

- 4) *Gendered inclinations do, indeed, impact the activity of women and men, especially in the case of young women. I do not divide*



*people according to their gender. What matters more is: experience, education, relations with others, personal traits. That is what should dictate the number of women in the Sejm. The parity does not change anything.*

Ukierunkowania płciowe istotnie wpływają na aktywność kobiet i mężczyzn, zwłaszcza w przypadku kobiet młodych. Nie dzielę ludzi wg. płci. Ważniejsze są: doświadczenie, wykształcenie, stosunek do innych ludzi, osobiste cechy. I to one powinny decydować, ile ma być kobiet w Sejmie. Parytet nic nie zmienia.

Opinion no. 4 is the only one in this set that openly acknowledges the existence of gender as a structural phenomenon (what I interpret from their phrase which could be translated as “gendered inclinations” or “gendered orientating,” perhaps also in the sense of “conditioning”). However, it quickly takes a regressive turn by implying that people’s professional, educational, and personal life is not influenced by that orientating or conditioning in significant fashion – and hence the whole statement becomes self-contradictory. Linking raised gender consciousness with young women can be read as a patronizing gesture in which an offensive kind of sympathetic lenience is shown toward somebody whom the speaker considers inferior – as if a feeling of insecurity that impairs one’s social functioning was a matter of immaturity rather than systemic oppression.

- 5) *Areas of interest characteristic for a given gender. Many women make good politicians without parities. Parities were to “wow the crowd.” Rhetorical question: should we set parities for kindergarten teachers? Nurses? Beauticians? Etc.*

Obszary zainteresowań charakterystyczne dla danej płci. Wiele kobiet jest dobrymi politykami bez parytetów. Parytety były “pod publikę.” Pyt. retoryczne: czy należy wprowadzić parytety wśród nauczycieli wychowania przedszkolnego? pielęgniarek? kosmetyczek? itp.

It would seem that the author of comment no. 5 does not perceive gender as a valid political category, because “women make good politicians,” too. Nevertheless, the respondent underlines the existence of gender-specific areas of interest. Having expressed that conviction, the respondent lists two caretaking jobs and one pertaining to

grooming and beautifying practices. The respondent clearly believes that these professions are strictly reserved for women and that they naturally suit women's interests. This can be interpreted as an act of perpetuating stereotypical visions of gender roles, as it is based on the following assumptions: (1) Women are more apt to taking care of the young, the elderly, and the ill, and men do not make good caregivers. (2) Women are more preoccupied with their own looks and are more prone to vanity than men. While rendering gender insignificant for carrying out political tasks, this opinion also implicitly suggests that the respondent has a strong traditional perception of differences between gender roles.

In all of the comments, the rhetoric of gender equality is used to advocate a lack of gender equality in law-making procedures. The respondents' understanding of what it means to be equal is based on very peculiar premises. In this vision, intellect, knowledge, experience, and personal skills can be distilled, evaluated, and compared autonomously, as if taking them out of context – historical, social, economic, or any other imaginable context. In this sense, it would be possible to say that nothing prevents men and women from being equal – they have the same potentiality when it comes to intellectual and emotional, personal and professional development. Nonetheless, what prevents men and women from realizing these potentialities in an equal way are the patriarchal structures of power which they encounter in their daily experience of the world. By neglecting these power structures – either by diminishing their significance or pretending they do not exist at all – the respondents refuse to account for social conditioning that uses stereotypical understanding of gender roles to shape the ways in which men and women make their life choices, choose career paths, interact with others, and relate to their own achievements.

In an ideal world, competence, skill, and knowledge would be precisely what matters. But for the moment, the fact that gender forms one of the most crucial points of discrimination should be confronted. Gender equality cannot be achieved by overlooking gender inequality.

### *Individual Initiative*

Respondents underline active agency and individual initiative as desired characteristics for a politician to have. More specifically, they underscore a woman's capacity to represent herself and become an active political actor due to individual assets. Comments representative for this particular theme include:

- 1) *Active women promote themselves.*  
Kobiety aktywne same się promują.
- 2) *Every woman, who wanted and had the predispositions to become part of politics, became part of it.*  
Każda kobieta, która chciała i miała predyspozycje do bycia w polityce była w niej.
- 3) *Women are doing really great without a parity.*  
Kobiety doskonale radzą sobie bez parytetów.
- 4) *Nowadays, women are equally well-educated, if not better [than men]. Women are talented and entrepreneurial enough to achieve success. Political parity limits democracy and distorts the natural social changes that occur.*  
Obecnie kobiety są tak samo, a często lepiej wykształcone. Kobiety są dostatecznie zdolne i przedsiębiorcze, aby osiągnąć sukces. Parytet w polityce ogranicza demokrację i narusza naturalne przemiany społecznie, które zachodzą.

Additionally, one comment underlined individual initiative not in terms of intellect and skill, but rather in terms of emotive engagement, as if politics was a matter of a calling or vocation, rather than professional career:

- 5) *They [women] should run for the Sejm because their heart tells them to and not because they have to fill in a spot granted by the parity.*  
Do Sejmu powinny kandydować z potrzeby serca, a nie konieczności zapelnienia miejsca wynikającego z parytetu.

Unfortunately, on the basis of this statement it is not possible to estimate whether the respondent believes that this sort of a heartfelt sentiment for politics applies to both male and female candidates. Perhaps the respondent implicitly suggests that only women need to feel this kind of calling in order to leave the supposed comfort zone of their homes and embark into the male-dominated public realm. In that case, the structural situation in which women more often than men take on the role of homemakers would be sanctioned as normal and normative by the respondent's premonition that the paradigm of separate spheres can be subverted only by a strong calling or inclination. That calling would thus be a disruption to an order which is otherwise perceived as "natural" and suited to the more "regular" emotional needs that a woman might have. Apparently, those needs are best fulfilled at home, and not in the Sejm.

A characteristic of these statements is that the way in which they are phrased opens the possibility to read them in a tone that suggests offensive superiority. Let us dismantle those sentences logically. "If women want to get involved in politics" or "whenever they want to" is pretty much tantamount to: "usually they do not want to," which means: "usually they are not interested," from which we deduce that there are gender-specific interests, after all – and politics, it so happens, is not the one that would be perceived as specific to females. And "not specific" is just inches away from "not appropriate," if not "downright harmful."

The fourth comment in this set (*Nowadays, women are equally well-educated, if not better...*) is especially intriguing. On the one hand, it seems to take notice of social changes connected to women's empowerment. On the other hand, the same opinion clearly conflates a legal regulation that would enable women equal access to politics with a direct threat to the democratic system as such. This gives rise to a suspicion that these comments, while using images of active femininity and expressing faith in women's individual initiative, are, in fact, derived from an exact opposite view on femininity and female political agency.

## *Insult and Discrimination*

Respondents remarked that quotas for women are offensive, derogatory, or even discriminatory to women. Comments representative for this particular theme include:

- 1) *It is humiliating to women, it is another way of discriminating and expressing disbelief that a woman, with her intelligence and wisdom, can acquire the highest positions in her profession and in the state.*

Upokarza kobiety, jest swoistą dyskryminacją i wyrazem niewiary, że kobieta może inteligencją i mądrością zdobyć najwyższe stanowiska w zawodzie i państwie.

- 2) *A parity given by law presupposes that women are intellectually and mentally handicapped subjects while the truth is that women are generally more intelligent than men. If only women want to get involved in political work, they can do it really well.*

Istnienie ustawowego parytetu czyni z kobiet postacie jakby z założenia ułomne intelektualnie i psychicznie; podczas kiedy kobiety są średnio biorąc inteligentniejsze niż mężczyźni. Jeśli tylko chcą zająć się pracą polityczną, robią to świetnie.

- 3) *The law hurts women's pride...*

Ustawa uraża dumę kobiet....

- 4) *It depreciates women.*

Deprecjonuje kobiety.

- 5) *The parity bill is offensive to women's intelligence because they do not need any special privileges in order to get into parliament.*

Ustawa o parytecie obraża inteligencję kobiet, gdyż nie potrzebują one specjalnych przywilejów, żeby dostać się do parlamentu.

- 6) *It discriminates women and men.*

Dyskryminuje kobiety i mężczyzn.

Respondents expressing these convictions seem to believe that gender quotas are tantamount to a special privilege that diminishes

the sense of achievement. Apparently, the feeling of pride can be drawn only from securing a position in politics without any external help. All these comments feature emotionally charged language that is supposed to evoke highly negative associations in the reader (“humiliating,” “offensive,” “handicapped” instead of “disabled”). All comments make use of a conceptual scheme in which pride, respect, and high social status are equated with individual initiative, resourcefulness, autonomy, and getting through life without anyone’s help, and that might suggest a male-oriented frame of reference. Unsurprisingly, a quick look at the variable of respondents’ gender reveals that those politicians, who took the effort of explaining that gender quotas are offensive to women, were all men.

### *Artificiality and Coercion*

Respondents underline what they believe to be an artificial, harmful, and coercive nature of gender quotas. Some of the parliamentarians connect the notion of artificiality with themes known from previous points, such as individual initiative, competence, and experience:

- 1) *It introduces artificial proportions, as if forcing women to take part in politics. These women who are interested in politics have already devoted themselves to it – without a parity law.*  
Wprowadza sztuczne proporcje, niejako zmusza kobiety do brania udziału w polityce. Te kobiety, które interesuje polityka, angażowały się w nią bez ustawy parytetowej.
- 2) *It is a coercive regulation that does not stem from actual participation – it leads to an evaluation in which merit is ascribed to gender and not to competence, knowledge, experience.*  
Jest regulacją wymuszającą a nie wynikającą z rzeczywistego uczestnictwa – powoduje ocenę, w której wartość ma stanowić płeć a nie kompetencje, wiedza, doświadczenie.

Gender quotas are reimagined here as a tool of oppression that forces women to take part in politics against their will. Respondents use somewhat exaggerated, emotive rhetoric to underscore their point – and hence, the quota law:

- 3) *Artificially “goads” women on the lists*  
Sztucznie “napędza” kobiety na listy.

and

- 4) *Creates fiction in political practice.*  
Tworzy fikcję w politycznej praktyce.

The following comments are interesting enough to devote a separate discussion to each of them:

- 5) *Artificial regulations impair the quality of law. What we need is education and culture, not rigid norms that are intimidating rather than inviting.*  
Sztuczne regulacje szkodzą jakości prawa. Potrzebna jest edukacja i kultura a nie sztywne normy, które odstraszą a nie zachęcą.

The fifth comment in this set expresses concern that gender quotas are such an artificial tool of regulation that they oppose the “natural” or “authentic” (as we may deduce) order of things and weaken the quality of law. According to the respondent, the coercive and constrained character of quotas makes them uninviting and, ironically, discourages women from pursuing political careers. Implicitly, this comment can be also read as conveying the respondent’s fear that quotas will disturb the status quo and will cause damage to law-making procedures. Additionally, this is one of the few comments among the detractors’ voices that points not to individual factors, but to systemic ones – education and culture.

- 6) *The law introduces an artificial mechanism which positions women as persons who achieve success – to use a sports comparison – by using “legal” doping substances.*  
Ustawa wprowadza sztuczny mechanizm, który stawia kobiety w pozycji osób, które swoje sukcesy osiągają – przyjmując porównanie sportowe – stosując “legalne” środki dopingowe.

The internal logic of comment no. 6 can be perceived as a yet another approach to the themes that surfaced under the “insult and discrimination” heading. Again, this sentence seems to use the conceptual link between external help and a sense of shame – help

makes achieving one's goals far less rewarding. Here, however, the respondent links that help with an artificial boost by using imagery derived from the sports domain: a site of competition, rivalry, and adrenaline-fueled drive for victory – a site that has been traditionally reserved for men. As such, this comment can be read as perpetuating a stereotypical understanding of male and female traits and interests. Sports in general has been perceived as the forefront of hegemonic masculinity – first defined by Connell (1987) as a paradigm of masculinity which constitutes itself as superior to women and other, subordinated masculinities (usually those that the hegemonic order reads as effeminate) and which strives to perpetuate that status quo. For instance, as observed specifically by researchers of masculinities in Polish sports, football fans in Poland tend to form homosocial male groups which: (a) draw their sense of “brotherhood” from degrading both women and homosexual men, (b) shape their identity on ideals of heroic fight and chivalry (Jakubowska et al. 2019), and (c) marginalize female football fans, even despite the growing presence of women in sports fandoms (Antonowicz et al. 2018). Even though, technically, doping is more commonly associated with other, individual sport disciplines, I would still argue that in the metaphor cited above, honor, sports, battle, and politics come together in a logic designed to exclude women. By suggesting that gender quotas are to women what doping substances are to sport contestants, the comment implicitly excludes female candidates from a realm of honorable and fair-play fight that apparently defines football fields, battlefields, running tracks, and the plenary hall of the Sejm.

7) *It weakens the position of women. Coercion is not good, “the slave is not an employee.” If women would vote for one another, they would always win. There are simply more women.*

Oślabiają pozycje kobiet. To co jest przymusem nie jest dobre, „z niewolnika nie ma pracownika”. Kobiety gdyby głosowały na siebie zawsze by wygrywały. Jest po prostu więcej kobiet.

In comment no. 7, the respondent is apparently convinced that gender parity is an act of repression against women that not only forces them to do political work against their will, but also presupposes that this enforcement would lead to low-quality results. In the



respondent's view, it is only upon the moment of being dragged into the realm of public life that a woman suddenly feels enslaved. After being forcibly removed from the reality that she knows best – the private sphere of her house – she enters a foreign and oppressive realm of work. Upon her transition from one sphere to the other, she turns from a grateful slave into an ungrateful and potentially dangerous one. No wonder then that the respondent does not approve of gender quotas.

As a side note, I would just like to mention that this kind of rhetoric – the never-ending recapitulation of the master-slave narrative – although rooted in quantifiable discrimination and oppression of women by men, does not facilitate advocating gender equality. Perhaps, thinking of the relations between genders as a situation of conflict and struggle for domination is not the most fortunate way to frame the whole discussion as it closes off the way to substantial change (one that could manifest itself in, for instance, peaceful collaboration based on mutual respect). But for now, let us leave this question open and move on to the next opinion:

- 8) *All regulations are artificial and coercion is against the rule of freedom and democracy. ...<sup>3</sup> I am deeply convinced that the society in its mass is wiser than the “progressive” elites who want to dictate to the society for who the society is supposed to vote. The number of women in the Sejm should not increase in an extraordinary way and everything will be normal as usual – or so I hope.*

Wszelkie regulacje sztuczne i wymuszenia są sprzeczne z zasadą wolności i demokracji. ... Mam głębokie przekonanie, że społeczeństwo w swej masie jest mądrzejsze niż “postępowe” elity, które chcą sztucznie dyktować społeczeństwu na kogo społeczeństwo ma głosować. Ilość kobiet w Sejmie nie powinna się zwiększyć w jakiś nadzwyczajny sposób i będzie normalnie jak dotychczas – taką mam nadzieję.

<sup>3</sup> In the omitted fragment of the quotation, the respondent announces that he will use the space provided to share his thoughts on question 8 of the survey. In question 8, the respondents were asked to assess the female quota's influence on affairs regarding women, children, people in poverty, elderly people, and ethnic minorities. The parliamentarian cited here was convinced that the female quota will have no influence whatsoever on these issues, neither good nor bad.

This respondent gives highly negative connotations to concepts such as “progress,” “progressiveness,” and “elite” by making them sound as they were all bad things by definition, which is not necessarily true. For instance, an elite can be defined as a group of highly skilled people who stand apart from the rest of the society in a positive, awe-inspiring way. Here, however, the respondent seems to allude to unjust privileges and an abuse of power. Similarly, “progress” is reworked here from its original meaning of “gradual betterment” into what seems to be “moral downfall.” By expressing a belief in the wisdom of the masses – a wisdom that, apparently, manifests itself in a conservative stance and a will to keep the status quo – the respondent implicitly connotes the nation’s “progressive elites” with oppression. Significantly enough, the concept of elite is not further defined by the respondent. If the elite means simply the people who have political power and who are in charge, does not the respondent belong to this elite? Or perhaps, the respondent uses this word more in terms of “the establishment”? It would be interesting to explore what governs this kind of rhetoric (especially since it would seem that it gained momentum with the 2015 Polish parliamentary elections as one of the defining characteristics of Law and Justice’s discourse), but for the moment being let us move on to yet another interesting thought that surfaces in this particular comment. It seems that the respondent gives a normativity claim to a political landscape dominated by men in which women are denied access to governing bodies – low numbers of women in Polish politics is what the respondent deems “normal.” From this, it is only logical to deduce that a more visible presence of women in public life would thus be “abnormal,” if not “deviant.”

- 9) *I believe that every artificial/top-down regulation of the participation ratio (adopting the “parity”) impairs the quality of representation (vide: the experience of American universities where parities for students on the basis of skin color disturbed the normal process of selecting the best candidates). What is more – parity in politics is offensive to women. The legislator assumes that they will not make it into the parliament on their own and hence they need an “artificial” support. My experiences show that in the current “traditional” system, women are*

*doing great in all kinds of elections to representative bodies on different levels.*

Uważam, że każda sztuczna/odgórna regulacja proporcji udziału (przyjęcie “parytetu”) pogarsza jakość przedstawicielstwa (vide: doświadczenia amerykańskich uczelni z parytetami dla studentów w zależności od koloru skóry zakłóciły normalny proces doboru najlepszych kandydatów na studia). Poza tym – parytet w polityce moim zdaniem uwłacza kobietom. Ustawodawca uznaje, że same sobie nie poradzą w znalezieniu się w parlamencie o wymagają “sztucznego” wsparcia. Moje doświadczenia wskazują, że w obecnym, “tradycyjnym” systemie kobiety świetnie radzą sobie w najróżniejszych wyborach do organów przedstawicielskich na różnych szczeblach.

The last, ninth opinion in this particular section is worth mentioning since it is the only comment amongst those made by detractors that draws on foreign experience – but only to provide an example that the respondent finds harmful and flawed. The example refers to the procedures of enrollment of minority students to American universities. Even though it is not specified at any point in this comment, it is quite likely that the respondent’s argument is a distant and simplified echo of US debates on affirmative action and the discussion on the so-called mismatch effect. Additionally, the last comment reinforces the argument on the quotas’ artificial and coercive nature by employing some of the themes we have seen earlier – “women are doing great” on their own and hence “parity in politics is offensive to women.”

### *Communist Past*

Only one politician brought up the experience of the Communist past in their comment:

- 1) *Social engineering straight from the PRL [Polish People’s Republic] – we know how that ended.*  
Inżynieria społeczna rodem z PRL – efekty znane.

In this example, quotas are perceived as a tool of oppression, vaguely reminiscent of state regulations in the Communist period – and, by logical extension, as an anti-democratic sentiment. This

comment could be easily tied also to the previous theme of coercion and artificiality (see also the discussion in Chapter One).

### *Miscellaneous Comments*

Remaining opinions include three main types of arguments: (a) comments that renounce gender discrimination as such; (b) expressions of indifference; and (c) expressions of general critique in terms of overall effectiveness of quota policies when it comes to putting women in the Parliament:

- 1) *A woman is a full-fledged citizen of the country and hence parities are unnecessary.*  
Kobieta jest pełnoprawnym obywatelem kraju, w związku z tym parytety są zbędne.
- 2) *Nowadays, there are no obstacles to an active functioning of women.*  
Obecnie nie ma żadnych przeszkód w aktywności działania kobiet.
- 3) *I think that the law will have no real impact (neither good nor bad one) on the workings of the Sejm.*  
Uważam, że ustawa ta nie będzie miała żadnego realnego (ani dobrego, ani złego) wpływu na jakiegokolwiek zmiany w pracach sejmowych.
- 4) *The bill is bad because there will not be more women in the Sejm.*  
Zła ustawa, bo w sejmie nie będzie więcej kobiet.
- 5) *In a proportional representation system with open lists, the parity does not make much sense; in fact, it can even reduce the number of women who get the parliamentary seat (distribution of votes between the women-candidates from one list).*  
W systemie ordynacji proporcjonalnej z listami otwartymi parytet nie ma większego sensu, a nawet może ograniczyć liczbę kobiet, które zdobywają mandat (większe rozproszenie głosów pomiędzy kobiety-kandydatki z danej listy).

Interestingly, two respondents point to the need for raising social awareness:

- 6) *What we need is citizenship education, and not administrative regulations.*  
Potrzebna edukacja obywatelska, a nie administracyjne nakazy.
  
- 7) *This law will not change anything. What needs to be changed is mentality.*  
Niczego ta ustawa nie wniesie. Należy zmienić mentalność.

The last two opinions thus go against the rhetoric of individual initiative that was one of the prevailing themes among the detractors' comments. It would be interesting to ask the following question: If these respondents renounce gender quotas as top-down regulations that have no chance of translating into people's everyday experience, do they expect that this change of mentality is supposed to be implemented on all other public planes as a sort of grassroots initiative, and only then it can find its way into politics at the national level? If they do not consider quotas as a good starting point of changing that mentality, but they seem to care about that change (or at least they declare so), what alternative would they propose? As current literature and corresponding policy debate demonstrate, the discussion on gender quotas has now moved from the realm of politics into the realm of economy (see Chapter One for an overview and a list of references). Recent years have shown that parliament quotas lead to quotas in management and advisory boards on corporate level by means of what some scholars call the contagion effect (Meier 2013). What Polish parliamentarians thus did not know at the time of the survey is that their decision of introducing gender quotas into the election system could translate directly into other domains of social life, subsequently influencing the economic, personal, and professional well-being of women who follow a career outside of politics.

As far as alternatives are concerned, here is what one of the respondents proposes:

- 8) *Setting a "rigid" parity is not a good choice. It would be much more beneficial to have statutory incentives and awards for*

*those parties that managed to get the highest number of women into the parliament (e.g. higher subsidy).*

Ustawianie “na sztywno” parytetu nie jest dobrym wyjściem. Znacznie korzystniej wpłynęłyby ustawowe zachęty i nagrody dla partii, które wprowadzą największą ilość kobiet do parlamentu (np. większa dotacja).

The idea of rewarding the party for managing to bring in a woman into its structures seems, from a feminist standpoint, somewhat suspicious – as if financial gain for the whole party would be the only benefit that a woman could bring. To what extent would it be perceived as a reward and to what as a reparation for a woman’s presence in party structures, one might wonder.

The last comment in this section is: *Parity means 50–50* (Parytet to 50 x 50), to which I can only add: Indeed.

## PROPOSERS

### *Access and Representation*

Proponents of gender quota law believe that it will increase the number of women in politics. According to the respondents, there is a need to accentuate the role of women in Polish public life. Comments representative for this theme include:

- 1) *It allows more women to get into the parliament.*  
Pozwala większej liczbie kobiet znaleźć się w parlamencie.
- 2) *Parity law facilitates women’s access to politics.*  
Ustawa o parytecie ułatwia dostęp kobiet do udziału w polityce.
- 3) *It increases the role of women in the social life of the country.*  
Zwiększa rolę kobiet w życiu społecznym kraju.
- 4) *More female candidates on the lists and more women parliamentarians.*  
Więcej kandydatek na listach i zwiększenie ilości posłanek.

- 5) *The number of women on the lists will increase.*  
Ilość kobiet na listach zwiększy się.

Paving the way to a more equal representation of men and women in the parliament by facilitating women's access to politics is recognized by these parliamentarians as an asset of gender quota law. They unambiguously declare gender-balanced representation as good. Given that they do not provide a more detailed explanation of their stance, it can be speculated that these respondents hold this conviction as self-evident truth.

### *Equal Chances*

Respondents advocate the need for providing equal chances for women's involvement in politics. They also underscore the fact that women are faced with discrimination – as reflected, for instance, in that female candidates are placed on less advantageous places on the lists by decision makers in male-dominated environments. One of the commenters displayed knowledge of the text of the bill and awareness of the constitutional right to equality.

- 1) *In the draft of the parity bill, we read that it has been submitted “to provide a fuller realization of the principle of equality of men and women in all domains of life, including political life – as expressed in the article 33 of the Constitution of the Republic of Poland adopted on April 2, 1997.” I am entirely “for” since I believe that women have the same right to fulfill themselves on the political plane and that they provide a new outlook on certain matters – matters unnoticed by men.*  
W projekcie ustawy o parytecie czytamy, że został on złożony w “celu pełniejszej realizacji, wyrażonej w art. 33 Konstytucji Rzeczypospolitej Polskiej z dnia 2 kwietnia 1997 r., zasady równości praw kobiet i mężczyzn we wszystkich dziedzinach życia, w tym życia politycznego.” Jestem w pełni “za,” gdyż uważam, że kobiety mają takie samo prawo do realizacji się na płaszczyźnie politycznej i wnoszą nowe spojrzenie na niektóre, niezauważalne przez mężczyzn, sprawy.
- 2) *Given the current situation, a woman finds it more difficult than a man to achieve a good position on the candidate list,*

*as it is usually men who make those decisions. Parity provides more equal chances for a woman to enter all kinds of [representative] bodies and to take part in ruling or making decisions on many important matters.*

W aktualnej sytuacji kobiecie trudniej niż mężczyźnie uzyskać lepsze miejsce na liście wyborczej, bo z reguły o tym decydują mężczyźni. Parytet wyrównuje szanse kobiet na wejście do różnych organów i udział w rządzeniu czy decydowaniu o wielu istotnych sprawach.

- 3) *For many women, it opens the chances to run for a parliamentary seat and, more importantly, to get a higher position on the candidate list.*

Otwiera szanse wielu kobietom o ubieganie się o mandat, a przede wszystkim na uzyskanie wyższej pozycji na listach wyborczych.

- 4) *I see no reasons why women – as full-fledged participants of the public life – should not have a place in the public life and in the process of setting new standards.*

Nie widzę powodów, dla których kobiety – jako pełnoprawne uczestniczki życia publicznego – nie miałyby mieć miejsc również w życiu publicznym i ustanawianiu nowych standardów.

- 5) *It will increase women's chances – there are too few of them in party boards, which translates to the number of women on the lists.*

Zwiększy szanse kobiet – jest ich zbyt mało w zarządach partii co przekłada się na ilość kobiet na listach.

It is perhaps interesting to observe that all these comments echo the three most significant reasons that scholars list when it comes to advocating a more numerous representation of women in politics: (a) the principle of gender equality that finds it just and necessary for both men and women to have equal access to the highest positions in the state, (b) representation of women's interests that can be achieved only by fellow female politicians, and (c) a diversification of perspectives, needs, and standards that draws from the difference between male and female experience (Fuszara 2007).



### *Stimulation and Encouragement*

Respondents accentuate the need for external, law-regulated stimulation that would encourage women to enter the structures from which they have been traditionally excluded. Comments representative for this theme include:

- 1) *Polish democracy is a young democracy. The family model is Catholic. Stimulation is needed.*  
Polska demokracja jest młoda. Model rodziny katolicki. Stymulacja jest potrzebna.
- 2) *The implemented solutions will stimulate a more numerous representation of women in the Polish parliament.*  
Wprowadzone rozwiązania będą stymulowały większą reprezentację w polskim parlamencie kobiet.
- 3) *It [the law] will encourage women to take part in political life.*  
Zachęci kobiety do szerszego udziału w życiu politycznym.
- 4) *It motivates women to become more active.*  
Motywuje kobiety do większej aktywności.
- 5) *It is needed as a temporary tool that will enable larger participation of women in politics.*  
Jest potrzebna jako przejściowe narzędzie, które umożliwi większy udział kobiet w polityce.

The first comment is the only one that explicitly mentions the prevailing family model as a factor that impairs women's activity in the public realm. The set of concepts that is included under the heading "Catholic" is, needless to say, a traditional family model with very clear-cut and stereotypical gender roles. Additionally, the same comment suggests that the respondent links young democracy with a lack of consideration for women's representation in politics, therefore implying that the reverse situation – i.e. encouraging and facilitating the presence of women in a country's public life – is what designates a progressive and positively-valORIZED transition into a more mature and advanced democratic system.

Being confined to her roles of wife, mother, homemaker, caretaker, and an “ornament of the house,” the woman finds it harder to enter the realm of public life – or, as mentioned elsewhere, she does not even have the chance to develop an interest in politics. Quotas and other “temporary tools,” to borrow a phrase from the last comment, are thus needed to set changes in motion.

### *Social Awareness and Behavioral Patterns*

Several respondents point to the need of raising social awareness by setting examples on a top-down basis. Implementing quotas is perceived here as a didactic tool that can bring the general public’s attention to the discrimination of women, but also – to set new standards of work ethic within the parliament. These comments include the following observations:

- 1) *The law provides women with a chance to become more active, it increases social awareness with respect to issues concerning the equal status of men and women, and it delivers the campaign promise.*

Ustawa daje szansę większej aktywności kobietom, zwiększa świadomość społeczną w sprawach dotyczących równego statusu kobiet i mężczyzn, jest spełnieniem obietnic wyborczych.

- 2) *Given the cultural and customary conditioning, we need this kind of legal didacticism that the parity law is.*

Z uwagi na kulturowe i zwyczajowe uwarunkowania potrzebny jest dydaktyzm prawny, jakim jest ustawa o parytetach.

- 3) *I hope that the parity law will improve the behavioral patterns of our parliamentarians, enhance ethics, and cause a change in the public opinion on how the Parliament is engaged in the issues of our society and how the role of women should be appreciated when it comes to creating the law of the Republic of Poland.*

Mam nadzieję, że ustawa o parytecie wprowadzi większą kulturę zachowań naszych parlamentarzystów, podniesie etykę oraz spowoduje zmianę opinii społecznej dotyczącej zaangażowania Parlamentu w sprawy naszego społeczeństwa oraz docenienie roli kobiet w tworzeniu prawa obowiązującego w Rzeczypospolitej Polskiej.

These comments noticeably depart from the individualistic visions of social status and gender dynamics advocated by the detractors of quota law. Instead, the proponents focus on relationality and interconnectedness – they think in terms of larger networks of people and the relations between them.

A glance at the variable of the respondents' gender reveals that all three comments were made by women. Once again, we observe that women are conditioned to be more inclined to thinking in terms of relations with others, but in this particular example it would seem that these female parliamentarians are reworking the notion of relationality in such a way that could help them to empower both themselves and other women. Perhaps, even the concept of “delivering the campaign promise” could also be discussed in terms of gendered understanding of relationality. In that interpretation, it would be important to deliver the campaign promise not because it is a matter of securing one's own prestige, position, or any other personal gain, nor because it is a matter of some abstract concept like justice (even though justice understood as delivering gender equality would be the final aim here). It is necessary to deliver it precisely because it was a promise – a promise made to others.

### *Foreign Standards*

Only one comment references the experience of other countries:

- 1) *The experiences of many countries point to the fact that, in the long run, increasing the level of engagement of women in public action, including politics on national level, positively influences the workings of the country. It is worth to make use of those positive experiences...*

Doświadczenia wielu krajów wskazują, iż w dłuższym okresie czasu zwiększenie zaangażowania kobiet w działalność publiczną, w tym politykę na poziomie krajowym pozytywnie wpływa na funkcjonowanie państwa. Z tych pozytywnych doświadczeń warto korzystać...

The experience of other countries (here unspecified) is set by the respondent as a positive example that Poland should follow for its own merit. Even though the comment does not name any specific

countries, it can be read as an echo of the 2010 debate in the Sejm during which Western European legal solutions on gender quotas have been frequently raised as positive examples. Sweden, Holland, Spain, and Belgium have been all brought up during the debate in the introductory speech by Professor Małgorzata Fuszara (see Chapter Five for a transcript of the speech) as examples of those countries that managed to successfully incorporate quotas or parities into their electoral laws.

### *Proponents Who Sound Like Detractors*

Some of the respondents who evaluated gender quotas as “Good” in general terms nevertheless used the comment section to express their doubts. In fact, their objections are so strong and so closely related to the arguments made by the detractors that their “Proponent” status seems to be of purely nominal nature. If the variable that determined their general opinion on quotas was not accessible, it could be easily assumed that these comments had been written by the detractors.

And hence, notions of artificial coercion, individual competence, and individual initiative all appeared in this set. What these comments also have in common is that they quickly swerve from affirmative to negative evaluation, following a classic “yes, but” structure that testifies to the respondents’ ambivalence on the subject in question:

- 1) *It is good, but nothing should be done by force. It is substantive competences that decide about the quality of our public life and not gender.*

Dobra, ale nie powinno się niczego robić na siłę. To kompetencje merytoryczne a nie płeć decydują o jakości naszego życia publicznego.

- 2) *The parity law can help, but on the example of Warsaw we can see that these women who are interested in politics already have access to it.*

Ustawa o parytetach może pomóc, jednak na przykładzie Warszawy możemy zobaczyć, iż kobiety, które interesują się polityką, mają do niej dostęp.

- 3) *In general – the trend is a positive one. In practice, however, it will not translate into the quality of politics, at least not today. Women who could really bring their experience, knowledge, and political sensitivity into politics are not, in large part, put on the lists. What is important – and it pertains to any sphere of life and to both genders: the problem is not gender, but lack of qualifications and flexibility on the part of decision-making persons.* Ogólnie rzecz biorąc – jest to pozytywny trend. W praktyce jednak na dzień dzisiejszy nie przełoży się na jakość polityki. Kobiety, które faktycznie mogłyby wnieść do polityki doświadczenie, wiedzę i wrażliwość polityczną – w ogromnej większości nie są umieszczane na listach. Co ważne – dotyczy to każdej dziedziny życia i obu płci – problemem nie jest płeć, a brak kwalifikacji i elastyczności osób, które są decyzyjne.

A curious variant on the “gender is not a valid political category” that testifies a rather stereotypical understanding of gender roles (as observed in the first section that discussed the detractors’ opinions) is provided by a respondent who starts off by providing a critique of male politicians for personal traits such as megalomania, carelessness, laziness, lack of attention to detail, then moves on to delivering a praise of women who surpass men when it comes to those features, and finally goes on to conclude that women’s presence in politics will not translate to any substantial change:

- 4) *Male politicians quite quickly and, unfortunately, permanently fall prey to routine and to a “political megalomania.” They are careless in politics, they don’t work hard enough! Women, in this respect, surpass men, but they are less determined – even though oftentimes they have more substantial knowledge, they do not surpass male politicians in prospective intuition (although there are exceptions). To conclude – it is good that there will be more women in politics, but, as far as substantive results are concerned, this will not change anything.*

Mężczyźni politycy dość szybko i niestety na trwale popadają w rutynę i w „megalomanię polityczną”. Są nieuważni w polityce, mało pracowici! Kobiety pod tym względem mężczyzn przewyższają, jednakże są mniej zdecydowane – choć niejednokrotnie mają większą wiedzę, nie przewyższają też mężczyzn polityków w intuicji

perspektywicznej (choć są wyjątki). Konkludując – to dobrze, że będzie więcej kobiet w polityce, lecz w skutkach merytorycznych niczego to nie zmieni.

If we reverse the logic and unpack this statement, it would implicitly tell us that what – according to the respondent – makes women superior to men are: humility, carefulness, diligence, attention to detail (which we deduce by assembling antonyms of the traits listed as male shortcomings). Essentially, all these assets, here attributed to women, could be ascribed to a model housewife. When combined with the remark on a woman's indecisiveness (as opposed to male determination), it would seem that this respondent strongly internalized a stereotypical understanding of gender roles. No wonder, then, that the respondent feels that inviting more women into politics would not translate into a qualitative change.

Additionally, we can observe how unproductive it is to think of gender in terms of a hierarchical order of virtue and excellence by pointing to sets of personal assets that make women superior to men in some ways and inferior in others. Such attempts sooner or later end up in simplifications, paradoxes, and double binds. For instance, it seems that certain components of – let us call it – female experience can be used both to women's advantage and disadvantage. Those traits that have been traditionally attributed to women – care, sensitivity, empathy, openness, patience – can be perceived as strong assets that a female candidate can bring into the political environment, but at the same time these features can be used to point to her weakness. Gentleness and kindness are oftentimes listed as traits that make women excel in politics, especially in the fields of healthcare, childcare, and education (Fuszara 2007: 166–167). However, the same traits can be read as features that make women far less decisive and effective than their male counterparts (Fuszara 2007: 160–161), especially when it comes to matters of economy or national security, that is, domains coded as male-oriented by connotations with stereotypically masculine traits of resourcefulness, competitiveness, and aggression. This creates a paradox that is almost insurmountable – at least without proper education and awareness-raising initiatives which could dismantle harmful generalizations with respect to the construction of masculinity and femininity alike.

One more comment in the subset of proponents who sound like detractors deserves a separate discussion:

- 5) *It will dispel the myth about women being somewhat underappreciated in politics.*

Rozwieje mit o swoistym niedocenianiu kobiet w polityce.

Despite having identified oneself as a supporter of gender quota law, the respondent seems to state that the discrimination of women – here described with a slightly more euphemistic term: “underappreciation” – is a myth to be dispelled. Myth, in this context, reads as fiction, fable, figment of imagination. It might have not been the author’s intention, but this sentence reads as if the respondent did not ascribe any truth value to gender inequality – and I imagine that it must be excruciatingly difficult to advocate gender equality when one does not believe in gender inequality in the first place.

## OTHER

Respondents marked as “Other” decided to use the comment section to express their disbelief in the law’s effectiveness, to declare their indifference toward it, or to voice a need for empirical verification. Comments representative for this set include:

- 1) *It is of no significant importance.*  
Nie ma istotnego znaczenia.
- 2) *Neither good nor bad, just ineffective. I would like to see more women in politics, but only those who want to be active, and not those who are there ex officio.*  
Ani dobra, ani zła, po prostu nieskuteczna. Chciałbym widzieć w polityce więcej kobiet, ale dlatego że chcą być aktywne, a nie z urzędu.
- 3) *I have no opinion on the quality of this bill. Only the results of the 2011 election will enable us to assess whether it reached its goals.*  
Nie mam zdania na temat jakości tej ustawy. Dopiero wyniki wyborów w 2011 r. pozwolą ocenić, czy pozwoliła ona osiągnąć zakładane cele.

Having expressed a disbelief in the practical implications of the law, one respondent proposed an alternative (again, I will refrain from trying to evaluate the political validity of this alternative, and leave this passage without further treatment):

- 4) *I do not really believe in the salvific effects of the parity, but, if anything, I would find it more reasonable to introduce a parity for the “taking ones,” that is, the ones on the privileged positions on the lists. I am basically a supporter of alphabetical lists in which the first letter would be drawn each time. This could be compared to a parity concerning the position on the list.*

Nie za bardzo wierzę w zbawcze skutki parytetu, ale jeśli już, to rozsądniejszym zdaje mi się wprowadzenie parytetu na „biorących”, czyli uprzywilejowanych pozycjach list. Ja w ogóle jestem zwolennikiem list alfabetycznych z losowaniem za każdym razem pierwszej litery alfabetu. Można by to porównać z parytetem odnoszącym się do pozycji na liście.

And finally, some of the comments echoed the logic that we have observed in arguments of the detractors:

- 5) *Slightly leaning toward “bad.” It is competence that matters, and not gender. Without parity law, the number of women is larger.*

Z lekką przewagą na złą. Liczy się kompetencja, a nie płeć. Bez ustawy parytetowej liczba kobiet na listach jest większa.

- 6) *Wrong question! I believe what matters when it comes to working in the parliament are competences – regardless of gender.*

Złe pytanie! Uważam, iż w parlamencie – w pracy parlamentu decydujące są kompetencje – bez względu na płeć.

## CONCLUSIONS

This chapter discussed the opinions of Polish parliamentarians on female quotas as collected in the summer of 2011, i.e. several months



after the Act of January 5, 2011 was passed. The new Polish law guaranteed a 35 percent gender quota in elections to: municipal, county, and regional councils, the Sejm and the Senate, and the European Parliament. Based on their general evaluation of female quotas in terms of good and bad, the parliamentarians were divided into detractors and proponents of the quota law. Next, specific comments provided by the respondents in the course of POLPARL 2011 web survey were divided into subsets and analyzed according to the most frequently recurring arguments, concepts, and figures of speech – as brought up by the politicians, in their own voice. Each subset featured direct citations from the survey and their translation into English. A qualitative analysis of these opinions leads us to the following observations:

DETRACTORS of gender quota law claim that gender is not a valid political category, but at the same time they seem to have a very traditional, conservative outlook on gender roles. Most often, they underscore individual initiative, competence, and involvement that a woman must willingly display in order to become part of politics. Any top-down regulation that would help her to do so is perceived as a repressive, artificial act of coercion that disturbs what is considered to be the natural order of democratic procedures. Claiming to speak for women, and to know about their emotions and values, some see this law as an offense to women's pride. Gender quotas apparently deny women the sense of self-esteem that comes with achieving one's goals without any external help – from which it can be deduced that the detractors' visions of personal achievement and professional success are rooted in male-oriented narratives of individuation and independence. They are reluctant to think in terms of relationality, networks, and social conditioning.

PROponents of gender quotas are more observant of systemic oppression and gender-based discrimination. They advocate the necessity for more gender-equal representation in politics and they hold the conviction that the political landscape needs more women as a self-evident truth. They perceive the law as a tool of stimulation that is necessary to induce change – which includes raising social awareness by setting good examples on the level of political practices. They generally withhold from making any comments on women's intellectual or psychological assets and they are not concerned with deciding in what exactly a woman should take pride and by what she should be

offended. Contrary to the detractors, the proponents discuss regulations not in terms of coercion, but motivation and encouragement. They are more likely to think in relational and structural terms rather than individualistic and particularistic ones.

Since the opinions discussed here date back to 2011, it would be worth revisiting the subject to see what today's representatives of the Sejm have to say about gender quota debates in retrospect. Future studies could include the following questions: Are gender quotas now perceived as unanimously good, even by representatives of the most conservative of parties, or does the skepticism remain? How do current parliamentarians evaluate the effectiveness of the 35 percent gender quota law? How do they explain that no further legislative steps have been taken to ensure a more equal and equitable representation of women? Why the zipper system has not been introduced? Do they express genuine interest in the question of women's representation or is it just a "guise of concern for the political status of women" (Krook 2008: 346)? Or maybe even: Is there any concern at all? Given the paradigms of thought that implicitly emerge from the comments analyzed in this chapter (e.g. gender polarization and the ideology of separate spheres), it might be actually worth starting with far more basic questions. What is "płeć"? What is "gender"? On what kind of ideals and values is the political sphere based and why? Are those values more accessible to one gender and not the other? Why is that so? Why individuation, independence, and autonomy are the models which we should follow when doing politics? What about relationality, interdependence, and regard for others? Does a woman need to be a self-made man in order to be in politics? Does she need to talk like one in order to be heard? What would that even mean, "to talk like a man"? What speech patterns and rhetorical dynamics does the political sphere foster? Those and similar questions would be aimed to verify the parliamentarians' understanding not so much of gender quotas, but of gender as a category in the first place. Asking Polish deputies to share their definitions of gender could provide more insight into the gendered dynamics of stereotypes, concepts, and ideals that are used to define political activity as such. Asking the parliamentarians to define gender could deepen our understanding of what it is about gender quotas that makes it so controversial for some politicians – both male and female – to embrace.

It is difficult for a woman to become part of a system that was neither made by her nor for her – and her sudden appearance in these structures has no chance to immediately transform them. As Fuszara observes: “It is not possible for a parliament or government to acknowledge female experiences and interests, and to translate them into concrete decisions and actions, up until the number of women in these governing bodies is increased” (2007: 111). With women being a large and diverse group, the very concept of “female experiences” is already difficult to define, but, one way or another, it is hard to acknowledge those experiences and to increase the number of women in Polish politics if mainstream public discourses continue to misuse and misinterpret gender. On the one hand, gender in the sense of “płeć” is often treated as a natural, apolitical category that is unproblematic in itself and irrelevant to politics. On the other hand, the very word “gender” (as an English term adopted into Polish) in right-wing discourses becomes an ideological scheme of Western homosexual/feminist/atheist lobbies whose aim is to threaten the model of the Catholic family by sexualizing Polish children and confusing them about gender roles (see Grabowska 2013; Korolczuk 2014; Graff 2014). Such discourses – and the paranoia that seems to accompany them – do not facilitate the struggle for gender equality.

The quest for gender equality in Polish politics is thus part of a larger project that ought to combine initiatives on both top-down and grassroots level in different realms of social life. Apart from efforts aimed to bring on legislative changes that would introduce a gender quota of 50 percent and the zipper system, this project should include attempts at, for instance: (a) awareness-raising campaigns organized by civic, non-governmental movements which promote gender equality, women’s rights, and/or sexual minorities’ rights; (b) de-demonizing gender studies and feminist theory by means of public events and debates in old and new media outlets – accompanied by efforts at ensuring and normalizing the presence of women in broadcasting; (c) using rare moments of widespread solidarity – e.g. the surges of protests that erupt whenever women’s reproductive rights are threatened – to advocate the need for women’s presence in Polish public life; (d) reorganizing school curricula on all stages of education to include not only programs on gender and sexuality that can live up to contemporary international standards, but also to include

women artists, writers, thinkers, and leaders into the curricula (and, additionally – to provide more gender-equal representations of men and women in children’s and adolescent literature and culture).

Since it is not easy to introduce a reorganization of preschool, primary, and secondary education on national level, promoting gender equality should be strongly led by academics. In humanities and social sciences, this could mean running courses on gender and feminism, setting up complimentary departments and research units, establishing specialized journals, supporting female leadership in academic environments, putting a ban on all-male conference panels, scientific boards, editorial boards, and adding female thinkers to syllabi of all general, introductory courses in a specific department’s subject area. Many disciplines for centuries might have been boys’ favorite playground, but that does not mean there are not any contemporary female thinkers who write brilliant commentaries on long-dead white male philosophers, writers, historians, and social scientists – so why not throw in a couple of women into the syllabus? Some of the changes listed here are, of course, already underway – all it takes is to foster them and make them thrive.

Going back to Cavarero’s philosophy of vocal expression, the economy of the patriarchal order – one that ascribes mindful thought and meaningful speech to men while leaving the body and its pleasurable, yet insignificant chatter to women – can be destabilized by pointing to the ambiguity of voice as such. After all, every speech act designated to deliver a thought requires us to use a voice that comes from a living, breathing body. Through the corporeality of voice, the feminine is inscribed within the masculine and through the act of speech, the masculine is inscribed within the feminine. The embodied quality of voice not only reveals the gender of the person who speaks, but also unmasks the flawed, dichotomous logic with which the patriarchal order arbitrarily separates and antagonizes something that belongs to all human beings – mind and body, speech and voice, the sharpness of reason and the warmth of emotional proximity. As Cavarero writes, the project of reshaping the political sphere:

is not a matter of feminizing politics; nor is it a question of making politics coincide with the pure voice by insisting on the subversive power of vocal pleasure. Rather, it is a matter of tracing speech back to its vocalic roots, extricating speech at the same time from the perverse binary economy

that splits the vocalic from the semantic and divides them into the two genders of the human species. In the voice—which is always the voice of someone, essentially destined to speech, and which resonates according to the musical and relational laws of the echo—it is not Woman who makes herself heard; rather, it is the embodied uniqueness of the speaker and his or her convocation of another voice. The antipatriarchal valence of the vocalic already lies in this simple recognition, which demands that the political essence of speech is rooted in the corporeal uniqueness of the speakers and in their reciprocal invocation. (Cavarero 2005: 207–208)

As much as this kind of philosophical discourse might seem too vague or elusive for the purposes of social and political sciences, the ideas of reciprocity and reverberation that underline Cavarero's project seem crucial for redefining and changing politics in a way that could make more room for gender equality. After all, we have observed throughout this chapter that ideals of individual initiative and autonomous political agency go hand in hand with critical stances toward gender quotas. Respecting a person's embodied uniqueness and the specific experience that stems from it (thus the experience of both male- and female-identified bodies), focusing on reciprocity and interrelatedness, accepting the vulnerable nature of mutual exposure that happens whenever people come together to talk to one another – all these have the potential to change how we think, speak, and do politics. And even though the objective is not to replace the patriarchal paradigm with a matriarchal one, the change cannot be brought on without the growing presence of women's voices on the political arena.

From the sample of opinions analyzed in this chapter, it is also clear that many parliamentarians approach gender (“płeć”) as a transparent and mute category that they neither see nor hear. By being blind and deaf to gender, one cannot notice gender-based discrimination and gender inequality. Without noticing gender inequality, one cannot see the need for gender equality. The task is thus not only to advocate for women's empowerment but also to remind parliamentarians and scholars – male and female alike – that men, too, have a gender. And this is precisely the male gender that has so far left the most significant trace on how people think, talk, and go about politics – in Poland as in elsewhere.

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## APPENDIX A

# POLPARL: Polish Parliamentary Surveys in 2005 and 2011

*by Joshua K. Dubrow*

This appendix describes two surveys of Polish parliamentarians: POLPARL 2005 and POLPARL 2011. They differed in mode of data collection. POLPARL 2005 was a web survey only and POLPARL 2011 combined web survey and paper-and-pencil, as described below.

## POLPARL 2005

POLPARL 2005 was created through an interdisciplinary research program in the Sociology and Political Science departments of The Ohio State University (OSU). This survey of Polish parliamentarians in the Sejm was administered between May and August 2005 with the assistance of the Sociology department's computing services. The researchers were: Kazimierz M. Słomczyński, Goldie Shabad, Joshua K. Dubrow, and Natalie Kistner. Colin Odden provided the assistance with the technicalities of the websurvey.

The survey examined parliamentarians' opinions regarding their work in the Sejm and focused specifically on two issues: Descriptive representation and party discipline. Several of the closed-ended questions were taken from an earlier study conducted in June 2000 by Włodzimierz Wesołowski of the Institute of Philosophy and Sociology, Polish Academy of Sciences, entitled, "Sejm, Politics, Democracy: Opinions of Deputies in the Third Parliament." The remaining questions were adapted from a survey called

NORPOL 2005<sup>1</sup> and open-ended questions asking for elaboration of the 2000 Wesolowski and NORPOL 2005 survey questions. All open-ended questions were written by Słomczyński, Kistner, and Dubrow.

As for the context of POLPARL 2005, the most important was that national elections had been called in Poland for September 2005. Parliamentarians began a limited legislative schedule as of June 2005 with a recess called for in August 2005. The leading coalition, Democratic Left Alliance, had been embroiled in a corruption scandal.

### *Methods*

The questionnaire consisted of a total of 10 questions: Seven closed-ended and three open-ended. Questions were evenly divided between the two topics: The first five addressed issues of representation, and the last five dealt with party discipline. The survey consisted of a mixture of closed and open-ended responses.

To construct a sampling frame, in 2005, we, the researchers pulled all email addresses from the Sejm website. We then constructed a database of all 460 parliamentarians, noting their name, party, email address, and gender. As each parliamentarian had a separate webpage with a current picture (of the upper torso and head), we identified gender through a combination of noting gendered names and looking at pictures for obvious and culturally specific gender characteristics. All email addresses were the same except for the name of the parliamentarian. From this we assumed that all emails go to the same server controlled by the Sejm.

For each wave of the survey, they wrote a letter asking for participation. The letter was in Polish. Letters reflected gender specific linguistics inherent to Polish, such that male parliamentarians received a linguistically appropriate “male” letter and female parliamentarians received a “female” letter. We set up an email account through OSU’s

<sup>1</sup> The project, “Trends and Reconfigurations in Polish Public Thought” was carried out by the University of Tromsø, the Norwegian University of Science and Technology (NTNU), IFiS PAN, the Institute for Political Studies of the Polish Academy of Sciences, and CBOS, a Polish public opinion firm. For details, see <https://web.archive.org/web/20200319162943/http://polpan.org/en/related-projects/norpol-project/>

Department of Sociology. We constructed a program such that every parliamentarian received a unique email. As such, they did not send out a “bulk” email listing every other parliamentarians’ email address in the email heading. We did this to ensure that our message would pass through email-spam filters and not be considered a “bulk” email. We placed the letter into the body of the sent emails, as opposed to an attachment. Each letter contained two URLs where respondents could be sent to the survey website. We sent out five separate waves of letters asking for participation from May to August 2005.

Our primary concerns were respondent anonymity, webpage security protection, unique response, and valid response. Each respondent had a unique ID called an MD5-Hash. This ID consists of a random selection of 32 characters, alpha and numeric. This was done to ensure that those who received the email could not decipher a pattern to the ID. This served two purposes. First, if the email was forwarded to someone else, the forwarded email would not contain an obvious identifier of the parliamentarian, thereby ensuring anonymity of the respondent. Second, should our website containing the responses be compromised or “hacked,” the hacker would not be able to identify the respondent through the ID.

We set up POLPARL 2005 web survey to be considered as completed once the respondent clicks on a button at the end of the webpage to submit the survey. Respondents were able to revisit the survey and change their responses if they did not submit the survey. To ensure a unique response, respondents were unable to revisit a completed web survey. Even with this layer of protection, we could not guard against a scenario where the parliamentarian forwards the email to someone else before they could submit the survey. We considered this scenario as possible but unlikely.

We constructed a web page where contacted parliamentarians could access the survey. The survey was in Polish. Respondents could use their mouse or keyboard to indicate their answers. The survey was on one webpage, as opposed to multiple webpages. This means that respondents could pick and choose which questions they wanted to answer, much like a paper and pencil survey. They did not have to respond to a question in order to proceed further with the survey. For closed ended questions, respondents were forced to choose a response once they made a mark. If the respondent never made

a mark indicating a response for a particular question, they were not forced to choose a response. For open-ended questions, respondents had an infinite amount of space to write a response. Once the respondent submitted the survey, the data was automatically uploaded into a webpage housed in the Sociology department.

Our response rate of POLPARL 2005 was 19% (or, 86 of 460).

## POLPARL 2011

POLPARL 2011 was an update and extension of POLPARL 2005. The purpose of that study was to examine opinions of current Polish parliamentarians acting in their official capacity as elected representatives regarding their work in the Sejm and it focused specifically on two issues of democracy: representation and accountability. The main research questions were: (A) How do parliamentarians regard representation of Polish citizens, particularly disadvantaged groups? (B) What characterizes the attitudes of Polish parliamentarians toward accountability as practiced in Poland?

As with POLPARL 2005, the 2011 survey was made possible through an international effort, this time by Cross-national Studies: Interdisciplinary Research and Training program (CONSIRT). Kazimierz M. Słomczynski, Joshua K. Dubrow, Sheri Kunovich, Peter Tunkis, and Carrie Smith, with the advice of Goldie Shabad, constructed a short survey instrument designed to address the main research questions. Survey items were written by academic experts in Polish democracy and representation, and survey experts, often one and the same. We based the survey items on previous research and experience with surveys of Polish parliamentarians, including POLPARL 2005.

During the survey administration, parliamentarians were readying for the national elections of October 2011. From the last election in 2007 until 2011, the major social and political event was the Smolensk tragedy of April 2010. Smolensk is a town in the Russian Federation of over 320,000 people, is the administrative center of the Smolensk oblast, and it lies 220 miles from Moscow. On April 10, 2010, a Polish plane crashed near Smolensk while attempting to land at the Smolensk airport. All 96 people on board died. The

plane carried Poland's President Lech Kaczyński, his wife, the chief of Poland's military, the chiefs of staff of the Army, Air Force, and Navy, the head of the National Security Bureau, the president of the National Bank of Poland, members of the Polish parliament, survivors of the Katyn massacre of 1940, and many other senior military officials, government officials, and clergy. They were there to commemorate the 70th anniversary of the Katyn massacre. Of the 96 dead, 18 were Polish parliamentarians. Outside of this tragedy, there were various scandals and resignations from 2007 to 2011 that led to the departure of MPs from parliament.

### *Methods*

The survey instrument consisted of 17 total items, comprised of 14 closed and three open-ended responses. The last question asks the parliamentarian for their comments on the survey instrument as a whole.

The population consists entirely of all 460 current Polish parliamentarians who acted in their official capacity as of May 2011. We identified Polish parliamentarians through the official website of the Polish parliament. From this website we collected their official physical and email addresses and information that is officially recorded therein: age, gender, and party affiliation.

For the web survey, respondents could use their mouse or keyboard to indicate their answers. The 2011 set-up was similar to the survey from 2005. Each survey had its own webpage, as opposed to multiple webpages in which respondents could pick and choose which questions they want to answer like a paper and pencil survey. For open ended questions, respondents had an infinite amount of space to write a response. Their responses were far from infinite. The questionnaire was made available on all internet-capable devices, including mobile devices.

Solicitation occurred in various waves. Most rounds began with an email sent to the official email address of each parliamentarian. The letter had the same content for all parliamentarians with the following crucial differences: It was personally addressed, gender specific, and contained a unique URL to access the website that houses the survey. The letter contained all relevant information about the

purpose of the survey, the survey administrators, and how the information will be recorded and stored, and how we created the conditions for confidentiality. The first three email solicitation waves had no attachments. The first few emails were signed by Goldie Shabad and Kazimierz M. Słomczyński, in that order, and both were identified as Professors from OSU.

There was some difficulty in attempting to render the Polish letters across email software packages. Due to proprietary software not translating across formats, this proved impossible to resolve. In the end, the solicitation letter contained two sections. Section one, at the top, had the Polish characters, and section two, at the bottom, had Latin characters substituted for Polish characters.

As with POLPARL 2005, our primary concerns were respondent anonymity, webpage security protection, unique response, and valid response. Once the respondent submitted the survey, the data was automatically uploaded into a webpage housed with Qualtrics, the same company that The Ohio State University recommended and subcontracted in their internet-based surveys. Attached to the application was Qualtrics' data security documentation. Data security will be "Level 4: Secret," meaning that information is sensitive and is intended for a very limited group of individuals who must be specified by name. Each respondent was assigned a unique ID called an MD5-Hash. This ID consists of a random selection of 32 characters, alpha and numeric so that those who receive the email cannot decipher a pattern to the ID. This is to ensure confidentiality of the respondent (to the extent to which it is possible) and validity of the survey instrument: If the email was forwarded to someone else, the forwarded email would not contain an obvious identifier of the parliamentarian, thereby ensuring confidentiality (to the extent to which it is possible), and allowed us to gain more certainty that the intended respondent completed the survey. To ensure a unique response, respondents were unable to revisit a completed web survey.

### *Solicitation Waves and Introduction of Mixed Mode Design*

The slow response to the web survey mode prompted us to change the mode of survey administration. The first solicitation was sent July 14,

## *Appendix A*

2011 and the second was sent July 24, 2011. From the first solicitation to the beginning of the second, we had 12 responses. The second solicitation was sent at the time when parliamentarians were scheduled for sessions. For the second solicitation, we paid for the help of an expert who specializes in contacting parliamentarians for surveys. The expert called people on the list of those who looked at the survey but did not respond. It is here when the mode changed. The expert suggested, and we agreed, that they should go door-to-door at the Sejm offices with sample letters and questionnaire. They also ensured that an announcement would be made before the meeting of each parliamentary club. From the second to the third solicitation on August 15, 2011, we had 43 responses. The third solicitation was sent at the time when parliamentarians are scheduled for sessions. For the third solicitation, we wrote a paper letter, on CONSIRT letterhead and signed only by Professor Słomczyński. The letter was placed in a CONSIRT envelope. Each letter and envelope was personally addressed. On August 16 the expert phoned some parliamentarians. On August 17 and 18, the letter was hand-delivered to each parliamentarian. After that, there were three more solicitations. The expert informed us that some parliamentarians have a policy of not responding to any surveys.

The response rate of POLPARL 2011 was 28% (129 out of 460).

## INTRODUCTION TO APPENDICES B AND C

*Marcin Ślarzyński*

Appendix A describes two elite surveys conducted in 2005 (between 27 May and 11 August) and 2011 (between 15 July and 13 October) of Polish Sejm deputies. Appendices B and C have been compiled on the basis of these surveys.

In Appendices B and C, to provide the lay reader with information to link party ideology with statements on gender quotas, we replaced the parliamentarians' specific party affiliations with more general party labels. For the 2005 survey, we used the electoral list affiliation in the 2001 parliamentary elections to identify an affiliation. For the 2011 survey, we used partisan club affiliation at the end of 2007–2011 parliamentary term.

The party label consists of two parts: the first section contains a party family, the second a party placement. *Party family* is based on the classifications elaborated in two expert surveys: 1999–2014 Chapel Hill Expert Survey and The Manifesto Data Collection – Manifesto Project. *Party placement* is based on the self-placement of respondents that we aggregated according to (a) respondents' placement of political parties and (b) the parties they supported on the left-right ideology scale.<sup>2</sup> The classification is based on the European Social Survey (ESS: editions 2002–2014) which includes only the

<sup>2</sup> From the ESS 2012 Core Questionnaire: „In politics people sometimes talk of ‘left’ and ‘right’. Using this card, where would you place yourself on this scale, where 0 means the left and 10 means the right?”



left-right questionnaire item (b) and the “Polish General Electoral Study” (PGES: editions 1997, 2001, 2005, and 2011) which includes both items.<sup>3</sup> The results of the aggregation procedure have been compared with classifications used in the literature (Godlewski 2008; Jasiewicz 2008; Skarżyńska and Henne 2011; Żerkowska-Balas, Lyubashenko, and Kwiatkowska 2016). Both party family and party placement are included in party label because neither former nor the latter element by itself contains enough information to distinguish political parties included in this work. The result of the classification is the following:

- Social democratic, center-left (Democratic Left Alliance = *Sojusz Lewicy Demokratycznej*, Labour Union = *Unia Pracy*, and Social Democracy of Poland = *Socjaldemokracja Polska*): parties that advocate for a fair distribution of wealth and privileges in the society, and legal protection and inclusion of minorities and the disenfranchised within the framework of liberal democratic order.
- National-conservative, right-wing (Law and Justice = *Prawo i Sprawiedliwość*): parties emphasizing the need to preserve traditional values derived from the national (emphasis on the national interest, culture and identity) and religious (traditional composition of the family) traditions. In Poland, these parties have pursued economic policies that join state interventionism and free-market solutions.
- Agrarian, right-wing (Self-Defense of the Republic of Poland = *Samoobrona Rzeczpospolitej Polskiej*): parties whose main purpose is to represent the interest of farmers in the parliament while supporting conservative (the influence of the Catholic Church) stances on social issues.
- Liberal, center (Civic Platform = *Platforma Obywatelska*): parties supporting free-market economic policies while keeping the status quo with respect to social policies.
- Confessional,<sup>4</sup> radical right (League of Polish Families = *Liga*

<sup>3</sup> From the PGES 2011 Core Questionnaire: (a) “In politics, people sometimes talk of ‘left’ and ‘right.’ Where would you place on a scale from 0 to 10 where 0 means the left and the right, the following political parties?” (b) “And where on this scale would you place your views?”

<sup>4</sup> Confessional refers to a party that explicitly mixes politics and religion, i.e.

*Polskich Rodzin*): parties openly supporting social policies based on the social teachings of the Catholic Church; they oppose, inter alia, the right to abortion, euthanasia, and gay marriage. Their stance on economic policies is mixed.

- Agrarian, center (Polish People's Party = *Polskie Stronnictwo Ludowe*): parties whose main purpose is to represent the interest of farmers while at the same time not taking a firm stance about social issues such as abortion and gay rights.
- Conservative-liberal, center-right (Poland Comes First = *Polska Jest Najważniejsza*): parties emphasizing the need to preserve traditional values derived from the national (emphasis on the national interest and identity) and religious (traditional composition of the family) traditions with a much more liberal stance on the economy than their national-conservative counterparts.

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they “confess,” in a religious sense. For more information about the term, see Kalyvas ([1996] 2018: 19), who defines it as: “those parties that use (or have used when formed)” religion (or issues related to religion or the church) as a primary issue for political mobilization and the construction of political identities,” and see also footnote 23 in that book.

*Introduction to Appendices B and C*

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## APPENDIX B

# Parliamentarian Opinions about Gender Quotas in 2005 and 2011

The 2005 item reads: “Some parties and other political groupings have established a specific threshold (bottom limit) for the proportion of women who, on their behalf, should seek Sejm membership. Is this initiative good or bad? Why?”

The 2011 item reads: “What is your general opinion about the act on female quota? Generally speaking, the act on female quota is [space to mark either] Good, Bad?” [Below is a box called, “Justification,” where respondents can provide an open-ended response.]

The quotes are English translations from Polish. When possible, we kept the stylistic marks provided by the respondents, including punctuation and capitalization.

### SOCIAL DEMOCRATIC, CENTER-LEFT

#### 2005

##### *Women MPs*

The participation of women (in at least 30%) is the basis of a democratic nation.

Women do not have equal opportunity; they have to be much better [than men] to achieve the same as men.

Because the world is comprised of equal numbers of men and women.

Women make up over 50% of Polish society.

Sometimes it is not the best candidates that make the ballot.

In order to encourage participation in public life.

Guarantees the equal rights for women in forging legislation which many times concerns them.

Equality. Women have the same right to participate in politics as men.

*Men MPs*

De facto, this is about the minimum representation of each gender. This is a natural phenomenon.

Competence should be the only criteria, not gender.

It's necessary to change the stereotype in Poland that politics are only for men and to make it easier for women to participate in politics. In time there will be no need for imposed limits.

We are all equal, regardless of gender.

Must make an effort to increase women's participation in public life.

The decision to participate in politics should be made by women alone, and it has to stem from a real desire and ability to participate in political life!

To encourage women to participate in politics. To guarantee women the opportunity to find self-fulfillment in politics.

To break the traditional quasi-apolitical social position of women.

If the candidate is good there should be no limits.

You can't force these things. Active women will find their way onto the ballot.

IT GUARANTEES THE REPRESENTATION OF THIS SOCIAL GROUP.

This cannot be decreed. It should be determined through the practice of political life.

BECAUSE THEY ARE MORE REASONABLE THAN MACHINES.

Support should be given to the weak.

This may constitute the encouragement of more active participation of women in public life.

Equal rights mean no preference for anybody.

There should be no discrimination against women.

We should ensure equal status for men and women.

There aren't too many women in Polish politics, their approach to life is particularly useful during times of political instability and when society completely rejects politics.

There are too few women in the Parliament, by increasing their activity you can count on more votes for the group.

## 2011

### *Women MPs*

I have marked "good," since there is no "average." This act is a compromise.

The act gives a better chance for the activity of women, it increases social consciousness in topics regarding equality of women and men, and it is a fulfillment of campaign promises.

Regarding cultural and customary reasons a legal didacticism is needed, like the act on female quota.

It opens the chance for many women for a mandate, and more importantly, to reach better positions on party lists.

A real quota is 50–50.

### *Men MPs*

I do not really believe in the beneficial consequences of the female quota, it might be a good idea for the "winning" positions on the party lists. I am a supporter of lists in alphabetical order, in a random order of the first letters. This could be compared to a quota regarding the position on the list.

More women in the parliament.

Polish democracy is young. The family model is Catholic. Stimulation is needed.

Women do it perfectly without quota.

Gender affects the activity of women and men significantly, especially in the case of young women. I do not divide people on the basis of gender. More important are: experience, qualifications, attitude

towards other people, personal character. They should decide about how many women will be in the Sejm. Quota will not change anything. Good but the guarantee of the place on the party list does not guarantee the number of women in the Sejm.

It can result in more women getting into the parliament.

It helps to set legally a representation of both genders among candidates. It motivates women to be more active.

It increases the share of women who want to participate in political life.

## NATIONAL-CONSERVATIVE, RIGHT-WING

### 2005

#### *Women MPs*

The most important is the value of a human being, what he/she represents. Preferential treatment leads to gender discrimination, and then what is valued is not of the quality of a person but his/her gender.

The right to political participation in a democratic nation should not be limited because of gender.

Person's qualifications, not gender, should determine who gets into the Parliament.

#### *Men MPs*

Quotas are not the solution; everyone has to have the same rights and opportunities to choose from.

This is an artificial form of government that is bad for parliamentary democracy.

Based on ideological premises and anti-democratic as well.

### 2011

#### *Women MPs*

Setting a rigid quota is not a good idea. Much more beneficial could be legal incentives for parties that introduce the most women to the parliament, more subsidies for instance.

Will cause a decrease in the number of women in the Sejm.

Social engineering as it was made during the communism. No effects are known.

Competences do count and not gender.

It is a compulsory regulation that does not follow real participation. It causes a judgment where gender counts and not competence, knowledge or experience. A real assessment of the act will be the results of the first elections after the compulsory presence of at least 35% women on the party lists

Wrong act, because it will not result in a higher number of women in the Sejm.

One should take part in elections to the Sejm from the heart's need and not because of the need to fill the party lists.

The act on female quota is needed because it guarantees women equal access to all levels of power and they have a real influence on the decisions.

*Men MPs*

Depreciates women.

Education of the citizens is needed and not administrative restrictions.

I think that this act will not result in any (neither positive nor negative) changes in the workings of the Parliament.

Not gender but competences should decide.

This act would not bring anything new. The mentality should be changed.

1. Gender is indifferent to the quality of legislative work. 2. Women have a better chance to get to the parliament without a quota as the fewer women on the lists the more female solidarity counts. And it is crucial to have women in parliament. 3. Women that want to be in politics are in.

The act on female quota offends the intelligence of women as they do not need any special privileges in order to get to the parliament.

Brings fiction to the political practice.



It offends women.

All kinds of artificial regulations and enforcements are contrary to the principles of freedom and democracy. I answer the question no 8 as well because I did not mark any option. I am of the opinion that quota will have neither a positive nor negative effect. I am deeply convinced that society is smarter than “progressive” elites who want to dictate people who should they vote for. The number of women in the Sejm will not increase especially and will be normal as before – I hope so at least.

Specific fields of interest are characteristic for both genders. Many women are good politicians without quota. Quota was meant to gain publicity. Rhetorical question: is there a need for quota among kindergarten teachers? Nurses? Beauticians? etc.

It is not the gender that decides about the pre-qualifications to fulfill certain obligations but many other characteristics, skills, and qualifications.

It has no real meaning.

## AGRARIAN, RIGHT-WING

2005

*Men MPs*

What's important is whether someone wants to do something and knows how to do it, not gender.

Both the fair sex and men have the same right to be in the Parliament. Artificial way to influence the most likely choice of society.

## LIBERAL, CENTER

2005

*Women MPs*

The percentage of women in parliament should be decided by the voters, not by the decree of the political parties.

*Men MPs*

This is an example of breaking the principles of democracy.

Usefulness in the Parliament is not dependent on one's gender.

People should be judged as individuals, regardless of gender.

Only the best people should be delegated.

What counts is competence, not gender.

Limits represent an insult to natural intelligence and the desire of women to engage in politics.

Womanhood is not a value in itself, it is expressed through the attributes it possesses.

Competition and competence should be the deciding factors, not gender.

You can't force these things. Women will do just fine without imposing limitations. Where do they get no.1 on the ballot?

2011

*Women MPs*

Act on female quota could help but the example of Warsaw shows that women who are interested in politics have access to it.

On one hand, it gives the chance for the presence of women (a real choice and political experience), on the other hand, it does not limit the choice of the electors.

The number of women on the list is going to increase.

I do not have any opinion about the quality of that act. Only the results of the 2011 elections will show whether it succeeded to reach the set goals.

In the current situation, it is harder for a woman to reach a better place on the party list because men make the decisions. The quota will equalize the chances of women on access to different bodies and the government or to decisions on important issues.

I hope that the act on female quota will result in an evolution of the culture of behavior of our MPs, rises ethics and brings changes of the society's opinion regarding the engagement of our Parliament in the

affairs of our society and brings a better appreciation of the women's role in legislation of the Republic of Poland.

### *Men MPs*

The act implements an artificial mechanism that makes women seem to reach their success with the help of "legal" doping, in sport language.

Merits should decide and not gender.

The act on female quota makes access to politics easier for women.

The existence of a female quota presumes that women are intellectually and physically handicapped; the truth is that women on average are more intelligent than men. If only they want to engage in politics, they do it perfectly.

Artificially "fills" the lists with women.

In general, it is a positive trend. In practice, it would not change politics as it is today. Women who could bring experience, knowledge, and sensitivity to politics are in the majority not put on the lists. What is important, regarding all fields of life and both genders, the problem is not the gender but the lack of qualifications and flexibility of the decision-makers.

Regarding the need for a stronger accent on the presence of women in the public sphere and, in parallel, by the presumption of a proportional election mechanism, PO is going to keep on trying to introduce single-member districts to the Sejm. This solution would give the act on female quota another meaning.

Gender does not influence knowledge, activity, sensitivity and other important attributes necessary to fulfill the parliament membership in a good manner. These attributes are given to individuals regardless of their gender.

Artificial regulations harm the quality of law. Education and culture are needed and not rigid norms that discourage and do not motivate.

The implemented solutions will stimulate a larger representation of women in Polish parliament.

I am of the opinion that every artificial regulation of the proportions in participation (introduction of a quota) worsens the quality of the

representation. Example: the experience of the US colleges with the quotas of students regarding the color of skin that disrupted the normal process of selection of best candidates. Besides that, quota in politics is an affront to women. Legislator presumes that they would not reach the parliament by themselves and need “artificial” support. My experience shows that in the current, “traditional” system, women do very well in different elections to representative bodies on different levels.

I do not see any reason why women as full-right participants of the public would not have their place in setting new standards.

In the project of the act on female quota we can read that it was proposed in order to “better realize the principle of equal rights of women and men in all fields of life, politics included, stated by the article 33 of the Polish Constitution.” Now I fully agree with, as I think women have the same rights to realize themselves in politics as men and they bring new points of view on many topics that were not recognized by men before.

No opinion.

Every woman who wanted to be in politics and had good predispositions managed to do that.

Good idea but nothing should be forced. Merits and not gender decide about the quality of our public life.

All should have an equal chance during elections. Women are efficient, too.

In a proportional election system with open lists a female quota does not make a huge sense, it can even limit the number of elected women (dispersion of the votes between female candidates from the same list).

Neither good nor bad, simply inefficient. I would like to see more women in politics but for the reason they want to be active and not because of the law.

There should be a freedom of quantity regarding the number of women or men on the lists, depending on the local predispositions. This is how postulates on gender equity could be realized.

The experience of many countries shows that in the long run, a growing engagement of women in public activities included politics

*Appendix B*

on the national level has a positive influence on the functioning of the state. It is worth to learn from that positive experience.

It increases the chances of women – there are too few of them on party boards and, in consequence, on party lists.

Rather bad. Competence counts and not gender. Without the act on female quota there would be more women on the lists.

Women are full-right citizens, therefore quotas are useless.

Makes women want to participate in politics to a larger extent.

Wrong question! In my opinion, in the work of the parliament, competences decide and not gender.

It is needed as a temporary tool enabling participation in politics for more women.

One cannot decree interest in politics.

Life will tell.

Hard to tell.

This act is useless. The popularity in one's own environment counts. Skills, competences, etc. are important.

Currently, women are educated similarly or even better. Women are skilled and active enough to reach success. Quotas in politics limit democracy and harm ongoing, natural changes in society.

## CONFESSONAL, RADICAL RIGHT

### 2005

#### *Women MPs*

The gender of the member of parliament is not important, but rather what he/she stands for.

You cannot force women to take part in political activity through limits.

#### *Men MPs*

### UNFOUNDED PREFERENCE AND ARTIFICIAL DIVISIONS.

I don't know if it's bad, it's rather absurd.

The voters have the right to decide this.

What counts in the Parliament is competence, not gender.

The League of Polish Families did not set limits, yet it had the highest percentage of women of any party. Fixing limits is just a form of propaganda without any justification.

## AGRARIAN, CENTER

2005

*Women MPs*

Only these kinds of measures will lead to an increase in the number of women in the Parliament.

*Men MPs*

Because this is contrary to the idea of equal rights for men and women.

The Parliament should be comprised of people with ideological, economic, and political opinions that are expressed during the election campaign. Being a man or a woman does not constitute an opinion.

Equality yes, but not this way.

This artificial intervention does not take into account a predisposition to politics – why does it have to be gender?

It is the voters who make the choice, placing limits on ballots is simply a propaganda trick.

Because this is only being done for the show – to get the support of the female electorate – it's not at all about the quality of the proposed legislation.

SUCH PRINCIPLES WERE IN PLACE DURING THE POLISH PEOPLE'S REPUBLIC WITHOUT ANY RESULT.

2011

*Men MPs*

More female candidates on the party lists and more female MPs.

Women do it very well without a legal compulsion!

## *Appendix B*

The act hurts women's pride.

Increases the role of women in the public life of our country.

Regulates precisely the participation of women.

Not gender should decide about the composition of the parliament but knowledge, preparation, engagement.

It weakens the position of women. Compulsion is not a good solution, "a slave will not be a good worker." If women would vote for women, they would always win. There are simply more women than men.

Competence and engagement count and not gender.

It will end up with the myth of not appreciating women in politics.

Active women promote themselves.

Currently, there are no barriers for the activity of women.

It introduces artificial proportions, forces women to participate in politics. Women interested in politics engaged themselves before without an act on female quota.

## CONSERVATIVE-LIBERAL, CENTER-RIGHT

2011

*Women MPs*

In consequence, women are going to be discriminated against. It will be presumed that they are there because of the quota and not thanks to their competence.

*Men MPs*

Engagement and competence count and not gender.

Discriminates women and men.

## APPENDIX C

# Parliamentarian opinions about Descriptive Representation in general in 2005

The 2005 item reads: “What arguments for and against the idea that Sejm should mirror the composition of the society are voiced in your parliamentary club?”

### SOCIAL DEMOCRATIC, CENTER-LEFT

#### *Women MPs*

Members of Parliament are representatives of the people. Politicians should raise the voters’ awareness of the need for equal representation in the Parliament.

This topic isn’t discussed – when putting together a ticket we try to reach out to representatives from the most diverse backgrounds.

Financially weaker candidates definitely have less of a chance in the fight for the seat.

In most cases “for:” Representation of the interests of all social classes; “Against:” We can’t allow poorly educated representatives to become a majority.

The good of all the nation.

#### *Men MPs*

The Parliament does reflect the makeup of society. This is an artificial problem that perhaps is of interest for scientific research and nothing more.



*Appendix C*

Parliament often makes decisions regarding the problems of particular social groups rather than all the citizens of the country. The representatives of these particular interests can better recognize the dangers and problems that result from these decisions.

The Parliament should be made up of the most competent people who are also honest and engaged in social issues.

The interests of individual groups are often divergent, but each citizen has to be of interest to the Parliament.

Representation for all citizens.

There are no opposing arguments.

The Parliament cannot be dominated by one social group.

There was no such discussion.

There's no argument. My party is for it.

The makeup of the Parliament and Senate is decided by democracy, even if it is wobbly and not established.

BECAUSE IT IS CHARGED WITH REPRESENTING ALL OF SOCIETY, NOT JUST THE ELITE.

Parliament is the representation of society.

Why discuss this? It's the voters who decide the makeup of the Parliament and that is the way democracy works.

Election results are conclusive and there is no way to define what proportions of certain social elements should be reflected [in the Parliament]. If we tried to define this, it would undoubtedly lead to attempts of manipulation.

Equality of the sexes.

“For:” Parliament, as an emanation of society, should reflect its makeup. “Against:” Not parity but rather voters are to decide the demographics of elected representatives.

The Parliament is chosen in elections by the citizens, and as such it assembles representatives of various classes and societal strata from all regions of the nation. However, certain candidate requirements should be defined such as education and experience within the framework of the national administration.

This is the realization of the election program; besides, pigeonholing women in the housework role is typically the domain of the right-wing.

This is not a topic that warrants considerable discussion. Arguments “for” boil down to Parliament being a miniature representation of the society as a whole. Arguments “against” treat parliamentarians as those who understand through empathy the way that particular social groups think.

## NATIONAL-CONSERVATIVE, RIGHT-WING

### *Women MPs*

In my party, the individual and what he/she represents is the highest value. The candidates listed on the ballot reflect the makeup of the whole society (with respect to age, education, profession).

It is obvious to my party that the representatives that makeup Parliament should be a direct reflection of the makeup of society.

The Parliament does not have to mirror society. Not all professions or levels of education have to be represented. It is only important that the politicians strive for the good of all the people, not just a particular social group.

### *Men MPs*

This is a crucial issue, but it shouldn't be regulated with additional statutes. The real task is to educate everyone on the opportunities for which the law already provides.

This manifests itself more in the requirement for “good parliamentary representation” than it does in the thesis that a certain percentage of places on the ballot should be reserved based on social background.

The Parliament ought to represent the voters based on their own opinions, not because they belong to a particular social group.

AGRARIAN, RIGHT-WING

*Men MPs*

Independent member of Parliament.

LIBERAL, CENTER

*Women MPs*

In the eyes of the Constitution, all citizens are equally independent of their gender, age, social background, income, etc. This being the case, no one should be given special favor. Second, the principles of proportional and equal representation are already written into the Constitution. Furthermore, the current makeup of Parliament approximates that of Polish society.

*Men MPs*

We do not often discuss this issue.

Familiarity with the problems connected with a wide variety of issues.

My party is for it. It's necessary to look at various issues from different points of view.

"For:" They use populist slogans (whatever the election issue of the group); "Against:" The need to apply substantive criteria (competence, leadership qualities, etc.).

In my party, the motto is: "First, it's the economy, stupid!," the development of which allows the country to modernize, and raise the standard of living of all social groups.

The increased presence of women, because that's the right thing today – Voters like a younger representation, because it is more dynamic and engages in action more quickly.

There is no special discussion on this topic.

I have not come across such arguments.

## CONFESSONAL, RADICAL RIGHT

### *Women MPs*

Such arguments [either for or against] are not put forth in our party. The Parliament is to be the representative of the nation.

### *Men MPs*

REPRESENTATIVENESS AND THE ABILITY TO QUICKLY AND OBJECTIVELY REACT TO PARTICULAR LEGISLATIVE INITIATIVES.

The proportional representation of Parliament can be a source of stability for the political policies that it itself puts into effect.

There is no discussion of such issues.

The Parliament has to represent the interests of the whole society and not reflect its structure. What is discussed in the Parliament is the programs and solutions, not structures. Those are two different and separate things.

## AGRARIAN, CENTER

### *Women MPs*

It does not provide a proper reflection of all the variety of points of view.

### *Men MPs*

This is probably an unobtainable utopia, but it is necessary to legitimately settle questions that impact the society so that the society can continue to develop and live in dignity.

This is a question based on the premise that the Parliament should be either this way or that way. I do not agree with this premise. The Parliament is a legislative body, whose aim is to create laws for all citizens, not for the special interests of any social, ethnic, religious, etc. group. The state stands for all equally, whether they are red-headed or blond. If we accept the idea that the makeup of the Parliament is to mirror that of society, it would mean that we are returning to the time of socialist realism where a 32-year old teacher with 3 children from a small town could become a representative. This is nonsense.

*Appendix C*

They're inclined to be "for." Parliament should be a democratic institution, and the foundation of democracy is the rule by the people, thus by representatives. The proportion of how that representation is made up is a separate question. But this is why we have elections.

The Parliament has to reflect national interest. In this light, "reflecting" class, age, professional or any other interests is of no significance.

The Parliament should represent different views in the society.

Looking out for the interests of the poorest social groups, those that do not have the power to break out of deprivation, and fighting against the liberalization of the economy, and the deepening of social differences.

"FOR:" THE REPUBLIC OF POLAND IS THE COMMON PROPERTY OF ALL POLES.

Representation is a core component of political voice, and gender quota policy greatly amplifies women's voices in the parliaments of Europe.

This is a sourcebook of new and updated information on gender quotas in the post-Communist world. We feature – in their own words and deeds – the powerful voice of the parliamentarians whose elite position in the political structure makes them prime movers in the battle for gender equality.

We intend for this book to be accessible to everyone interested in gender, political voice inequality, and representation.

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