



“A Short History of Quotas in Slovenia”

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The Implementation of Quotas: European Experiences

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The Communist-dominated Federal People’s Republic of Yugoslavia was formed after the Second World War. Slovenia became the most developed of its six federal republics, gaining independence in the early 1990s. This case study looks at the participation of women in Slovenia before and after the break-up of the Former Yugoslavia, and examines the evolution of quota provisions that have been implemented to secure women’s participation in decision-making.

Background

Women in Slovenia were granted the universal right to vote for the first time in 1945, along with equality with men.

At the beginning of the 1970s, some of Yugoslavia’s strongest Communist women leaders were deeply involved in the preparations for the first United Nations (UN) World Conference on Women in Mexico. They were clever enough to persuade old Communist Party leaders, Josip Broz Tito and his right-hand man Edvard Kardelj, that the introduction of the quota for women—with respect to the decision-making bodies of all political organizations and delegate lists—had implications for Yugoslavia’s international reputation.¹ Communist women leaders worked hard to make Socialist Yugoslavia a role model (in terms of the emancipation of women) for all members of the non-aligned movement. Although a 30 percent quota for women was never incorporated into law, and was never applied to the most powerful executive bodies of socio-political organizations or governments, it was integrated into the statutes of socio-political organizations and formally agreed rules governing the creation of electoral lists from 1974 onwards.² In Slovenia, the quota for women was only fully respected in the early years; the closer we got to the end of the 1980s, the less faithfully it was adhered to.

Women were extremely under-represented in the bodies that wielded real political, economic and cultural power in the socialist system: the national executive forums of the League of Communists of Yugoslavia; the executive branch at all levels; and management structures in important enterprises and public service institutions. Additionally, they were not allowed to launch any truly independent political initiatives and they were not free to organize politically.

Until the mid-1980s women in Slovenia made up 46 percent of the full-time and socially well-protected workforce. The differential in terms of wages for men and women with the same level of education and doing the same job was around 14 percent. Women made up more than 50 percent of all new secondary-school graduates, as well as more than one-half of all new university graduates. Yet women were engaged in less well-paid professions, including tourism, agriculture, human services and administration. Women comprised more than 40 percent of the total membership of the League of Communists of Slovenia, close to one-half of the membership of the trade unions, and nearly 30 percent of elected delegates in legislatures at all levels. These successes were the result of so-called state feminism³ and constant work by women activists in the communist-controlled umbrella women's organization, the Council for Socio-Political Activity of Women, the Socialist Alliance of Working People of Slovenia and Yugoslavia.

Political Reforms

Slovenia started to move **decisively** towards a market economy, a parliamentary democracy and an independent state in 1986. This complicated process involved the liberation of the media, the development of new and closely interconnected civil society movements, the mushrooming of new political parties and reform of former key political actors: the League of Communists of Slovenia, the Socialist Youth League, the Socialist Alliance of Working People of Slovenia and the Alliance of Socialist Trade Unions.

Between 1986 and the end of 1990, a number of crucial independent women's organizations were set up and became highly active in the civil society sphere, including the Initiative - Women for Politics and the Prenner Club, (calling for women's human rights to be respected in the political and economic domains, for instance).⁴ Most of these organizations had close connections with other new civil society movements, especially peace and ecology groups. They were dealing with the same issues as the most developed women's movements in the West, but were also engaged with matters related to the disintegration, modernization and democratization of socialist Yugoslavia.

Slovenia's separation from Socialist Yugoslavia and its transition to parliamentary democracy and a market economy gathered new momentum following the first multiparty elections in April 1990. A coalition of right and centre-right parties, named Demos, won the first general elections.

The 1990 election, political parties and quotas

From the point of view of gender equality, Slovenia started out as a crippled democracy. In putting together their lists of candidates for the 1990 election, all political parties more or less ignored women. Newly formed right-wing and centre-right parties, even the newly established Social Democratic Party (SDP), openly attacked the quota inherited from the socialist period, describing it as a 'shameful communist invention to promote token women'. These parties openly rejected the very idea of the quota.

It was rather a different story as far as the parties that emerged out of the socio-political organizations of socialist times were concerned. The ***Liberal Democrats*** (LDP) (formerly the Socialist Youth League) proclaimed gender equality to be a core value, although they did not bother to formulate a quota. The ***Socialist Party of Slovenia*** (SPS) maintained the 30 percent target from the era of the Socialist Alliance of Working People, emphasizing that it would be foolish to throw the baby out with the bath water.

From 1989 the ***Party of Democratic Renewal*** (PDR) (formerly the League of Communists of Slovenia) has sought to become a member of the Socialist International (SI). In the 1980s, the Socialist International Women (SIW) had strongly recommended that all SI member parties establish women's organizations and set gender targets or employ a quota.⁵ Women belonging to the Party of Democratic Renewal therefore used

the recommendations of the SIW, as well as the example of quotas introduced by the Nordic social democratic parties, to persuade their male colleagues that the quota for women employed in the one-party system would yield totally different results in a democratic multiparty system. So the 30 percent target remained on the statute books.

Neither the SPS nor the PDR, however, respected their quota rules when constructing candidate lists for the elections in April 1990,⁶ meaning that centre-left and left-wing parties tacitly abandoned the drive for gender equality in politics. At the last moment, leftist women from civil society put together an independent 'Only Women Citizen's List' in a desperate attempt to address the marginalization of women in all political parties. However, their list did not receive enough votes to surpass the 2.5 percent threshold required for a seat in parliament.

The percentage of women parliamentarians therefore *fell from 26 percent in the mid-1980s to 18 percent in 1990.*⁷ The establishment of the Parliamentary Commission for Women's Politics served as a fig leaf, concealing the drastic defeat suffered by the modern feminist movement in Slovenia.

The 1992 election, political parties and quotas

Women activists from the PDR were the first to understand what a backlash might mean for the position of women in a society in transition.⁸ In autumn 1990, therefore, 100 women from the PDR set up the first formal women's party organization in Slovenia, the Women's Fraction (*sic*). In 1991, the SPS, and in 1992, the three other parliamentary parties, the LDP, the SDP and the Slovene Christian Democratic Party (SCDP), followed suit.⁹

In 1992, before the second democratic general elections, the PDR entered into a coalition with several smaller left-wing parties, known as the United List of Social Democrats (ULSD)—later to become the only left-centre-left party in Slovenia. Although the ULSD had a 30 percent target for men and women on candidate lists, it did not respect it. Meanwhile, for the first time, the LDP incorporated into its statute a 30 percent minimum target for men and women in all party organs and on candidate lists, but it too did not respect it.

As a result of the parties' failures to respect their own quota provisions, and the failure of parties without quota provisions to promote women candidates, the 1992 elections saw the proportion of women parliamentarians fall from 18 percent to 13.3 percent. It was clear that as party-based quotas and targets did not work, that women activists would have to work towards a legislated quota.

Efforts to Implement Quotas

After 1992, there were several attempts to enact quotas¹⁰ in order to achieve gender equality in politics in Slovenia. These attempts moved along two parallel paths.

- Women activists from three different parties, the ULSD, the LDS and the Slovenian People's Party (SPP), tried to convince these parties to incorporate firm quota rules for candidate lists for elections to party organs and for general elections into their statutes.
- At the same time, women and some male allies from different parties tried to introduce the quota for candidates on electoral lists by amending electoral legislation.

Six attempts were made between 1994 and 2004 to introduce the quota or some other positive action measures to combat the structural inequalities between men and women in politics. All of them failed.

- In 1994, an amendment to integrate a 40 percent quota for men and women into the Law on Political Parties was rejected. An amendment was accepted, however, that stipulated that 'all parties should enact, in their statutes, their own method for ensuring equal opportunities in nominating their candidates for elections'. No penalties were imposed, however, for non-compliance.
- In 1995, following a study of the statutes of all parliamentary parties, it became obvious that the parties did not seriously respect the law. New amendments calling for 30 percent and 40 percent quotas for men and women were proposed in May 1996, as well as an amendment outlining financial incentives for parties to bring more women into parliament. None made it past the Commission on Home Affairs and all were rejected by the National Assembly.
- Even a modest request, made the same year, for parties to detail clearly the concrete steps that they were taking to achieve gender equality vis-à-vis their nomination processes was turned down.
- A similar request was declined in 1998.

During the parliamentary and public discussions that took place after 1990, the following arguments were made against incorporating the quota into law.

- Quotas are a communist invention to guarantee 'token' women a presence in politics. They have nothing to do with the statutes of democratic parties and even less to do with modern, democratic European electoral legislation (argument from right-wing parties).
- Parties have the right to decide freely how they will select candidates for party posts or for their electoral lists. The Electoral Commission has only to make sure that they fulfil the provisions of their own statutes (argument from different parties).
- There is no need for any quota regulations whatsoever as our party respects gender equality and offers capable and willing women every opportunity to participate (argument from one right-wing party).
- First we have to create social conditions that permit women to enter politics. At the moment they are too busy playing the triple role of mother, housewife and breadwinner (argument from right-wing parties) .
- There are not enough competent and willing women in our party to satisfy a quota of 30–40 percent (argument from right-wing and centre-right parties).
- Women should not be forced to work in this dirty and competitive environment. They will lose their femininity by running in elections (argument from most male party leaders and male parliamentarians belonging to far-right parties).
- I achieved whatever I wanted to in politics without the quota. The quota is offensive to capable woman in politics (argument made by several women parliamentarians from different political parties).
- Enactment of the quota would violate the Slovene Constitution, which stipulates full gender equality and prohibits any discrimination on the basis of sex. The quota would discriminate against women (limiting their representation to only 30 percent) and would also discriminate against more capable men, according unjust priority to less capable women candidates only because of their sex (argument from legal experts in government and parliament).
- Voters should decide who becomes a member of parliament (MP), local councillor or mayor (argument from right-wing party leaders: in the context of the proposal to replace Slovenia's mixed but proportional electoral system with two round system or a first-past-the-post majority electoral system).

The 1996 election: Learning from defeat

In the 1996 general election, the ULSD had 42 percent of women on its lists, but not one of them was elected (The ULSD lost one-third of its support in this election). Women representing six other political parties that were opposed to the quota also did terribly. Only one woman was elected from each of the parties. In total, only 7.8 percent of

women were elected to the national parliament in 1996. Moreover, it would be a further three years before a woman re-entered the cabinet.

The defeat suffered by the ULSD in 1996 amounted to a collective defeat for all women in politics. In early 1997, the ULSD Congress announced that the defeat was due primarily to having 'too many ... unknown women on the party lists'. In 1997, therefore, it decided to abandon the firm party quota and to re-adopt a soft target, lowering the minimum threshold to 33 percent.

At the same time, this defeat provided opponents of the quota in centre-right and right-wing parties with plenty of ammunition. After initially abandoning a quota amendment to the party's statute in 1997, the Slovenian People's Party finally put the rule of parity (50/50) in its Party Action Plan for Gender Equality in 2004. This quota should come into force for the national elections of 2008. Even in the 2004 elections, the defeat of the ULSD served as an argument to the LDS Congress to establish their first firm party quota, with a meagre minimum of 25 percent.

The main reasons why women failed to do well in the 1996 polls are set out below.

- The existence of a mixed electoral system. Women candidates from all parties had to compete in less popular single-mandate districts with their party's most well-known male MPs. Women also had to compete against mayors of local communities in the best single-mandate districts.
- The small number of women MPs was extremely dependent on old boys' networks within the parties. Because of the relative weakness of women's organizations within the political parties most women MPs and leaders of women's groups within the parties believed that it was safer to remain silent than to push for quotas.
- Women's organizations within the parties could not ensure that women candidates received an agreed percentage of the best electoral districts in which to compete. In the case of the ULSD, it was clear that several women candidates were given second-best districts. These districts were not considered "safe seats" given that the party had lost one-third of its electorate and didn't have a realistic chance of winning in the second-best districts..
- There was fierce competition between LDP and ULSD women over which party would be the one to introduce the quota into law. Women in all parties have found it difficult to learn that it is more important to get the quota enacted than to make its enactment a great success of one woman MP (me) or one party (mine).
- The inability of advocates of the quota to keep the media¹¹ on their side and to prevent male leaders of all political parties from convincing some of the most visible women in their parties and governmental legal experts to make public statements against the quota.
- Lack of support for the quota among rather weak women's groups in civil society and women activists in trade unions.

However ineffective quota experiments and exercises have been, they have played a crucial role in raising the awareness of women in all political parties, and in forcing all of the main parliamentary parties to organize their women's organizations, to find more women candidates and to invest at least a little in their political education. It took the women of Slovenia five years to draw the conclusions from the events of 1996 and to start to develop new strategies.

The Sandwich Strategy¹² in Slovenia: Amending the Constitution

In 2001, aware of positive developments in neighbouring countries, and encouraged primarily by the Stability Pact Gender Task Force, women leaders and some outstanding male intellectuals from different parties, trade unions, NGOs and academia decided to form a Coalition for Parity. This informal network of visible public personalities was put

together for one reason: to secure women equal representation in all decision-making bodies.

*This cross-party coalition became a driving force behind the amendment of the Constitution and the enactment of the 40 percent quota for all electoral lists for the **European Parliament** elections held in Slovenia in June 2004 (this does not apply at the state level).*

Constitutional change

The coalition immediately got involved in the process to change the Constitution to satisfy *EU accession* criteria, formulating a proposal to allow for the temporary use of legally binding positive measures to guarantee the equal representation of women in politics. (Arguments used to change the French Constitution in the 1990s were employed in the advocacy process.) The final wording of the amendment was by women MPs from the three governing parties—who worked together with parliamentary legal experts. They called on the male leaders of their parties to be the first to sign the proposal. Next women MPs lobbied parliamentarians from all parties, asking them to sign the amendment. Before the start of the parliamentary discussion, 72 out of 90 MPs had signed the proposal. The constitutional amendment was endorsed in autumn 2004 after a number of complications had been resolved.¹³

The quota and the European Parliament elections

By autumn 2003, all of Slovenia's political parties were putting together their candidate lists for the European Parliament elections. It was obvious that women were being ignored once again. The CEE Network for Gender Issues encouraged women leaders from the different parties involved in the Coalition for Parity to inform all other party organizations at the European Parliament level about the situation and to ask for their help. Party leaders from the **Party of European Socialists (PES)**, the **European People's Party (EPP)** and the **Liberals (LDP)** sent letters to all of the national party leaders of their sister parties, asking them to ensure that the percentage of women Members of the European Parliament (MEPs) did not fall below 30 percent in the forthcoming European elections.

In December 2003, the Slovene parliament started the process to make modest amendments to the country's European Parliament Electoral Law. The Coalition for Parity immediately got involved, proposing that a quota be introduced stipulating a minimum of 40 percent of men and women on candidate lists and the use of the zipper system for candidate placing (one woman, one man). The crucial arguments made were that partial use of the party quota in the last national and local elections had not been successful, and that Slovenia was supposed to observe the terms of the Beijing Platform for Action and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), as well as Council of Europe and EU Directives, with respect to this issue. The Women's Forum and women and men MPs from the ULSD urged their ministers to make sure that the government included this amendment proposed by the Coalition for Parity. Next women MPs from different parties persuaded the majority of parliamentarians to ratify the article stipulating a 40 percent quota for men and women on candidate lists and that both sexes have to be represented in the first three positions on the list.

The pressure exerted by the Coalition for Parity was not enough to get a woman candidate placed at the top of any of the lists of the parliamentary parties, but it was enough to force all of the four parties that got at least one MEP elected to put a woman candidate in second place on their open lists to respect the provisions of the quota. This is how three women from three different parties were elected—in 2005, therefore, women make up 42.9 percent of Slovenia's seven-strong group of Members of the European Parliament.

Table 1: Women MEPs from Slovenia, 2004

Parties that had at least one MEP elected	Woman candidate in first place	Woman candidate in second place	Use of zipper system	Number of elected women MEPs
LDS (2)	No	Yes	No	1
Slovene Democratic Party (2)	No	Yes	No	1
New Slovenia (2)	No	Yes	Yes	1
ULSD (1)	No	Yes	Yes	0

The struggle continues at the state level

The attempt by several parties to change the electoral system for national elections and to make it truly proportional with open or closed party lists and with several big electoral districts, along with the attempt by the government to introduce a 40 percent quota for men and women and zipper placement rules, had sadly failed by the end of summer 2004. There is no legislation governing quota implementation for state elections.

Some parties, however, were concerned with gender equality. In November 2004, six out of eight parliamentary parties had organized women's sections and three had incorporated candidate list quotas into their statutes—two respected them and one brought 30 percent of women into parliament without any quota regulations. Those parties that had fully or almost fully implemented a firm party quota or soft target (the LDS (25 percent) and the ULSD (29 percent, instead of 33 percent) lost the polls. With the reduction in the number of seats these parties held, came a reduction in the number of women elected. Consequently, women comprise only 12.2 percent of the new parliament.

The Coalition for Parity was not strong enough to force political parties to change the electoral law, but it did present fresh and solid arguments why the electoral system needs to be changed and why parity (50/50) and zip placing rules have to be enacted. The coalition has already launched a new parity campaign, aiming this time for an equal proportion of elected women.

Table 2: Women MPs in Slovenia

Year	% of women MPs	No. of parliamentary parties	No. of parliamentary parties without a woman MP	Quota in party statutes
Best result in the 1980s ¹⁴	26.0	1	0	30% quota for delegates' lists—morally binding political agreement
1990	18.0	9	2	Two parties with a soft target of 30%
1992	13.3	8	2	Three parties with soft targets
1996	7.8	7	1	One party with firm quota; one party with a soft target
2000	13.3	8	4	Two parties with soft targets

2004	12.2	7	2	Two parties with soft targets; one party with a firm quota; one party that has promised to achieve parity by 2008
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Endnotes

¹ The same arguments were employed with respect to the enactment of the 1974 Constitution, when the state was called on to support family planning, including the right of women to a free and safe abortion.

² Socialist Alliance of Working People of Slovenia 1974. 'Agreement on the criteria for the candidate lists for the delegates'. Archive of Slovenia. Box SZDL.

³ See texts by Dr. Vlasta Jalušič and Dr. Maca Jogan.

⁴ Other organisations included the SOS Lifeline (focussed on battered women and children); Lilith (a lesbian group demanding freedom of sexual orientation); the Association Women's Initiative of Koper-Capodistria and Women with Ideas (a section of the Managers' Association concentrating on women in business).

⁵ See the SIW website at <http://www.socintwomen.org.uk/CONTENTS/ENGLISH.html>.

⁶ The PDR, for example, placed only one woman in first place on its eight lists for the most important political chamber of the new parliament.

⁷ All information on women in elections in this paper is based on data available from the Statistical Office of the Republic of Slovenia, <http://www.stat.si>.

⁸ All information on party quotas is from relevant party statutes or from the publications named *Women in Slovenia from June 1998*. and *Women and men in Slovenia from 1990s*. Ljubljana, Governmental Office for Gender Equality

⁹ See 'Preliminary CEDAW Report of the Republic of Slovenia', Office for Women's politics, Ljubljana, May 1993, pp. 53–55.

¹⁰ See the article of Antić, Milica G. and Maruša Gortnar. 'Gender Quotas in Slovenia'. *European Political Science*. Summer 2004. Issue No. 3.3.

¹¹ At the beginning of 1996, the mainstream media and the general public were very supportive of the ULSD idea to introduce a quota for men and women. But public displays of total disunity among women politicians resulted in them giving more and more time and space to arguments against the quota.

¹² The best way to get national party leaders, parliaments and governments to accept the highest international standards with respect to gender equality and to enact positive measures to ensure gender equality in the political domain is to apply top-down pressure (EU accession process) and bottom-up pressure (the strong cross-cutting women's movement)—this is the **sandwich strategy**. This strategy works only if the women's movements are strong enough and if they know how to jump into an ongoing parliamentary debate on important legislation.

¹³ For more information, see Lokar, S. 'Gender Equality Breakthrough in the Nineties in Slovenia'. Website of the European Forum for Democracy and Solidarity, CEE Network for Gender Issues. http://www.europeanforum.net/gendernw_home.php.

¹⁴ When the League of Communists enjoyed a monopoly on political power.