



PARI... WHAT?

Crib sheet on Gender Parity and
Gender Parity Law in politics.

100
YEARS
WOMEN'S
SUFF-
RAGE

STAND UP
FOR
WOMEN'S
RIGHTS!

**FRIEDRICH
EBERT** 
STIFTUNG

**Forum Politics
and Society**



So far, there has never
been gender parity in politics.

A hundred years ago, women's suffrage was introduced. Since then, women may be elected for parliaments. However, there has never been an equal representation of women in any German parliament. That is contrary to our constitution, which says, "Men and women shall have equal rights" (Basic Law for the Federal Republic of Germany, Article 3 (2)). Gender parity in politics means that women and men are represented in all political committees, especially in parliaments, according to their population ratio – in other words approximately 50 percent.

Often the assumption is expressed that gender parity in politics will happen “on its own”, that the most highly qualified generation of women will eventually prevail, and so on. In this case, though, the proportions of women in the parliaments should have been increasing continuously for decades. However, they did not – on the contrary, they are stagnating or even sinking.

Gender parity will not happen
“just like that”.



What should be done? Not the women have to change, but the rules of the game ...



... says Iris Bohnet, behavioral economist and Harvard professor. For a long time the central lever for gender parity in politics was seen in addressing women. With so-called empowerment measures (such as mentoring programs) they were given support when entering politics and running for mandates. Much has been achieved this way, but not enough – not gender parity. Political culture, i.e. the well-rehearsed customs and routines that privilege men again and again, have to change as well. This is the only way that women will get equal opportunities to run for mandates, offices and functions.

Research in political sciences and many years of experience show that the nomination of candidates for elections is often the decisive „bottle-neck“ for women. Here, the parties have in part put up self-obligations for a gender parity of candidates. However, neither do all parties have such intra-party gender quotas, nor are they consistently implemented. Gender parity on electoral lists and of candidates for constituencies is therefore the most urgent rule of the game that is required.

Speaking of rules, customs and routines: On electoral lists and for constituencies male candidates are given preference and female candidates are disenfranchised.

An amended electoral law, a so-called „Gender Parity Law“, would regulate this rule of the game by law.

The former Federal Justice Minister Katarina Barley on the Gender Parity Law:
„In Europe there are different regulations pursuant to this. In France, for example, the approach is to use lists of party candidates that alternate between men and women. However, other approaches to oblige parties to increase the representation of women could be plausible. For example, larger constituencies with two candidates of different sexes to be directly elected. A variety of models are possible.“
(Bild am Sonntag, November 10, 2018)

The constitutional evaluation of a Gender Parity Law is still pending. To date, there have been expert opinions and commentaries. So far, however, no constitutional court has examined the constitutional admissibility of mandatory sanction-proven statutory regulations. Thus the question whether interventions in the freedom, equality and generality of elections are proportionate has not yet been resolved. At present, there are different legal opinions, such that consider the interventions as disproportionate and such that see them as proportionate. It is generally agreed that with corresponding amendments to the constitution the constitutionality of a Gender Parity Law may be established.

Would a Gender Parity Law be unconstitutional or constitutional?
This can be perceived one way or the other.

No gender parity without a
change of political culture –
no change of political culture
without a Gender Parity Law!

Gender parity in nominations in particular and a change in political culture in general may not set off before there is a Gender Parity Law! The voluntary principle has failed in politics as well; a Gender Parity Law alone will persuade all parties to nominate female and male candidates on a gender parity basis and to implement a comprehensive political cultural change. This would correspond to the constitutional article: „The state shall promote the actual implementation of equal rights for women and men and take steps to eliminate disadvantages that now exist“ (Basic Law for the Federal Republic of Germany, Art. 3 (2)) –the female and male advocates of parity argue.

There is not just one measure to achieve gender parity in politics – we need many! None of the measures alone will lead us to our goal of gender parity in parliaments. What we need are:

1. The legal requirements
2. A change in political culture
3. The empowerment of women

Gender Parity Law
PLUS political culture change
PLUS empowerment
of women – More is more!

»Not the women
have to change,
but the rules of
the game ...«

Iris Bohnet, behavioral economist
& Harvard professor (*1966)

Further reading:

www.fes.de/themenportal-gender-jugend-senioren/gender-matters/paritaet

Contact details:

Dr. Uta Kletzing
uta.kletzing@fes.de

Forum Politik und Gesellschaft
Friedrich-Ebert-Stiftung

facebook.com/fesgendermatters
#100JahreFrauenwahlrecht