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**THE IRISH LEGISLATIVE GENDER QUOTA:**

**Analysing Implementation & Outcome**

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## Executive Summary

The title of this dissertation, *“the Irish Legislative Gender Quota: Analysing Implementation & Outcome”*, is specifically related to the Electoral (Amendment) (Political Funding) Act 2012, which requires political parties to field at least 30 percent candidates from the minority represented sex, with penalty for failure to comply resulting in a halving of state funding. Overall, given the difficulties observed during the 2016 general election campaign, and indeed now again in preparation for the next election, it is important to understand if these reforms are solely responsible for achieving increased female representation. Why difficulties during selection conventions are occurring, and how they can be best overcome. The main question is as follows: *‘Has the introduction of state mandated gender quotas for political party election candidates in the Republic of Ireland had the desired effects both in terms of implementation and ultimate outcome?’*

Both qualitative and quantitative methods of research were conducted for this dissertation report. Qualitative research was used to collect and analyse, with the work of Irish academics Buckley, of University College Cork, Galligan, of Queen's University Belfast, & McGing, of Maynooth University, found to be of particular importance when detailing any aspect specific to Ireland. The majority of reviewed literature publications would take the form of academic journals and government sponsored publications. Furthermore, in gathering local constituency convention information, political party press office notifications and indeed both national and regional newspaper articles were also of essential use. Primary quantitative methodology was used in calculating the latest female representation figures across all of Ireland's 31 local authorities via each individual council website. Primary sourcing in the form of an online Skype interview with Irish academic Claire McGing, of Maynooth University also took place.

In terms of the overall results, early successful upward trends in female political representation in Ireland (post the introduction of gender quotas) are acknowledged, however the premature nature of such observations is also addressed, outlining a number of unique variables which will be expanded upon in more detail throughout. Moreover, although some had hoped for greater female parliamentary numbers resulting from the 2016 general election, the comparatively higher rate of female candidates does at least offer the hope that a significant surge in female representation may occur sooner than expected, given both a heightening in the public profile of former unelected female candidates, and an increasingly competitive political landscape. Report recommendations primarily focus upon the need for greater management and communication strategies in terms of how respective parties reach the 30 percent gender quota, with particular attention given to the use of gender directives during candidate selection conventions.

### List of Abbreviations

AAA/PBP	Anti-Austerity Alliance/People Before Profit
AWS	All-Women Short Lists
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CoE	Council of Europe
EEA	European Economic Area
EU	European Union
IDEA	International Institute for Democracy and Electoral Assistance
IPU	Inter-Parliamentary Union
LECS	2014 Local Election Candidate Study
MLA	Member of the Legislative Assembly
MP	Member of Parliament
NEC	National Executive Committee
NWCI	National Women's Council of Ireland
PAE	2013 Political Attitudes and Experiences survey
PR	Proportional Representation
PR-STV	Proportional Representation-Single Transferable Vote
SDA	Sex Discrimination Act 1975 (United Kingdom)
TD*	Teachta Dála
UN	United Nations
WPA	Women's Political Association

#### Irish language references:

\* TD - Teachta Dála (Member of Dáil Éireann, the lower house of the Irish Parliament).

Note: TDs are also referred to as Deputies.

Oireachtas Éireann, refers to both chambers of the Irish Parliament.

Fianna Fáil, Fine Gael & Sinn Féin are the respective names of Irish political parties.

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## Introduction

In the run up the 2016 Irish general election (the first in which gender quotas were imposed), a number of high profile controversial selection conventions occurred, predominantly resulting from the imposition of a minimum 30 percent female candidate selection threshold, as required by law (Buckley, F., Galligan, Y., & McGing, C., 2016). The difficulties relate to Ireland's largely decentralized candidate selection process, which allows local party members to choose their own constituency candidates largely independent of the national executive (Buckley, F., Galligan, Y., & McGing, C., 2016). However, given a clear shortage in female contenders, parties have instead been forced to impose a hierarchical centralized will upon local members, largely in the form of gender directives, which essentially limits, or in some cases entirely excludes, potential male candidates from seeking the nomination of their party (Buckley, F., Galligan, Y., & McGing, C., 2016).

Opponents of the quota claim such practices are both sexist and undemocratic, while those in favour see it as a necessary evil needed to rectify a clear gender imbalance ("Ciara McCormack to represent SF," 2018; Rosenblum, D., 2006, p. 1135). It should be noted, that the legislative passage of the Electoral (Amendment) (Political Funding) Act 2012 did enjoy cross-party support at national level, however the matter remains divisive for many within respective parties grass-roots (Clancy, E., et al., 2012, as cited in Buckley, F., 2013, p. 354; Keenan, L., & McElroy, G., n.d., p. 27). Furthermore, adding to the existing social and political debate on this issue, legal challenge has also occurred, with those taking the action declaring the law unconstitutional, analysis of which will be revealed in more detail throughout (O'Loughlin, A., 2018).

Overall, given the difficulties observed during the 2016 campaign, and indeed now again in preparation for the next election, it is important to understand if these reforms are solely responsible for achieving increased female representation. Why said difficulties during selection conventions are still occurring, and how they can be best overcome. The central question for which an answer will be sought is as follows: *'Has the introduction of state mandated gender quotas for political party election candidates in the Republic of Ireland had the desired effects both in terms of implementation and ultimate outcome?'* In addressing these points, the thesis report will answer a series of important sub-questions, the first of which will seek greater detail within an *'international context'*, as outlined in *'Chapter 1'*. This section brings to the fore both the historical and contemporary position of women across various societies and time periods. Moreover, where Ireland stands within both the global and European female legislator rankings will also be revealed, with both datasets suggesting much room for improvement.

In *'Chapter 2'*, sub-question three will be addressed, outlining the principal related political science theories and explaining the key literature. Terminologies and theorems associated with political representation more widely, as well as the specific use of gender quotas are also included. Following on from this, sub-question four will be answered in *'Chapter 3'*, detailing the critical factors directly relating to the causation of female political under-representation, both within an international and Irish context. Institutional aspects such as electoral systems, district magnitude, incumbency, localism, resource allocation, as well as potential discriminatory practices, will be discussed. Furthermore, in allowing for a clear contrast between international norms with that of the domestic environment (sub-question two), *'Chapter 4'* shifts the focus in far greater detail specifically to the Irish case, examining both the historical and more contemporary position of women throughout the state.

Special attention is given to the mobilisation of women's movements seeking gender equality, and wider political access. Moreover, the actual pathway to eventual gender quota adoption is detailed, noting key landmark events throughout. The gender quota legislation itself is then covered within *'Chapter 5'*, emphasising the more pertinent information, and observations on the possible future legal expansions of such regulations to local level elections. The legality of gender quota laws are likewise taken into consideration (*'Chapter 6'*). Firstly a number of relevant case studies will be analysed. In addition, how Ireland may or may not be exposed to certain constitutional challenge will be examined. Legal actions thus far against the Irish gender quota law will also be detailed.

In answering the three final sub-questions regarding the party quota implementation process, and that of projected outcome, chapters seven to nine attempt explanation. *'Chapter 7'* reveals the most up to date data on public and political opinion as it pertains to these reforms, while chapters eight to nine detail the respective party political process in both the implementation of the gender quota requirements, and indeed the measuring of electoral changes both prior to, and after the adoption of said reforms. Mechanisms each party had deployed in order to reach the set quota threshold will be examined, including both the resistance and controversies which would occur throughout the candidate selection process. Thesis results will conclude with a comparative analysis between 2011 and 2016, which further reveals interesting results, such as a notable surge in non-aligned female political candidates who were not in fact subject to gender quotas penalties.

### Methodology

Both qualitative and quantitative methods of research were conducted for this dissertation report. Qualitative research was used to collect and analyse, with the work of Irish academics Buckley, of University College Cork, Galligan, of Queen's University Belfast, & McGing, of Maynooth University, found to be of particular importance when detailing any aspect specific to Ireland. Moreover, the published research by academics Dahlerup & Freidenvall both of Stockholm University also proves critical for a more detailed understanding of the international environment, both in terms of women's parliamentary representation and the use of gender quotas more specifically. Such historical and contemporary analysis on the global level was likewise available through the work of Krook, of Rutgers University, & Kenworthy, of University of California, San Diego. However, related publications by many other respected academics were also used.

A major political science framework in the area of political representation by Professor Pitkin, of University of California, Berkeley, would serve as an important foundation in terms of introducing important terminology and concepts. While detailed cross-national analysis by Professor Schwindt-Bayer, of Rice University, would allow for a mathematical framework in the measurement of quota projections. Further academics of note used for this dissertation include Professors Lawless and Fox, of Brown University & Union College respectively. Both of whom conducted detailed studies into the attitudinal differences between men and women of various ages and professions. Qualitative results would also be retrieved from various government sources, including the Houses of the Oireachtas and Standards in Public Office Commission, both based in Ireland, the House of Commons Library London, as well as the Parliamentary Library of Australia.

The majority of reviewed literature publications would take the form of academic journals and government sponsored publications. Furthermore, in gathering local constituency convention information, political party press office notifications and indeed both national and regional newspaper articles were also of essential use. Primary quantitative methodology was used in calculating the latest female representation figures across all of Ireland's 31 local authorities via each individual council website. Primary sourcing in the form of an online Skype interview with Irish academic Claire McGing, of Maynooth University also took place. McGing is a Government of Ireland IRCHSS scholar in the Department of Geography, NUI Maynooth, who has published widely in the area of gender and politics. McGing, who had previously analysed the selection conventions in detail for the 2016 general election, had built up relationships across most major parties, and was therefore able to forward a more detailed behind the scenes analysis of how each party was attempting to reach the quota target. An ethical and transparent use of data and literature interpretation occurred throughout this report.

## Literature Review

The literature of multiple academics and experts was sourced for this dissertation report, however the cited work of certain contributions were used far more regularly than others. The authors of the publications deemed as being of critical importance will be reviewed in greater detail throughout this section, assessing both their experience in this field and the relevance of their research. As has already been stated, Irish Professors Fiona Buckley of University College Cork (UCC), Yvonne Galligan of Queen's University Belfast (QUB), & Claire McGing of Maynooth University (NUIM), are heavily referenced throughout. Buckley is a lecturer in the Department of Government and Politics UCC, specialising in gender politics. Galligan is Head of the School of History, Anthropology, Philosophy and Politics QUB, she is also a founding Director of the Centre for Advancement of Women in Politics, and Director of University Gender Initiative. Finally McGing is of the NUIM Department of Geography.

All three are leading experts in gender politics, who are often sought to give their opinions across national media platforms, on all issues relating to women's participation in Irish public life. Referenced publications from these three Irish academics include, *'Women and Politics in Ireland: The Road to Sex Quotas'*, *'Legislating for political gender quotas in Ireland'*, *'Implementation of Gender Quotas in Ireland: Controversy and Consensus'*, *'"Someday, girls, someday": Legislating for candidate gender quotas in Ireland'*, *'Will Legislative Gender Quotas Increase Female Representation in Ireland? A Feminist Institutionalism Analysis'*, and *'Gender, Candidate Selection, and the 2016 Irish General Election'*. The literature of these academics is less theoretical in nature, dealing more so with observed trends and developments on the ground, with their work finding most relevance within chapters four, eight and nine, namely the *'Irish National Historical Context'*, *'Irish Gender Quota Implementation'*, and *'Measurement of Ultimate Outcome'*.

Furthermore, the work of Drude Dahlerup, Professor of Political Science at Stockholm University (SU), and SU Associate professor Lenita Freidenvall, introduces crucial data from an international perspective, while also bringing to the fore important theorems for this area of study. These theorems take the form of quota categorisation, namely that of the *'fast track'* and *'incremental track'* options. The former includes both legislative and constitutional quotas, leading to potentially significant augmentations in female representation within a short period of time (Dahlerup, D., & Freidenvall, L., 2005, as cited in Buckley, F., & Galligan, Y., 2015, p. 2). The second option, the *'incremental track'*, makes use of voluntary party-determined targets, generally resulting in slower rates of upward change (Dahlerup & Freidenvall, as cited in Buckley, F., & Galligan, Y., 2015, p. 2). These concepts will be expanded upon within *'Chapter 2 - Related Political Science Theories'*.

Essential cited work from both Scandinavian academics includes, *'Quotas as a Fast Track to Equal Representation for Women: Why Scandinavia Is No Longer the Model'*, *'Electoral Gender Quota Systems and their implementation in Europe'*, *'Gender Quotas in Politics in Central East Europe'*, and *'Women's Political Representation and Gender Quotas - the Swedish Case'*. Further international analysis and theory on this topic was sourced from Mona Lena Krook, Professor at the Department of Political Science at Rutgers University, and who has also served as Assistant Professor of Political Science and Women, Gender, and Sexuality Studies at Washington University in St. Louis. Her publications which are referenced within this dissertation include, *'Not All Quotas Are Created Equal: Trajectories of Reform to Increase Women's Political Representation'*, *'Gender quotas and democracy: Insights from Africa and beyond'*, *'Beyond Quotas: Strategies to Promote Gender Equality in Elected Office'* and *'Gender Quotas in British Politics: Multiple Approaches and Methods in Feminist Research'*.

Literature theory introduced by Krook (as cited in Buckley, F., 2013, p. 343), focuses upon the environmental elements which likely need to be put in place before the introduction of gender quotas occur. Again this theory will be expanded upon in greater detail within *'Chapter 2 - Related Political Science Theories'*. Furthermore, in presenting relevant literature for the causation of female political under-representation, interesting research in the area of possible attitudinal and behavioural divergence between the sexes by Professors Lawless and Fox were used (details found in Chapter 3). Jennifer L. Lawless serves as the current director of the Women & Politics Institute, as well as a Professor of Government at American University. Professor Richard Fox teaches and researches in the areas of U.S. Congress, elections, media and politics and gender politics. Their cited research includes, *'Why Don't Women Run for Office?'* and *'Why Are Women Still Not Running for Public Office?'*

Literature from Hanna Pitkin, who is a Professor Emerita of Political Science at the University of California, Berkeley, would allow for a clearer understanding of the terminology associated with this area of study, specifically through her publication of *'The Concept of Representation (1967)'*. Pitkin (as cited in Tate, K., 1999) developed what would go on to become a significant theoretical framework in the area of political representation, analysing the theorems of substantive and descriptive representation (detailed within *'Chapter 2 - Related Political Science Theories'*). Lastly extensive cross-country analysis by academic Leslie Schwindt-Bayer, in the field of quota effects and projected outcome would be of particular interest and relevance within *'Chapter 9 – Measurement of Ultimate Outcome'*. Schwindt-Bayer is a professor of political science at Rice University. Her cited work for this dissertation include, *'Making Quotas Work: The Effect of Gender Quota Laws On the Election of Women'*, and *'Candidate Gender and Electoral Success in Single Transferable Vote Systems'*.

## **Chapter 1 – International Context**

### ***International Context – Introduction***

Before examining the national historical context and identifying the key factors associated with female political under-representation, it is critical to firstly allow for a more holistic understanding of this issue in terms of the current international status quo. In this chapter the broader global experiences in relation to female political representation, including an observation of current gender quota use across both the European Union, and wider international community will be of primary focus. That being said, it would not be appropriate to begin such a global analysis of what is a rather socially complex subject, without initially bringing to the fore significant international historical factors which have likely held notable bearing upon this area of study, and should therefore be addressed.

### ***International Context – Results***

A key point in this regard is how women have historically been viewed as subservient to the wishes of their husbands, with the man seen as head of the household, in other words as noted by Professor Sapiro (1981), *“in him [the husband] was invested authority to rule his family and to represent his family’s interests in the ‘outside’ world”*, which extended into the political realm in the form of voting (p. 701). Furthermore, legal prerequisite requirements such as property ownership, before one would be afforded the right to vote in elections, also put women at a distinct disadvantage over men, with married women legally forbidden from property management or indeed the right to enter into a contract up until the 1840s in the United States, 1882 in England, and later yet again across continental Europe (Sapiro, V., 1981, p. 701). The long road for those advocating in favour of women’s suffrage clearly endured many international setbacks in directly challenging the status quo of that time, with certain states achieving earlier successes than others.

New Zealand for example would make history in 1893 becoming the first country to grant women the right to vote in national elections, this was followed by Finland in 1906, with the Finnish people going on to elect the first female national legislators one year later in 1907 (Ballington, J., & Karam, A., 2005, p. 34; Paxton, P., & Hughes, M., 2007, p. 898). Furthermore, the predominant religion of a given country also seems to have influenced the timing in which women were granted the right to vote, with the majority of historically Protestant states enacting electoral reforms by 1920, while those where a mostly Catholic tradition dominated not witnessing similar changes until after World War II (Inglehart, R., Norris, P., & Welzel, C., 2002).

In respect to significant initial increases in female political representation, it was the Union of Soviet Socialist Republics (USSR) which made history in 1946, becoming the first country where women legislators would reach the 10 percent point (Paxton, P., & Hughes, M., 2007, p. 898). In regards to the international adoption of political gender quotas more specifically, the initial use of such measures can in fact be traced back to 1930s and 1940s Asia, with the introduction of 4 percent reserved seating across national assemblies of British India in 1935, followed by similar quota requirements in 1947 for the newly independent parliament of Pakistan (Krook, M., 2009, as cited in Hughes, M., Paxton, P., & Krook, M., 2017, p. 334). Also in 1947, Chinese advocates of gender quotas achieved success with officials there enacting a 10 percent female minimum political representation law (Edwards, L., 1999, as cited in Hughes, M., Paxton, P., & Krook, M., 2017, p. 334).

Despite the early use of modest gender quota provisions in Asia, it is Argentina which is regarded as the first country to implement significant electoral legislative reforms of this kind on a cross-party nationally imposed level (Krook, M., 2003, p. 30). Argentina was also the first state where voluntary party quotas were introduced, occurring in the 1950s under the Peronist party (Houses of the Oireachtas, 2009, p. 21). The action by this one party would result in impressive female representation figures for any country of that time, with women reaching 22 percent of all parliamentarians by 1955 (Htun, M., & Jones, M., 2002, as cited in Mukhopadhyay, M., & Singh, N., 2007, p. 91). While voluntary party quotas became the norm across Nordic countries from the 1970s to 1990s, authorities in Argentina passed laws legally compelling all parties to act in countering the gender imbalance (Dahlerup, D., & Gaber, M., 2017, p. 307; Krook, M., 2003, p. 30). From 1991 the Latin American state required that no fewer than 30 percent of all party candidates be female, placed conditions on candidate order on ballot papers, and importantly enforced new laws which included party expulsion from the electoral process if found to be in violation of these reforms (Krook, M., 2003, p. 30).

While the former earlier mentioned examples may have gradually led the way in helping to build momentum for similar measures elsewhere, the international response was nonetheless quite slow to follow a similar course (Krook, M., 2003, p. 2). Reforms of this nature did occur in the Soviet Union during the 1950s, and a small number of countries in the 1970s and 1980s, however it was not until the 1990s that such electoral alterations truly began to become popularized across the international community, witnessing widespread adoption (Krook, M., 2003, p. 2). In respect to the contemporary use of gender quotas and the specific categories which have found most favour internationally, according to the Institute for Democracy and Electoral Assistance (IDEA) (as cited in Keenan, L., & McElroy, G., n.d.), as of 2016 77 states would fall within the compulsory legislative or constitutional quota grouping (p.2).

The IDEA (as cited in Keenan, L., & McElroy, G., n.d.) found the second most common category in use to be the voluntary quota, which covers 50 states (as of 2016), whereby partial or cross-party voluntary agreements within the national political system would regulate the specific internal selection of female candidates (p.2). Finally the least used quota category (12 countries as of 2016) is that of the reserved seating variety, which by its very nature predetermines the outcome of candidate gender within a given electoral district (Tripp, A., & Kang, A., 2008, p. 339). Importantly, in terms of the impact international organizations have had in this area, some scholars have suggested that the 1948 Universal Declaration of Human Rights serves as a foundation for those seeking such reforms, within which *'enshrines the equal rights of men and women, including the right to participate in government'* (Krook, M., & Norris, P., 2014, p. 2).

Other significant international events facilitated by the United Nations include the 1975 World Plan of Action in Mexico City, the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the 1985 Nairobi Forward-Looking Strategies (Krook, M., & Norris, P., 2014, p. 2). Article 4 of the CEDAW treaty is of particular interest given the stated formal recognition that *'temporary special measures such as quotas are needed to kick-start women's political representation'*, however the international document also makes clear that such legal requirements should be temporary in nature, with removal suggested upon *'the objectives of equality of opportunity and treatment'* having been satisfied (McCann, J., 2013, p. 7). Example of where quota laws may have been removed before the appropriate conditions had firstly been met include Eastern Europe and the former Soviet Union, with falls in female representation from 31 percent to 9 percent between 1980 and 1990 (Tripp, A., & Kang, A., 2008, p. 342).

Crucially, Article 4 also clarifies that said *'temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination'* (Houses of the Oireachtas, 2009, p. 10). Moreover, it should be noted that Ireland is a signatory to the CEDAW treaty, however Irish authorities have long been the focus of negative criticism by the organisation for the states historically poor female political representation figures (Houses of the Oireachtas, 2009, p. 10). The Committee would go on to make repeated formal recommendations to the Irish government, both in 1999 and again in 2005, urging the adoption of *'temporary special measures such as quotas'*, as is explicitly sanctioned under Article 4 (Houses of the Oireachtas, 2009, p. 10). The CEDAW has also previously called upon the government to put in place a parliamentary committee to investigate the lack of progress in this area (Houses of the Oireachtas, 2009, p. 10).

Following on from the major international developments of the above named conventions and declarations, 21 countries would go on to adopt gender quotas (between 1985 and 1994) (Tripp, A., & Kang, A., 2008, p. 339). However, such global initiatives would ultimately culminate at the highly influential 1995 Beijing Platform for Action, signed at the United Nations Fourth World Conference on Women, of which the Irish government is also a signatory (Krook, M., & Norris, P., 2014, p. 2; Houses of the Oireachtas, 2009, p. 10). The joint commitments which enjoyed international support, required signatories to reach *'a specific target of 30 percent women in decision-making positions'*, importantly, *'the Platform for Action suggests that this target might only be achieved through greater use of positive action in candidate selection'*, in other words potentially via the use of gender quotas (Krook, M., & Norris, P., 2014, p. 2).

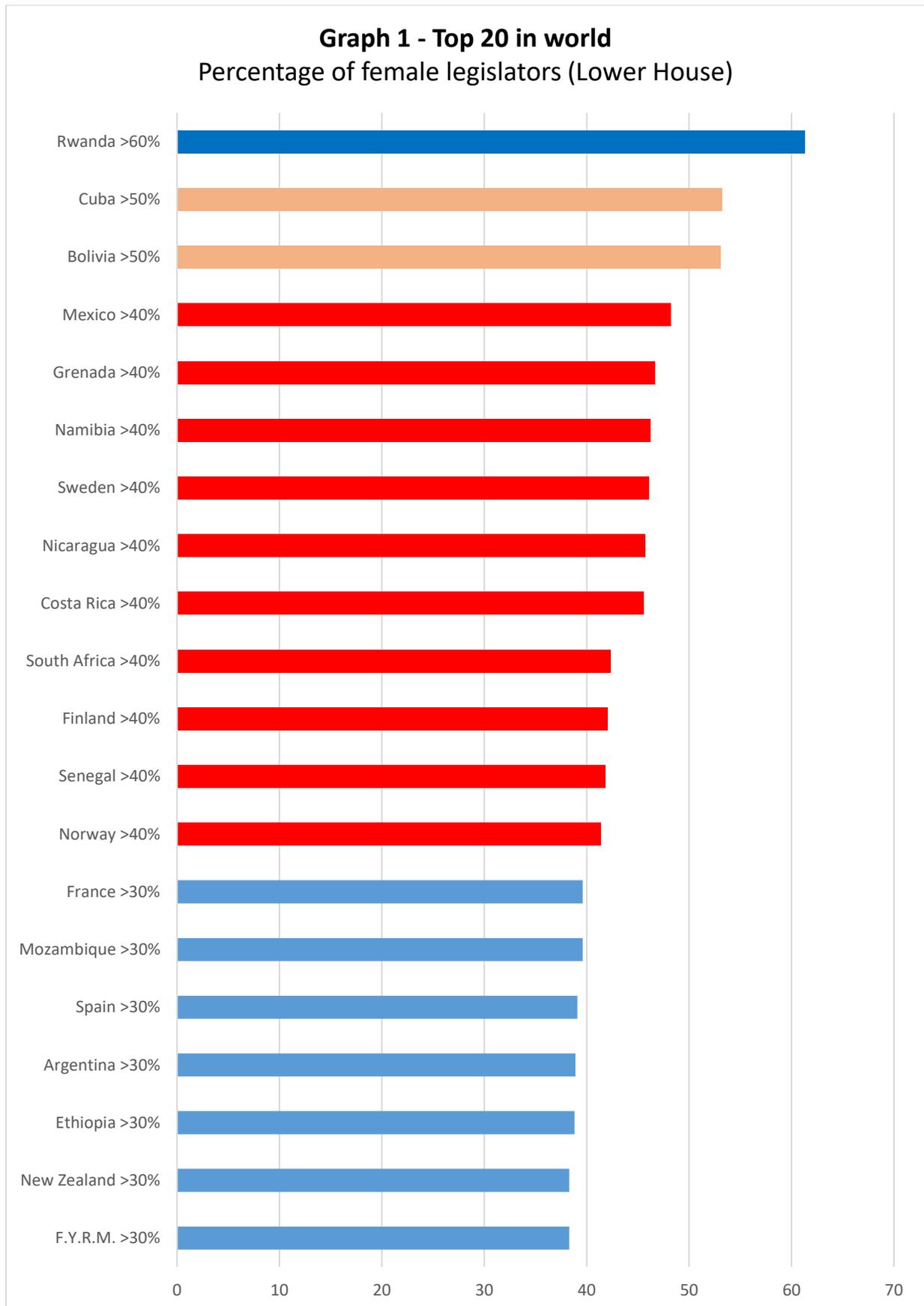
This imposed 30 percent target was viewed as being the *'critical minority'* needed in order for *'women as a group to exert a meaningful influence in legislative assemblies'* (McCann, J., 2013, p. 4). Another point of interest from the 1995 United Nations Fourth World Conference regarding female political representation surrounds debate on the diverse nature of electoral systems, with certain structures deemed far more favourable towards female and minority candidates than others (McCann, J., & Wilson, J., 2014, p. 14). These expressed concerns would formally be recognised by the leadership, calling upon *'national governments to review the impact of their electoral systems on women's representation and to undertake necessary reforms'* (McCann, J., & Wilson, J., 2014, p. 14). It should be noted that Ireland is in fact the first country worldwide to introduce gender quotas under a proportional representation-single transferable vote (PR-STV) electoral system, however broader analysis of this and potential areas of concern will be addressed in greater depth further into the paper (Buckley, F., 2013, p. 356).

Following on from the above mentioned conferences, the wider international impact would soon become clear, *'electoral gender quotas were passed in more than 100 countries – nearly all specifying 30 percent women as a minimum proportion of candidates and/or elected officials'* (Krook, M., & Norris, P., 2014, p. 2). Furthermore, from 1995 to 2010 international female political representation increased from 11 to 19 percent, a bump of 8 percent (IPU, 2010, as cited in Lodigiani, E., & Salomone, S., 2012, p. 2). However, when placing Ireland within such an international comparative context, scholars have argued that the state remained *'static from the early 1990s to 2012, while other nation states embraced affirmative action measures'* (Brennan, M., & Buckley, F., 2017, p. 16).

In 2000 at a United Nations General Assembly special session, known as Beijing +5, signatories of the 1995 conference once again reaffirmed their commitments to reaching the objectives set out at that historic gathering (McCann, J., 2013, p. 5). Furthermore, during that same year an important resolution on *‘Women, Peace and Security’* was passed by the United Nations Security Council (McCann, J., 2013, p. 5). In addressing the rationale for the resolution, then UN Secretary-General Kofi Annan (as cited in McCann, J., 2013) stated, *“peace is inextricably linked to equality between women and men....maintaining and promoting peace and security requires equal participation in decision-making”* (p. 5). Moreover, *‘Goal 3 of the UN Millennium Development Goals: Promote gender equality and empower women adopted in 2010 noted that women are slowly rising to political power, but mainly when boosted by quotas and other special measures’* (McCann, J., 2013, p. 5).

One notable country where female representation has witnessed a significant surge post the introduction of electoral reforms (combination of reserved seating and legislative gender quotas) is Rwanda (Hansén, J., n.d., p. 1). The south eastern African state would go on to surpass even the Nordic nations by 2003, and make history in 2008 as the first parliament to hold a female majority, standing at 56 percent as opposed to Sweden’s then 47.3 percent (Tripp, A., & Kang, A., 2008, pp. 338-339; Dahlerup, D., & Freidenvall, L., 2005, p. 412). All in all female political representation has witnessed significant increases internationally. For example in 1998 only five parliaments worldwide consisted of 30 percent or more women legislators, by 2011 however that figure had increased to 24 national parliaments (Dahlerup, D., & Freidenvall, L., 2011, p. 12).

Moreover, as of November 2018 the percentage of women MPs worldwide stands at 24 percent, up from 19 percent in 2010 (IPU, 2018a; Lodigiani, E., & Salomone, S., 2012, p. 2). Currently (November 2018) Ireland is ranked 81<sup>st</sup> globally, with 22.2 percent female representation in parliament (IPU, 2018b). For a clear visual of the leading countries in female parliamentary composition, observe *‘Graph 1’* on the following page. Interestingly, there are many African countries who make it into the top 20 rankings, namely Rwanda (61.3%), Namibia (46.2%), Senegal (41.8%), Mozambique (39.6%), and Ethiopia (38.8%) (IPU, 2018b). Latin American states are also well represented, with Cuba (53.2%), Bolivia (53.1%), Mexico (48.2%), Grenada (46.7%), Nicaragua (45.7%), Costa Rica (45.6%) and Argentina (38.9%) (IPU, 2018b). The European countries who have reached such female representation include Sweden (46.1%), Finland (42%), Norway (41.4%), France (39.6%), Spain (39.1%) and Macedonia (38.3%) (IPU, 2018b).



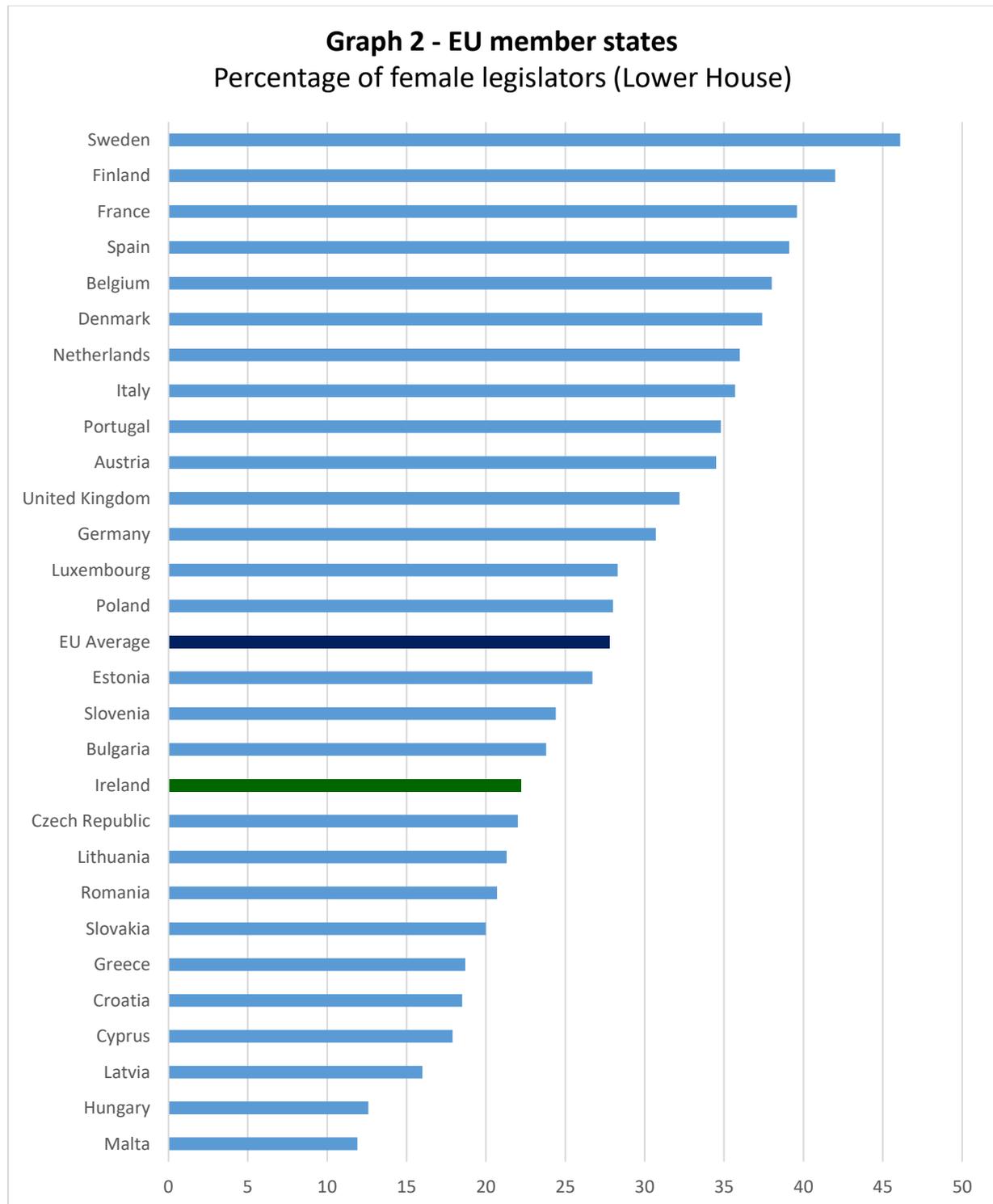
Source: Figures adapted from IPU. (2018b).

Given Ireland is a member of the European Union, the EU context as it relates to this issue is also of crucial importance. The EU institutions have been very much so proactive in this area, with the European Commission 2006-2010 road map for equality between men and women including the *'promotion of equal representation of women and men in decision making as one of the six priority areas for action – all within the framework of the recognition of equality between women and men as one of the fundamental principles of the Community'* (Dahlerup, D., & Freidenvall, L., 2011, p. 14). The Commission has indicated this issue as being a key area of focus and of potential action, publishing the *'strategy for equality between men and women 2010-2015'*, within which outlines *'targeted initiatives to improve the gender balance in decision making'* (Dahlerup, D., & Freidenvall, L., 2011, p. 14). Importantly the executive branch has also made clear that the Equal Treatment Directive (76/207/EEC) does not cover the selection of political candidates (Childs, S., 2015, p. 6).

Overall such favourable stances toward some form of affirmative action have also found support across the European Parliament (Dahlerup, D., & Freidenvall, L., 2011, pp. 14-15). These positions are grounded in Article 141 (4) of the Treaty of Amsterdam 1997, emphasising that states are not prevented from *'maintaining or adopting measures providing for specific advantages in order to make it easier for the under-represented sex to pursue a vocational activity'* (Childs, S., p. 6). Furthermore, given the widespread use of political gender quotas across the EU, the European Court of Justice has expressed a reluctance to challenge such systems, as to do so would be *'politically impossible'* (Childs, S., p. 6). The Council of Europe (CoE) which is a non-EU institution, has published similar recommendations within its *'Committee of Ministers Recommendation Rec (2003) 3 – Declaration on Making Gender Equality a Reality'* (Dahlerup, D., & Freidenvall, L., 2011, pp. 14-15). Furthermore, by 2010 the CoE would go on to explicitly encourage members to adopt the use of gender quotas in politics, as published in *'Recommendation 1899(2010) - Increasing women's representation in politics through the electoral system'* (Dahlerup, D., & Freidenvall, L., 2011, pp. 14-15).

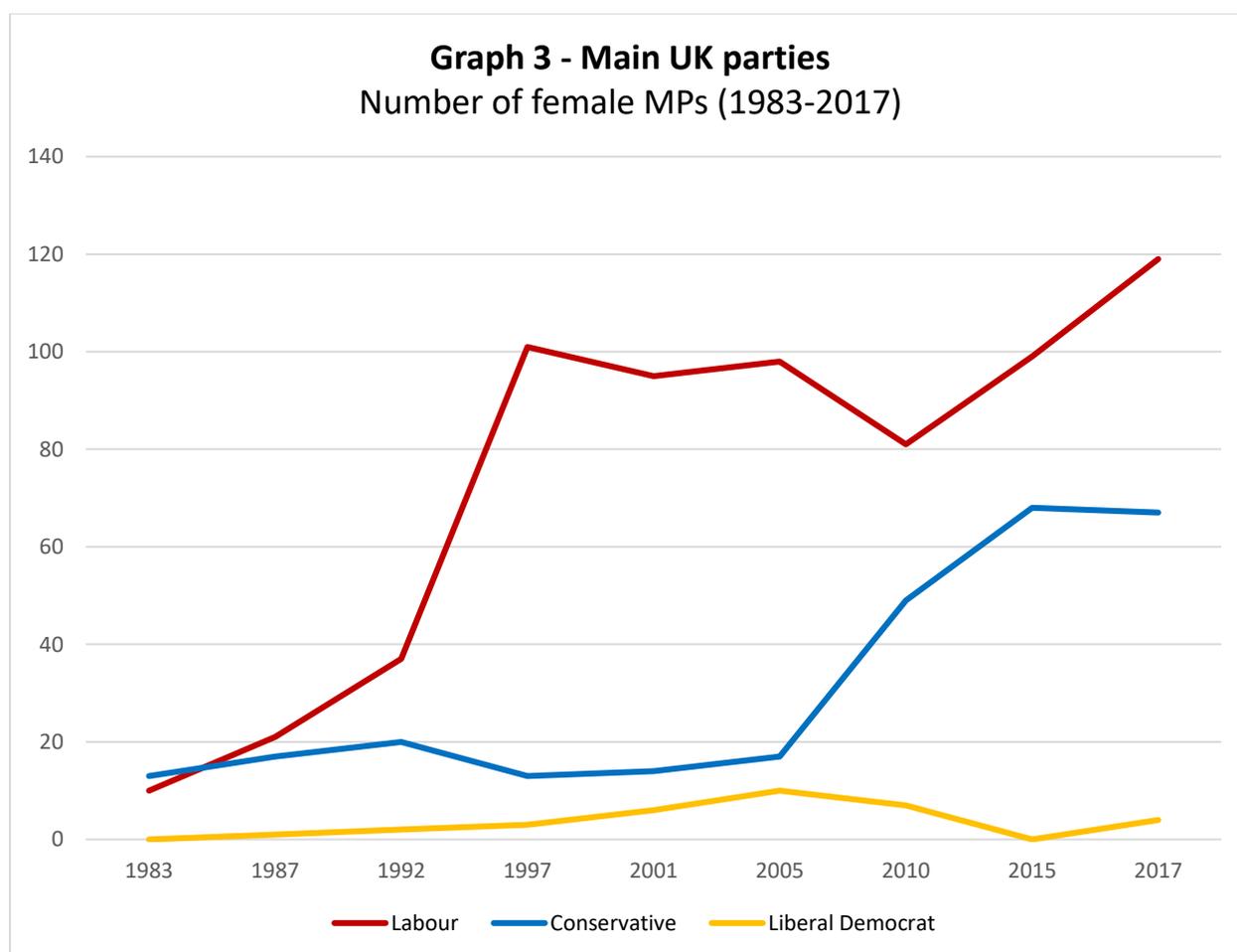
In terms of the actual adoption of gender quotas across the EU, Ireland would become the seventh member state (at the time of adoption) to enact legislative gender quotas, following Belgium, France, Spain, Portugal and Slovenia (Buckley, F., Mariani, M., & White, T., 2014, p. 471). However, in respect to the broader use of such measures across the continent, from 2011 (excluding Ireland), 21 of 30 European countries within the European Union (EU) and greater European Economic Area (EEA) had some form of gender quota in place (Dahlerup, D., & Freidenvall, L., 2011, p. 1). By 2013 this figure had increased yet again to 24, with the inclusion of Ireland, Cyprus and Slovakia (Freidenvall, L. & Dahlerup, D., 2013, p. 7-8). In regards to the quota type of choice, 16 of the 30 EU/EEA states have opted in favour of voluntary party quotas, while 8 including Ireland have chosen to implement the stricter cross-party legislative quota (Freidenvall, L. & Dahlerup, D., 2013, p. 7-8).

In 2013 Ireland was ranked 23<sup>rd</sup> out of 28 EU member states in terms of female political representation in national parliaments, as of November 2018 however the state comes in at 18<sup>th</sup> position (Buckley, F., 2013, p. 342; IPU, 2018b). Moreover, as can be observed from ‘Graph 2’ below, Ireland is ranked at the lower scale of the EU average which is currently at the 27.8 percent mark as of late 2018 (IPU, 2018b).



Source: Figures adapted from IPU. (2018b).

A brief observation on this issue in regards to Ireland's immediate geographical neighbour the United Kingdom will also be touched upon. While no nationally imposed legal quota requirements exist there, voluntary quotas are used by the Labour party via women only shortlists (Krook, M., & Squires, J., 2006, p. 48). As of 2010 the British parliament ranked 60<sup>th</sup> in the world for female political representation at national level, with women consisting of 22.6 percent of all MPs, making up 31 percent of Labour MPs, 15.7 percent of Conservative MPs, and 12.3 percent Liberal Democrat MPs (Childs, S., 2015, p. 2). Significantly these figures witnessed a historic rise at the 2017 general election, with women MPs now consisting of 32 percent of all legislators, Labour increasing to 45 percent female MPs, the Conservatives also seeing an increase reaching 21 percent, and the Liberal Democrats on 33 percent ("Election 2017," 2017). As of November 2018 the United Kingdom is ranked 38<sup>th</sup> globally for female parliamentary representation (IPU, 2018b). As can be observed from 'Graph 3' below, the differing approaches taken by the main parties on this issue has yielded a clear contrast in results, particularly between the Labour and Conservative parties.



*Source:* Figures for 1983-2010 adapted from Ashe et al., (2010), as cited in Childs, S. (2015); figures for 2015 adapted from Lowther, E., & Thornton, C. (2015); figures for 2017 adapted from Childs, S., Kenny, M., & Smith, J. (2017).

In respect to the Northern Ireland Assembly, *'between 1983 and 2010, just 14.3 percent of the candidates nominated by the five main parties in all elections have been women'* (Matthews, N., 2015, para. 3). Interestingly the Assembly witnessed a significant rise in female representation in 2016 with 30 women MLAs consisting of 28 percent of the legislature being returned, up from 19 percent at the 2011 Assembly election, and all without the use of any gender quota (Potter, M, 2016, para. 1). However, given a reduction in constituency magnitudes from 6 to 5 seats ahead of the 2016 poll, reducing the overall number of MLAs from 108 to 90, caution must be shown when making a direct comparative analysis (Russell, R., 2017, p. 6).

Lastly, while Scandinavia is often suggested as a regional model to which Ireland could replicate political equality reforms, it should be noted that successes which have clearly been observed across these states have been very much so incremental in nature (Dahlerup, D., & Freidenvall, L., 2011, pp. pp. 138-142). In fact contrary to popular belief there have never been legal quota requirements imposed in any part of Scandinavian, instead voluntary party quotas were adopted in the 1980s, but importantly at a time when female MPs had already reached between 20-30 percent of overall political representation (Dahlerup, D., & Freidenvall, L., 2011, pp. 138-142). Explanation for such a surge in female representation will become clearer further into the paper, with the timing of women's suffrage, the majority religion of a state, and indeed the domination of certain political ideologies within government all cited as attributing factors (Kenworthy, L., & Malami, M., 1999; Paxton, P., 1997; Reynolds, A., 1999, as cited in Paxton, P., & Kunovich, S., 2003, pp. 91-92).

It should also be stated that not all parties agreed to quotas, with some instead opting out, while in Denmark, a country which often finds itself at the top of world rankings for female representation, there are no quota provisions at all, voluntary or otherwise (Dahlerup, D., & Freidenvall, L., 2011, pp. 138-142). Gender quotas are not in place in Finland for democratically elected positions, however a national quota law does exist for *'all indirectly elected public bodies at national and local level'*, as is similarly the case in Norway (Holli, A., Luhtakallio, E., & Raevaara, E., 2006, p. 171-172). All in all Scandinavia is a clear example of a rather complex incremental reform process, with many distinct historical factors standing in stark contrast to the Irish case study, with Ireland instead attempting a fast track approach, which will be explained in more detail in the following chapters.

### ***International Context – Analysis***

The '*International Context*' section allowed for a greater understanding of the progress or lack thereof, Ireland has made in this area of social and electoral reform, clearly revealing the poor global rankings the state currently and formerly has found itself (81st position, as of October 2018). Moreover, by highlighting the international declarations to which the Irish state is a signatory, namely the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the 1995 Beijing Platform for Action, emphasises the external pressures which have for many years been asserted upon Irish authorities to deal with this issue. Interestingly, this section also reveals how the debate surrounding the use of gender quotas in politics is really nothing new, nor are Ireland's public commitments to dealing with the matter, even if such positions have only gained traction across Irish society and the political classes in recent years. The '*desired effects*' element of the central question in relation to '*ultimate outcome*' also becomes clear, with Irish international obligations, and indeed international norms, centering around a 30 percent gender target. Overall, the international data revealed just how quickly the state was becoming left behind, even finding itself outperformed by quite a number of nations from the third world (Africa to Latin America). Likewise within a solely European context, Irish shortcomings were again clearly observed, ranking at the lower end of the EU scale, even subsequent to the introduction of gender quotas.

## **Chapter 2 - Related Political Science Theories**

### ***Related Political Science Theories – Introduction***

This chapter seeks to allow for a greater understanding of the academic terminology surrounding this area of study, and in so doing answers the third sub-question: *‘What are the political science theories which relate to gender quotas and representative democracy more broadly?’* Throughout this section the following areas of interest will be covered: (1) The relationship between democracy with that of female political representation and the use of gender quotas. (2) A definition of the term quota, and specifically gender quota. (3) Key terminology pertaining to representative democracy by Professor Hanna Pitkin, through her work *‘The Concept of Representation’*. (4) Quota categorisation, namely that of the *‘fast track’* and *‘incremental track’* variants. (5) Explanation behind female representative terminology such as *‘mandate effect’* and *‘critical mass theory’*. (6) Academic argumentation in favour and against the use of gender quotas. (7) The environmental elements which likely need to come together before the introduction of gender quotas are said to occur, by Professor Krook. (8) Further analysis of quota use, and the complications it may present, taking *‘intersectionality’* into account.

### ***Related Political Science Theories – Results***

Firstly in terms of the democratic nature of representation more broadly, it should be noted that multiple cross-national studies have found no significant correlation between the presence of democracy within a given state, and that of greater levels of female political representation (Stockemer, D., 2009, 2011, as cited in Krook, M., 2013, p. 161). Furthermore, international research has also shown little connection between that of states which implement electoral affirmative action measures such as gender quotas, and those which rank highly on the democracy index (Tripp, A., & Kang, A, 2008, as cited in Krook, M., 2013, p. 161).

But what exactly are quotas and why is there a need for such electoral reform? Quotas may be defined as *‘a form of affirmative action or equal opportunity measure designed to address the slow pace of change in the participation of women and minority groups in areas of society where they are historically underrepresented, including employment, education and in political institutions’* (McCann, J., 2013, p. 4). More specifically in respect to gender quotas, it *‘requires a certain number or share of women [or men] to be nominated or elected’* (Dahlerup, D., & Gaber, M., 2017). It was scholar Hanna Pitkin (as cited in Tate, K., 1999), who through her work in *‘The Concept of Representation’* published in 1967, developed what would go on to become a significant theoretical framework in the area of political representation, analysing the theorems of substantive and descriptive representation.

Substantive representation refers to those who *'represent their constituents through the realization of their political needs'*, while descriptive representation was said to be *'represented when the representative belongs to your social or demographic group'* (Pitkin, H., 1967, as cited in Tate, K., 1999). Furthermore, a third category, symbolic representation, can be *'theorized as public attitudes toward women in politics and trends in the political engagement of female constituents'* (Franceschet, S., Krook, M., & Piscopo, J., 2012, p. 13). In attempting to redress imbalances in descriptive representation as it pertains to the sexes, gender quotas are more often than not the mechanism of choice. In terms of the specific forms of quota categorisation, scholars have made two clear divisions. The first is known as the *'fast track'* option which includes both legislative and constitutional quotas, leading to potentially significant augmentations in female representation within a short period of time (Dahlerup, D., & Freidenvall, L., 2005, as cited in Buckley, F., & Galligan, Y., 2015, p. 2).

The second option is that of the *'incremental track'*, which makes use of voluntary party-determined targets, generally resulting in slower rates of upward change (Dahlerup & Freidenvall, as cited in Buckley, F., & Galligan, Y., 2015, p. 2). The introduction of such measures are said to create a *'mandate effect'*, whereby *'female legislators perceive an obligation to act on the behalf of women'* (Franceschet, S., & Piscopo, J., 2008, p. 394-395). In respect to what specific female political representation requirements would allow for the greater influence of women or women's interests, much literature has focused upon that of a required 30 percent minimum threshold, known as the *'critical mass'* (Dahlerup, D., 2006, as cited in McGing, C., & White, T., 2012, p. 1). According to *'critical mass'* theorists, only after women have achieved 30 percent or more political representation, can this group truly begin to influence the legislative process in any meaningful way (Dahlerup, D., 2006, as cited in McGing, C., & White, T., 2012, p. 1).

That being said, not all academics agree, with some suggesting there is little evidence to support such claims, emphasising instead the importance of *'critical actors'*, be them male or female, who promote the interests of women in society (Childs, S., & Krook, M., 2006, as cited in McGing, C., & White, T., 2012). While extensive research appears to suggest that female legislators tend to be more likely than their male counterparts to act in the interest of women or women's interests, these potential links are by no means guaranteed, as *'descriptive representation is neither absolutely necessary nor entirely sufficient for substantive representation to occur'* (Reingold, B., 2012). Moreover, based upon research which seems to suggest the contrary or neutral results, other political scientists have taken the position that *'descriptive female gender had no predictable relation to support for women's substantive interests'* (Schlozman, K., & Mansbridge, J., 1979, as cited in Mansbridge, J., 1999, p. 630).

Opponents of selective descriptive representation often cite issues concerning the strengthening of 'essentialism', in other words *'the assumption that members of certain groups have an essential identity that all members of that group share and of which no others can partake'*, fearing that the prevalence of such a mentality may ultimately foster a negative exclusionary culture (Kymlicka, W., 1993, 1995; Phillips, A., 1992, 1995; Swain, C., 1993; Young, I., 1997, as cited in Mansbridge, J., 1999). Liberal theorists tend to assert that *'no group merits better treatment than any other group'*, nor is it even possible to fairly choose which group should take precedence over any other, taking a neutral stance on societal makeup while maintaining that *'ideas, rather than identity, should determine representation'* (Rosenblum, D., 2006, p. 1133). Conversely critical theorists *'believe neutrality serves to maintain the inequality of the status quo'*, in other words where equality of opportunity does not exist, actions need to be taken to alter outcome if perpetual social impedances are to be overcome (Rosenblum, D., 2006, p. 1135). The introduction of gender quotas for example are therefore regarded as a needed compensation to counter such unequal social barriers (Freidenvall, L., 2003, p. 9).

Furthermore, in respect to the wider academic argumentation in support for greater levels of equal political representation between the sexes, scholars have identified at least four key points. Firstly according to the justice argument, given the fact that women constitute half the population, they should in turn have a right to half of all seats in parliament (Dahlerup, D., & Freidenvall, L., 2005). Secondly, differing social experiences due to distinct differences in biology is also often cited as a critical argument in favour of greater gender parity (Dahlerup, D., & Freidenvall, L., 2005). And thirdly, the issue of conflicting group interests, whereby certain areas in public policy, for example in health or economics, may at times disproportionately effect women more than men, resulting in female legislators being best placed to lead or influence the legislative process (Dahlerup, D., & Freidenvall, L., 2005).

Moreover, a further significant narrative highlights the critical importance of influential female role models, with their presence and engagement acting to encourage young aspiring women to pursue careers in politics, who may otherwise have been deterred by a more masculine male dominated environment (Dahlerup, D., & Freidenvall, L., 2005). But what are the environmental elements which likely need to come together before the introduction of gender quotas are said to occur? According to Krook (as cited in Buckley, F., 2013, p. 343), four narratives can help to explain how and why gender quotas are adopted. Firstly a mobilisation of women advocating for such reform needs to take place (Krook, M., 2007, as cited in Buckley, F., 2013, p. 343). Secondly support from political elites for such a cause needs to be found, which often results from electoral strategic consideration stemming from political competition (Krook, M., 2007, as cited in Buckley, F., 2013).

It is from this second narrative which *'contagion theory'* may be attributed, whereby *'traditional political parties will feel forced to nominate more women if one of their political competitors, usually a smaller party to the left, starts promoting women'* (Freidenvall, L., 2003). The third narrative suggests the need for a period of democratic renewal or change, and lastly pressure from international norms is also seen as a contributing factor which leads to gender quota introduction (Krook, M., 2007, as cited in Buckley, F., 2013, p. 343). While most academic reports in making the case for gender quota adoption speak of historical and contemporary oppression, or at least significant disadvantages women have had, or continue to have when in contrast to their male counterparts (Lépinard, E., 2013). A growing literature in the area of intersectionality however appears at least to complicate this narrative, by drawing greater attention to the complex *'internal heterogeneity of the category "women"'* (Collins, P., 1990, as cited in Lépinard, E., 2013). Such work instead describes a *"matrix of domination"* rather than a singular oppressed group, emphasising the racial and social class disparities across women as a group (Collins, P., 1990, as cited in Lépinard, E., 2013).

### ***Related Political Science Theories – Analysis***

*'Chapter 2'* demonstrates the complexities surrounding both female representation and the specific use of gender quotas, revealing no apparent links between either of these elements with that of democracy more broadly. In developing a greater defined framework around this area of study, the work of Professor Hanna Pitkin would allow for a clearer understanding of the differing ideas and definitions associated with public representation, and how best to categorize or frame such discussion. This section also makes use of important terminology from Swedish academics Dahlerup and Freidenvall, who break down the two main implementation strategies for political gender quotas, namely that of the incremental and fast track approaches. From this analysis it soon becomes clear that Ireland is attempting the fast track option, which includes that of stricter party uniformity and penalty for non-compliance, from which faster augmentations in female representation is generally more likely. Justification for and against the use of gender quotas is also explored, with strong points on both sides of the argument. Moreover, in listing the primary contributing environmental factors strongly associated with gender quota adoption, the Irish case does seem to be a perfect example, appearing to meet all criteria presented by Krook. Namely, a clear history in the mobilisation of women advocating for such reform (as will be outlined within *'Chapter 4 – Irish National Historical Context'*), support from political elites (as will be outlined in *'Chapter 5 – The Legislation'* section), pressure from international norms (as outlined within the *'Chapter 1 – International Context'*), and indeed a clear period of democratic renewal and change following on from the economic crisis, which will be addressed throughout.

### **Chapter 3 - Causation of Female Political Under-representation**

#### ***Causation of Female Political Under-representation – Introduction***

'Chapter 3' answers important aspects of why gender quotas may be needed, addressing sub-question four: 'What are the major factors which contribute to female political underrepresentation?' This section begins by identifying key areas often cited as contributing to the issue, namely that of differing electoral systems, the selection process, district magnitude (number of seats per constituency), incumbency, political ideology, religiosity within a state, including the education and professional attainment of women. Furthermore, Norris and Lovenduski bring to the fore so called 'supply' and 'demand' factors, which takes into account possible attitudinal and behavioural differences between the sexes, resource driven argumentation, and likely discriminatory practices of both a potentially conscience and subconscious nature.

#### ***Causation of Female Political Under-representation – Results***

The following key areas are often identified as determining factors in relation to female political representation. Firstly that of institutional specific factors concerning unfavourable/favourable electoral systems are identified (Kenworthy, L., & Malami, M., 1999, pp. 236-239). In respect to the type of electoral system in use, research has shown that female political candidature under proportional representation (PR) is statistically more likely to achieve higher numbers in overall women elected to parliament, as opposed to that of plurality–majority systems which are generally seen as unfavourable to women candidates (as this system is less proportional) (Paxton, P., & Hughes, M., 2007, p. 915). Furthermore, allowing for a highly decentralized candidate selection process in preparation for national elections is also said to be less favourable to female candidates, with targeted gender-fair selection conventions in Ireland often '*heavily compromised by the decentralised nature of party recruitment*' (Caul, M., 1999, pp. 80-81; Buckley, F., Galligan, Y., & McGing, C., 2016, p. 2).

The importance of district magnitude should also be noted, as a PR system with a low district magnitude, as is the case in Ireland, presents its own difficulties and disadvantages when compared to PR jurisdictions using a higher district magnitude (Freidenvall, L., 2003, pp. 4-5). Issues surrounding the electoral process and use of the PR-Single Transferable Vote system in Ireland also include that of incumbency and localism (Buckley, F., Mariani, M., & White, T., 2014, p. 471). A further determining factor relates to the historical dominance of left/right leaning governments, with socially democratic administrations historically demonstrating a more women friendly approach than that of conservative executives (Kenworthy, L., & Malami, M., 1999, p. 236). Moreover, the point at which women's suffrage was achieved is also said to be of significance (Kenworthy, L., & Malami, M., 1999).

A further important point relates to the prominence/absence of women within certain professions strongly associated with direct political involvement and progression, as opposed to simple work force participation levels (Kenworthy, L., & Malami, M., 1999, p. 236). While women's educational attainment rates, labour force participation, women's political movements, and national economic wealth, had all previously been regarded as important indicating measurements of female political representation, contemporary trends however seem to challenge such notions (Kenworthy, L., & Malami, M., 1999, p. 251). Today scholars take the position that said factors appear to hold no significant bearing upon ultimate female legislator numbers (Kenworthy, L., & Malami, M., 1999, p. 251). Such an assertion seems to be supported in the case of Ireland, given both high levels of education and employment among women, yet a continued gender imbalance of political representation persists (Central Statistics Office, as cited in Brennan, M., & Buckley, F., 2017).

Moreover, as was observed within the '*International Context*' section, the historical dominance of a given religion within a country also appears to have heavily influenced the social reforms which have been made on this issue (Paxton, P., & Kunovich, S., 2003, pp. 91-92). For example the secularization of majority Protestant states seems to have developed far quicker when put in contrast to countries where Catholicism was the predominant faith (Kenworthy, L., & Malami, M., 1999; Paxton, P., 1997; Reynolds, A., 1999, as cited in Paxton, P., & Kunovich, S., 2003, pp. 91-92). Electoral reforms across other more conservative societies stemming from religious tradition have experienced even slower progress in this area, for example that of Islamic regions (Kenworthy, L., & Malami, M., 1999; Paxton, P., 1997; Reynolds, A., 1999, as cited in Paxton, P., & Kunovich, S., 2003, pp. 91-92). Putting religion aside, the cultural perceptions of women across respective parties has also been identified as a critical determining factor in female representation (Kenworthy, L., & Malami, M., 1999, p. 236).

According to Norris and Lovenduski (as cited in Halder, N., 2004, p. 28), so called '*supply*' and '*demand*' factors are an important area of study in understanding the causation behind this problem, with a common explanation behind supply side difficulties including, '*women do not come forward and/or they are not interested in politics*'. In terms of possible differences in attitude between the sexes, research by the IEA Civic Education Study (as cited in Wolbrecht, C., & Campbell, D., 2007, p. 923) into adolescent boys and girls as it pertains to anticipated political activity, suggests that even from this early age, distinct diverges across the category of political ambition may begin to be observed, however overall the results appear mixed. Of the 20 countries where school students had been surveyed, 11 national results indicated that '*girls are significantly less likely than boys to report that they envision themselves as politically active adults*' (IEA Civic Education Study, as cited in Wolbrecht, C., & Campbell, D., pp. 923-936).

While in only two countries, Finland and the United States, the numbers were reversed (IEA Civic Education Study, as cited in Wolbrecht, C., & Campbell, D., pp. 923-936). The remaining 7 countries showed no significant differences either way (IEA Civic Education Study, as cited in Wolbrecht, C., & Campbell, D., pp. 923-936). Explanation behind such findings may be found in further academic studies which have sought to determine possible correlation between female political interest and engagement, with that of higher numbers of women in elected office. For example, research by Wolbrecht and Campbell (as cited in Clayton, A., 2015, p. 336) appears to suggest that *'women are more likely to discuss and participate in politics when there are a higher number of female members of Parliament (MPs)'*, with younger women in particular seeming to be most heavily influenced.

Moreover, following the surveying of an even greater selection pool of female participants, Norris and Krook (as cited in Clayton, A., 2015, p. 336) appear to confirm such findings, discovering that *'civic engagement among women is higher in countries with more gender-equal parliaments'*. Within an Irish context, White, et al. (as cited in Brennan, M., & Buckley, F., 2017, p. 19) have also observed differing levels of interest between the sexes, however the research does importantly emphasize that the *'gender-based differences are not so great as to hinder the ability of parties to find potential female candidates to run for office'*. In relation to a possible knock-on effect of fewer female representatives resulting in less women becoming politically engaged, Irish academics researching domestic causation have likewise adopted such explanation as partially contributing to the problem (Buckley, F., et al., 2015, as cited in Brennan, M., & Buckley, F., 2017, p. 19).

More specifically it has been noted how the historically low female representation rates have *'curtailed role-model effects, inhibiting women's confidence and ambition to pursue a political career'*, while arguing that such an environment ultimately fosters a more masculine culture and *'male-gendered way of 'doing' politics'* (Connolly, E., 2013; Duerst-Laht, G., & Kelly, R., 1995; Harmer, E., et al., 2016; Duerst-Lahti, G., 2002, 2008, as cited in Brennan, M., & Buckley, F., 2017, p. 19). Given evidence of a more socially engineered nature seems to play a critical role in how men and women contemplate possible political engagement, it should be noted as to what extent if any such divergences are innate remains the subject of much debate.

For example a body of research in the area of gender focused psychological analysis seems to suggest *'systematic differences in behavioural characteristics across gender'*, with key findings appearing to demonstrate that *'men are more individually oriented (selfish) than women'*, while women on the other hand have been found to show a greater *'helping'* behaviour (Dollar, D., Fisman, R., & Gatti, R., 2001). Further psychology literature has also found that *'men tend to be more assertive than women, and women are generally higher than men in anxiety and tender-mindedness/sensitivity'* (Brody, L., & Hall, J., 2000; Feingold, A., 1994; Kring, A., & Gordon, A., 1998; Lynn, R., & Martin, T., 1997, as cited in McElroy, G., 2018). Gender divergences have likewise been observed in respect to *'self-perceptions of electoral qualifications and viability'*, with one such study revealing how significantly more men than women tended to regard themselves as *'qualified'* to run for public office, with sampled women from the same study seemingly twice as likely as men to come to the conclusion that they are *'not at all qualified'* (Lawless, J., & Fox, F., 2008, p. 10).

Moreover, in deciding whether or not to actually run for office, American studies have shown that women (even those without children) tend to give greater consideration to the possible risks and challenges involved more so than their male counterparts (Flammang, J., 1997; Fox, R., Lawless, J., & Feeley, C., 2001, as cited in Davidson-Schmich, L., 2006, p. 10). Research has also indicated that the presence of a supportive spouse is regarded as vitally important for a potential female political candidate, while men appear more likely to proceed with such ambitions even against the wishes of their spouse (Carroll, S., 1993; Mandel, R., 1983, as cited in Davidson-Schmich, L., 2006, p. 10). However, as outlined by Professors Norris and Lovenduski (as cited in Krook, M., & Norris, P., 2014, p. 4), areas which are more likely to account for lower female candidatures in respect to issues in supply side, include challenges surrounding *'resources, like time, money and experience'*.

Moreover, international researchers have narrowed this down to what have become known as the *'Five C's'*, namely that of childcare, cash, confidence, culture and candidate, all of which it is argued places a disproportionately greater weight upon women when put in contrast to that of men (Houses of the Oireachtas, 2009, p. 11). Specifically in relation to the difficulties faced by Irish women, according to the Central Statistics Office (as cited in Buckley, F., 2013, p. 345) *'women's income in 2011 was around 73 per cent of men's income'*, putting them at a clear financial disadvantage when deciding to embark upon an election campaign. Furthermore, according to the National Women's Council of Ireland (as cited in Buckley, F., 2013, p. 345), as of 2009 women *'spend three times as long as men in an average week engaged in care and domestic work'*, putting restraints on the amount of time they might otherwise like to spend in a political capacity. While *'more than half a million women were looking after the home/family in 2011 compared with only 9,600 men'* (Central Statistics Office, as cited in Buckley, F., 2013, p. 345).

In other words, *'when jobs require uninterrupted tenures, long hours, and inflexible schedules, women are at a distinct disadvantage'* (Iversen, T., & Rosenbluth, F., 2008, p. 493). In respect to issues relating to that of the *'demand side'*, attention tends to focus upon potential discriminatory practices within the actual candidate selection process, with studies revealing how women are less likely than men to be approached and encouraged to run for public office (Norris, P., & Inglehart, R., 2000, as cited in Halder, N., 2004, p. 28; Paxton, P., Kunovich, S., & Hughes, M., 2007, p. 267). Such studies have also revealed that even *'highly qualified and politically well-connected'* women are still less likely to be sought out during candidate recruitment, when compared to their male counterpart (Fox, R., & Lawless, J., 2010, p. 310).

Demonstrating the importance of this point, international research on the issue of female representation has shown that the greatest impedances to women entering parliament are not social, economic, or cultural but instead political (Kittilson, M., 2006; Krook, M., 2010, as cited in Krook, M., & Norris, P., 2014, p. 17). Put simply, where a clear domination of men across the recruitment stages occurs, for example over-representation in the role of gatekeepers, the perception of an *"old boys' club"* may come to serve as a distinct deterrent for potential female recruits (Cheng, C., & Tavits, M., 2009, p. 462). That being said, while institutional issues are clearly of critical concern, the ultimate causation is likely a combination of differing factors. In relation to the role of the general public, the National Women's Council of Ireland (NWC) (as cited in Houses of the Oireachtas, 2009, p. 8) surveyed female candidates contesting the 2009 Irish local elections, seeking to record both their experiences and interactions when out campaigning. The results concerningly revealed how *'women had had very negative experiences, including bullying, intimidation and offensive comments from members of the public'* (NWC, as cited in Houses of the Oireachtas, 2009, p. 8).

While such reports are troubling, it should be noted that a number of recent studies have come to the conclusion that gender discrimination is not an issue of any significance across the broader Irish electorate, *'once variables such as partisan affiliation and previous political experience are considered and controlled for'* (McElroy, G., & Marsh, M., 2010; 2011, as cited in McElroy, G., 2018; Buckley, F., Collins, N., & Reidy, T., 2007, as cited in McGing, C., & White, T., 2012, p. 3). Furthermore, extensive research also seems to suggest that when women run for office they perform just as well as men (Lawless, J., & Fox, F., 2004, p. 1).

### ***Causation of Female Political Under-representation – Analysis***

*'Chapter 3 - Causation of Female Political Under-representation'*, interestingly highlights how the dominance of conservative led governments from the states inception, in conjunction with an almost theocratic like Roman Catholic rule across society, fits neatly into academic explanatory factors which are said to effect female parliamentary representation figures, namely that of religion/culture and political ideology. Furthermore, results revealing the importance of female parliamentary role models also appears credible, suggesting male dominated party political structures are far more likely to foster that of an *"old boys club"* type environment, a clear deterrent to potential female candidates.

Research of a gender focused psychological approach also presented many interesting findings, demonstrating stark divergences in behaviour and character between the sexes. However, resource driven argumentation by Professors Norris and Lovenduski along with respected Irish academics appears more credible, instead highlighting crucial disparities between men and women in the areas of time, money and experience, much of which is said to be attributed to the disproportionate responsibility placed upon women in the raising of children. *'Demand side'* issues which would focus upon potential institutional discrimination would reveal some of the more troubling results, suggesting that potential female candidates were far less likely to be approached than their male counterparts, even those considered experienced and well connected.

Such findings perhaps offer up the greatest argumentation in favour of gender quota use, given concerns from a resource centred focus could potentially be addressed (at least in part) by the implementation of family friendly policies, while discriminatory practices (be them conscious or subconscious in nature) would be far more difficult to address, without some form of affirmative action. Moreover, given further studies revealed no blatant signs of gender discrimination across the broader Irish electorate, institutional factors should be of primary concern.

## **Chapter 4 - Irish National Historical Context**

### ***Irish National Historical Context – Introduction***

This chapter begins with a historical overview regarding the role of women in Irish society more broadly, followed by a focus more specifically upon female political engagement and attainment of public office. Furthermore, the mobilisation of women's rights movements, the most influential actors throughout the process, the chronological sequencing of pivotal debates, and lastly important publicly documented events which helped move the state towards the introduction of gender quotas in Ireland will all be addressed throughout.

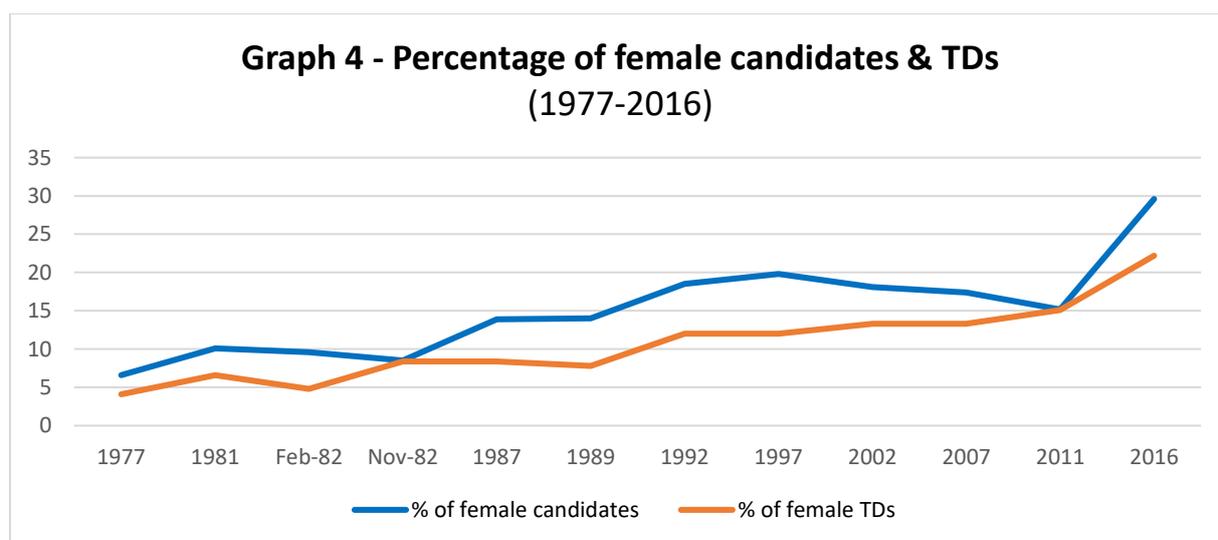
### ***Irish National Historical Context – Results***

Before analysing the national historical context of female political representation in Ireland, it is firstly important to note a number of points surrounding the long struggle women have had in asserting their right to equal treatment under the law on the same basis as men, in what has historically been a conservative Catholic country. Such social drawbacks run counter to the early political progress Irish women would make, namely the election of one of the world's first female legislators, Constance Markievicz in 1918 (O'Halloran, M., 2018). However, the adoption of the 1937 Constitution would ultimately leave no room of doubt in citizens' minds as to the place of women in the newly independent state (Beaumont, C., 2006; O'Neill, M., 1991, as cited in Buckley, F., & Galligan, Y., 2015, p. 5). *'Majority public support for the 1937 Constitution (as cited in Buckley, F., & Galligan, Y., 2015, p. 5) which banned divorce (Article 41.3.2), confined women's citizenship to the home (Article 41.2.1), constitutionally restricted women's employment opportunities (Article 41.2.2) and enabled laws to take into account differences of capacity and social function (Article 40.1).*

Defending perceived inequalities of the constitution from socialists and Republican women, former President De Valera (as cited in Hobson, B., 2003, p. 79) remarked: *"I do not think that the words 'equality and inequality' can properly be applied to the (sexes). Each has its own particular and important role to play, just like a back or forward in a football team. Men and women are complementary to each other in society, working out in their own particular spheres the parts for which they are best fitted."* The dominance of the Roman Catholic Church in Ireland would enshrine patriarchal social structures for much of the state's history, until an eventual ceding of said power from the 1990s onwards, leading to an increased secularisation of society (Buckley, F., & Galligan, Y., 2015).

In terms of the overall picture in respect to female representation in Irish politics, it is important to note that as of the first nine decades since the states independence, there have only been 92 women elected to the lower house of the national parliament, known as Dáil Éireann (Buckley, F., 2013, p. 342). *'Of the total 4744 Dáil seats filled since the first election to Dáil Éireann in 1918 [to 2011], only 260 (less than 6 per cent) have been occupied by women'* (Buckley, F., Galligan, Y., & McGing, C., 2013, p. 2). Furthermore, *'in total there were 3,668 candidacies across the 12 elections held between 1973 and 2011, of which just under 16 per cent were female'* (McElroy, G., 2018, p. 3). Female political participatory levels have been so low in fact, *'until the 1970s the absolute number of women competing at election time rarely reached double digits'* (McElroy, G., 2018, p. 2).

A rather uniquely Irish phenomenon which occurred with greater regularity before the 1970s, were the so called *'honorary men'*, wives, daughters or sisters of deceased male TDs (Teachta Dála, members of the Dáil) who would contest their late loved ones former seat (McElroy, G., 2018, p. 2). *'In 1954 only five women were elected to the Dáil and four of these were the widows of former TDs'* (McElroy, G., 2018, p. 2). By the 1970s however increased numbers of feminist organisations had mobilised to support and encourage greater female political involvement, namely *'the Women's Political Association (WPA)*, which was founded in 1971 to advocate in favour of increased female parliamentary representation (Buckley, F., & Galligan, Y., 2015, p. 6). In 1972, a report to government by *'the Commission on the Status of Women'* would go on to recommend *'the participation of women on equal terms and conditions with men in the political, social, cultural and economic life of the country'* (Buckley, F., & Galligan, Y., 2015, p. 9-10). As can be observed from *'Graph 4'* below, both the percentage of female TDs and candidates has witnessed a gradual increase from the 1970s onwards.



Source: Figures for 1977–2002 adapted from Galligan (2005); figures for 2007 and 2011 calculated by Buckley, F. (2013); figures for 2016 calculated by Brennan, M., & Buckley, F. (2017).

Moreover, a later report in 1993 would express even greater criticism of government inaction, going as far as to recommend '*the adoption of a 40 per cent candidate gender quota by parties*' (Buckley, F., & Galligan, Y., 2015, p. 9-10). Nonetheless, the election of Ireland's first female President, Mary Robinson in 1990, was regarded as a hugely significant moment which challenged social norms of that time, and focused the minds of political leaders as to the electoral benefits of greater female representation (Buckley, F., & Galligan, Y., 2015, p. 7). As of 2013, female TDs consisted of 15.7 percent of all elected members to the national legislature, placing Ireland in 89<sup>th</sup> position internationally (Buckley, F., 2013, p. 342; Bacik, I., 2009, as cited in Brennan, M., & Buckley, F., 2017, p. 17). It should be noted however that this figure represented a dramatic decrease from the states former ranking of 37<sup>th</sup> position in the early 1990s (Bacik, I., 2009, as cited in Brennan, M., & Buckley, F., 2017, p. 17).

As it currently stands (October 2018), subsequent to the implementation of legislative quota laws, which will be analysed in greater detail in the following chapters, Ireland sits in 81<sup>st</sup> position internationally, with 22.2 percent female representation in parliament (IPU, 2018b). While there are clearly many areas in which the state must seek to dramatically improve, the overall picture has not been entirely bleak. According to other social factors Ireland is regarded as a progressive country, ranking sixth in the Global Gender Gap Index as of 2016, however biases towards traditional gender roles persist (Galligan, Y., 2010; White, T., et al., 2015, as cited in Brennan, M., & Buckley, F., 2017, p. 19). In Ireland, women remain the '*main care providers*' within families, and continue to earn less than their male counterparts across differing financial measurement determinants (Ferrant, G., et al., 2014; World Economic Forum, 2016, as cited in Brennan, M., & Buckley, F., 2017, p. 19).

The issue of historically low female political representation has however enjoyed greater attention and debate in recent years, with all of the states largest parties recognising that a problem exists, and that a proactive solution of some variant must be found to address the imbalance (Buckley, F., 2013, p. 342). In respect to the ideological political landscape in Ireland, and how this may impact female encouragement and progression toward that of holding elected office, scholars have identified clear left/right indicators (Buckley, F., 2013, p. 342). More specifically, the social democratic parties such as Labour and the Greens have been found to be more embracing of facilitating internal party policies toward women, than that of the gender neutral approach historically taken by both Fianna Fáil and Fine Gael of the centre-right (Buckley, F., 2013, p. 342).

It should be noted that following on from the Irish financial crash of 2008, the political dominance of Fianna Fáil and Fine Gael came to an end, instead a more so fragmented political landscape would emerge, sharpening electoral competition, and as a result making *'the selection of female candidates a more acceptable task than would otherwise have been the case'* (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 3). Overall however it has been the Labour party which is observed as the one parliamentary grouping which has historically invested the most political capital into this very issue, leading the way while in opposition in 2009 with the introduction of a private members bill to legislate for gender quotas, namely the *[Electoral (Gender Parity) Bill 2009]* (Buckley, F., & Galligan, Y., 2015, pp. 7-8). The bill was not successful as a general election was called in 2011 before its enactment (not progressing passed introductory stage), however *'it was the first time in Irish parliamentary history that the issue of gender quotas found its way onto the business of parliament'* (Buckley, F., & Galligan, Y., 2015, pp. 7-8). Importantly, it should also be noted that this bill had sought to tie candidate selection to that of party public funding (Buckley, F., & Galligan, Y., 2015, pp. 7-8).

A 2009 Oireachtas (parliamentary) report further investigating the matter would go on to highlight a clear decline in women's political representation over the previous two decades, with female legislator levels witnessing a stagnation of around 12-15 percent (Bacik, I., 2009, as cited in Buckley, F., 2013, p. 344). However, the significant advancements of women in respect to economic and educational empowerment over the same period would ultimately stand in stark contrast to the lack of political progress experienced (Buckley, F., 2013, p. 344). Furthermore, subsequent to the 2008 economic crash, electoral and party political demands (predominately the Labour party) for significant reforms were eventually put in motion, resulting in the establishment of two parliamentary committees by government, both of which held the remit to examine the role of women in Irish politics (Bacik, I., 2009, as cited in Buckley, F., 2013, pp. 352-353).

The first committee would take effect in April 2009, *'a subcommittee of the Joint Committee on Justice, Equality, Defence and Women's Rights'*, and would research in greater detail the issues surrounding female political participation (Buckley, F., 2013, pp. 352-353). Ultimately, the central recommendation of this committee report would be *'the introduction of a legislative candidate selection quota'* (Bacik, I., 2009, as cited in Buckley, F., 2013, pp. 352-353). The second committee which commenced in September of 2009, entitled *'the Joint Committee on the Constitution'* (as cited in Buckley, F., 2013, pp. 352-353), examined the various issues relating to the states electoral system, one of which was its relationship to female political participation. This report would go on to make similar recommendations, seeking all national parties to *'pursue positive measures to promote gender equality in its membership, including in the selection of candidates for election'* (Joint Committee on the Constitution, 2010, as cited in Buckley, F., 2013, pp. 352-353).

Importantly, the second report also goes on to recommend the introduction of financial penalty for non-compliance, suggesting that party funding (which is made available by the state) could be *'regulated so that a proportion of the funding allocated to a party would be determined by the number of women candidates it nominates for election'* (Joint Committee on the Constitution, 2010, as cited in Buckley, F., 2013, pp. 352-353). The key findings of both committee reports would have a significant influence on future debate surrounding this issue (Buckley, F., 2013, pp. 352-353). In fact only one year on from the second reports publication, an Irish Times article by journalist Mary Minihan (2010) would spark national debate on the subject, with the paper claiming upon a conducted parliamentary survey, that *'most women TDs do not want political parties to be required to adopt gender quotas in their candidate selection process'*.

Another significant public debate would take place at University College Cork in September 2010, where a gathering of academics, political representatives and the general public discussed the merits and potential difficulties attempting to legislate for such an issue may cause (Buckley, F., 2013, p. 353). From this meeting, the influential 5050 Group would emerge, going on to campaign nationally for the introduction of legislative gender quotas, as had been recommended in earlier named parliamentary reports (Buckley, F., 2013, p. 353). Other prominent groups who advocated for similar reforms, and who would help to further increase national momentum, included the Longford Women's Link and Women's Manifesto, Women into Public Life, Women for Election, the National Women's Council of Ireland (NWCI), as well as Labour Women (Buckley, F., 2013, p. 353).

***Irish National Historical Context – Analysis***

Within '*Chapter 4 - Irish National Historical Context*', the blatant discriminatory oppression of Irish women for much of the states history is laid bare, with results clearly revealing the dismal record of female political representation, particularly before the 1980s. The findings also interesting highlighted how the first significant domestic mobilisation of women to demand meaningful reforms in countering this imbalance occurred as early as the 1970s, taking the form of the Women's Political Association. Moreover, the government was subject to further demands in 1993, with calls for the introduction of a 40 percent political gender quota. Both examples however emphasis once again the long history this particular topic has had, and that domestic campaigning for gender quota adoption is not new to Irish social and political life, even if the issue has only come to greater public attention from 2011 onwards. The various ideological positions of the main Irish parties is also of significance, with the Labour Party in particular, acting as the greatest party facilitator of internal female empowerment, and indeed as a powerful political advocate on the issue, both while in opposition in 2009, and from within government in 2011. Such efforts would ultimately lead to greater social debate and dialogue on the matter, culminating in eventual government action.

## **Chapter 5 - The Legislation**

### ***The Legislation – Introduction***

This section details the timing of the gender quota legislation, by whom, the relevant legal provisions amended into existing law, support the reforms enjoyed in parliament, the defence of this legal alteration by the responsible Minister, and finally speculation of possible expansion of similar measures for elections to local government level are all addressed.

### ***The Legislation – Results***

In response to pressure from previously described movements, reports, declarations et cetera, by both domestic and international actors, the Irish Government would finally act. After just two months upon entering office, the new Fine Gael-Labour government coalition made public their intention to implement significant electoral reforms in seeking to enhance female political representation, an important pledge which had been published in the Labour Party's election manifesto (Buckley, F., 2013, p. 354; Buckley, F., & Galligan, Y., 2015, p. 12). In December of 2011 Minister for the Environment, Community and Local Government Phil Hogan made formal said earlier commitments, publishing a draft bill which sought to introduce legislative gender quotas for national elections to Dáil Éireann (Govt of Ireland 2012, as cited in Buckley, F., Galligan, Y., & McGing, C., 2016, pp. 2-3).

The bill, entitled the Electoral (Amendment) (Political Funding) Act 2012, required '*political parties to select at least 30 percent female candidates and at least 30 per cent male candidates for general elections*', with failures of compliance resulting in the halving of annual state funding, a payment worth millions to larger parties (Govt of Ireland 2012, as cited in Buckley, F., Galligan, Y., & McGing, C., 2016, pp. 2-3). In terms of those who will be directly effected, according to the Standards in Public Office Commission (2016), '*in order to qualify for funding under the Electoral Acts, a political party must be included in the Register of Political Parties and must have obtained at least 2% of the first preference votes at the last Dáil general election.*' The legislation which became law in July 2012, also requires a 10 percent increase of the existing 30 percent gender quota seven years subsequent to the 2016 general election, meaning a 40 percent quota requirement will need to be reached from 2023 onwards (Buckley, F., Galligan, Y., & McGing, C., 2016, pp. 2-3).

Importantly, notwithstanding a few notable exceptions, the bill enjoyed unanimous cross-party support throughout the legislative process and ultimate adoption (Clancy, E., et al., 2012, as cited in Buckley, F., 2013, p. 354). In advocating for the passing of this reform in the Senate, former Minister Hogan (as cited Keenan, L., & McElroy, G., n.d., p. 2) remarked, *"..women are under-represented and have been since the foundation of the State and the situation will not change unless action is taken. This is what we have done. The Bill has charted a complex path in balancing our legal and constitutional responsibilities against a clear need and desire to bring about significant change."* While the inclusion of a 'sunset clause' was sought by a number of deputies, seeking the removal of quota laws after a particular set time into the future, the position never gained any significant political traction (Fine Gael, 2012).

In addressing whether or not such measures were a proportionate response to the issue, Minister Hogan (as cited in Buckley, F., & Galligan, Y., 2015, pp. 12-13) stated, *"the provision contained in the bill is designed as an incentive mechanism to encourage political parties to apply a more equal gender balance in the selection of candidates. It is a proportionate response to address a significant weakness in Ireland's democratic system. Experience shows that if we leave matters alone, the situation will not improve as quickly or as significantly as we want. We cannot continue to drift along in respect of this matter. We must take action."* Appendix J will show the relevant sections (Part 6) of the Electoral (Amendment) (Political Funding) Act 2012 as it pertains to gender quotas and party funding.

Lastly in regards to the possible expansion of such measures for elections at local government level, an Irish Examiner publication in September 2018 reported, *'political parties could be forced to fill 40% of their nominations with women, migrants, and people from ethnic minorities under a new local election quota system'* (Loughlin, E., 2018a). The article suggested that such a Local Government Bill could be published before the end of 2018, however as of early December no such actions have been taken (Loughlin, E., 2018a). Moreover, the National Women's Council of Ireland has come out in support of the reforms as it relates at least to gender quotas at local level, while Ciairín DeBuis, CEO of the Women for Election group has stated, *"local councils are important in their own right in terms of the administration of local government, but also as a pipeline for candidates in Dáil elections"* (McMorrow, C., 2018a).

***The Legislation – Analysis***

Noteworthy analysis from *'Chapter 5 - The Legislation'*, includes the important detailed observations which reveal who exactly the legislation will effect, and who will in fact be excluded. This section also interesting brings to the fore recent reports which suggest government plans to expand such laws for elections to local government. Reforms of this nature if and when they are passed, will be of crucial importance, given the high percentage of Dáil candidates who are selected from this pool of local councillors, as will be observed in some detail within the *'Irish Gender Quota Implementation'* section.

## **Chapter 6 - Legality of Gender Quota Laws**

### ***Legality of Gender Quota Laws – Introduction***

The purpose of this chapter is firstly to examine significant legal challenges gender quota laws have faced in other national jurisdictions, including how such objections have ultimately been overcome. Secondly these case studies will be compared to that of the Irish context in determining what difficulties if any could be expected. While the Irish government is a signatory to a number of international declarations relating to female participation in politics, which have also included provisions for the use of gender quotas (as was detailed in the *'International Context'* chapter), it should however be noted that such intergovernmental agreements are no legally binding and will therefore not be subject to further analysis in this chapter (McClain, L., & Grossman, J., 2012, p. 179).

### ***Legality of Gender Quota Laws – Results***

In commencing, the example of the United Kingdom will firstly be cited, a state which while opting not to adopt legislative gender quotas, does instead have a history of voluntary party quota use dating back to the early 1990s (Dahlerup, D., & Freidenvall, L., 2011, p. 15). The British Labour Party first introduced such affirmative action measures in 1993 in the form of *'all-women short lists'* (AWS), essentially mandating certain local constituency branches to only allow for the nomination of female candidates (Dahlerup, D., & Freidenvall, L., 2011, p. 15). However, not long after this party policy had been adopted legal challenge ensued, with an Industrial Tribunal in 1996 declaring the move illegal on the grounds that such a process of candidate selection would be in breach of the Sex Discrimination Act 1975 (SDA) (Dahlerup, D., & Freidenvall, L., 2011, p. 15). The specific section of the SDA which the party was found to have contravened was that of s13(1), which *'prohibits bodies or authorities conferring authorisation or qualification needed for engagement in a particular profession or trade from discriminating on grounds of sex'* (Kelly, R., & White, I., 2009, p. 3).

The Labour Party National Executive Committee (NEC) decided not to appeal the decision as to do so would have caused complications in candidate re-selection (Krook, M., & Squires, J., 2006, p. 49). Instead the party would go on to make amendments when in government (Sex Discrimination [Election Candidates] Bill 2002), to the very law which it was said to be in violation of, *'permitting parties to apply positive action without risking legal challenge when selecting candidates for election to the House of Commons'*, with the party policy subsequently being reintroduced in 2002 (Dahlerup, D., & Freidenvall, L., 2011, p. 15). Importantly however the amended law states that party exemptions from the SDA would only be allowed if *'adopted for the purpose of reducing inequality in the numbers of men and women elected'* (Ferguson, C., 2009).

In France, again it was a social democratic party which took the lead, with the Socialist Party adopting voluntary party quotas subsequent to a series of debates on the subject of female political underrepresentation in the 1970s (Ruiz, B., & Rubio-Marín, R., 2008, p. 290). However, unlike the United Kingdom, the French government would go on to adopt a binding national quota law, commencing initially at municipal level in 1982, which had sought to bar parties from allowing *'more than 75 percent of its candidates of the same gender'* to appear on ballot papers (Ruiz, B., & Rubio-Marín, R., 2008, p. 290). Similarly as was the case in Britain, the legality of this new law immediately came into question, with the Conseil of France (Constitutional Council) finding the requirements unconstitutional that same year (Ruiz, B., & Rubio-Marín, R., 2008, p. 301). Central to this ruling was the *'notion that such a system departed from equality and universality of voting and from traditional French principles of national sovereignty and the indivisibility of the electoral body,'* as observed under Article 3 of the French Constitution (Ruiz, B., & Rubio-Marín, R., 2008, p. 301; Lamont, M., & Thévenot, L., 2000, as cited in Lépinard, E., 2013, pp. 283-284).

The quota law was also said to be in conflict with Article 6 of the 1789 French Declaration of the Rights of Man and of the Citizen, whereby an implication is made that *'all citizens shall have equal opportunities to access electoral mandates'* (Lépinard, E., 2013, pp. 283-284). In overcoming such constitutional restrictions however the debate would shift increasingly away from that of gender quotas, and instead towards new notions of equality, more specifically that of *'parity'* between the sexes, *'as a formula for making the tradition of French universalism compatible with the political inclusion of women, as one half of humanity'* (Ruiz, B., & Rubio-Marín, R., 2008, p. 301). By 1999 such notions had gained significant political traction, with a series of constitutional amendments elevating this position, stating that *'the law favours the equal access of women and men to electoral mandates and elective functions'*, with the principle of parity being formally specified in Electoral Law in 2000 (Dahlerup, D., & Freidenvall, L., 2011, p. 15).

While national Supreme Court rulings have not always been successful in upholding gender quota laws (France in 1982, Italy in 1993, and Colombia in 2001), this legal course of action can bring the issue to a quick close when such affirmative action laws are upheld, however where possible the amending of Constitutional or legislative acts has also clearly proven effective (Baldez, L., 2004, pp. 244-245). In respect to possible legal challenge against gender quota requirements in Ireland, it should firstly be stated that the overall constitutionality of this law has not fully been tested, given complainants thus far lacking of locus standi (O'Loughlin, A., 2018). Fianna Fáil activist Brian Mohan had brought a case to the High Court in February 2016 claiming that gender quotas were unconstitutional, having been refused the right to contest the Dublin Central constituency for the party following the issuing of a national executive gender directive, requiring only female contenders could run ("FF activist," 2016).

However, the High Court ultimately ruled that Mr. Mohan did not have the legal right to bring the case forward given his capacity as party member and not as a representative of the formal party position (O'Loughlin, A., 2018). Mohan continued legal actions taking the case to the Court of Appeal, however the same determination was arrived upon in February 2018, the Fianna Fáil activist did not have the legal standing required to move proceedings forward (O'Loughlin, A., 2018). Court of Appeal President, Mr Justice Ryan (as cited in O'Loughlin, A., 2018), noted that not only had Fianna Fáil not challenged the quota law itself, it in fact supported it, *'that is the party's decision.'*

Furthermore, the judgement ruled that *'Mr Mohan had not established the legislation was responsible for the Fianna Fáil direction to the September 2015 Convention. The 2012 Act did not prevent Mr Mohan standing or going for selection, it was for parties to decide how to address that law'* (O'Loughlin, A., 2018). The court decision does suggest that if a political party effected by this law was to seek legal action it would at least have locus standi to proceed, however as was already addressed in *'the Legislation'* chapter, the reforms enjoyed cross-party support in Parliament, therefore the likelihood of such a challenge would appear unlikely. That being said, resistance to this law may not necessarily require legal challenge, with some within the academic community in Ireland fearing that a future Fianna Fáil lead government may seek to possibly water down current legislation, given strong opposition at local level and difficulties in reaching quota requirements (McGing, C. personal communication, October 18, 2018).

***Legality of Gender Quota Laws – Analysis***

The case studies analysed within '*Chapter 6 - Legality of Gender Quota Laws*', revealed interesting findings, listing a number of examples whereby state or party electoral reforms had come up against legal challenge. Ultimately as was noted within, the overall constitutionality of the law surrounding the Irish case remains unknown, given the lack of locus standi by those who have attempted legal action thus far. The British, French and Portuguese examples, do however lay out reasonably clear paths for either constitutional or legislative amendment, which could possibly be adopted in the event of successful future legal challenge against the Irish law. As was already spoken of, a more so plausible scenario which may threaten the current law in Ireland, could in fact be the possible actions of a future government in attempting to amend the existing legislation in its own favour, perhaps lowering the quota threshold, or introducing a sunset clause.

## **Chapter 7 - Public & Political Opinion on Gender Quotas**

### ***Public & Political Opinion on Gender Quotas – Introduction***

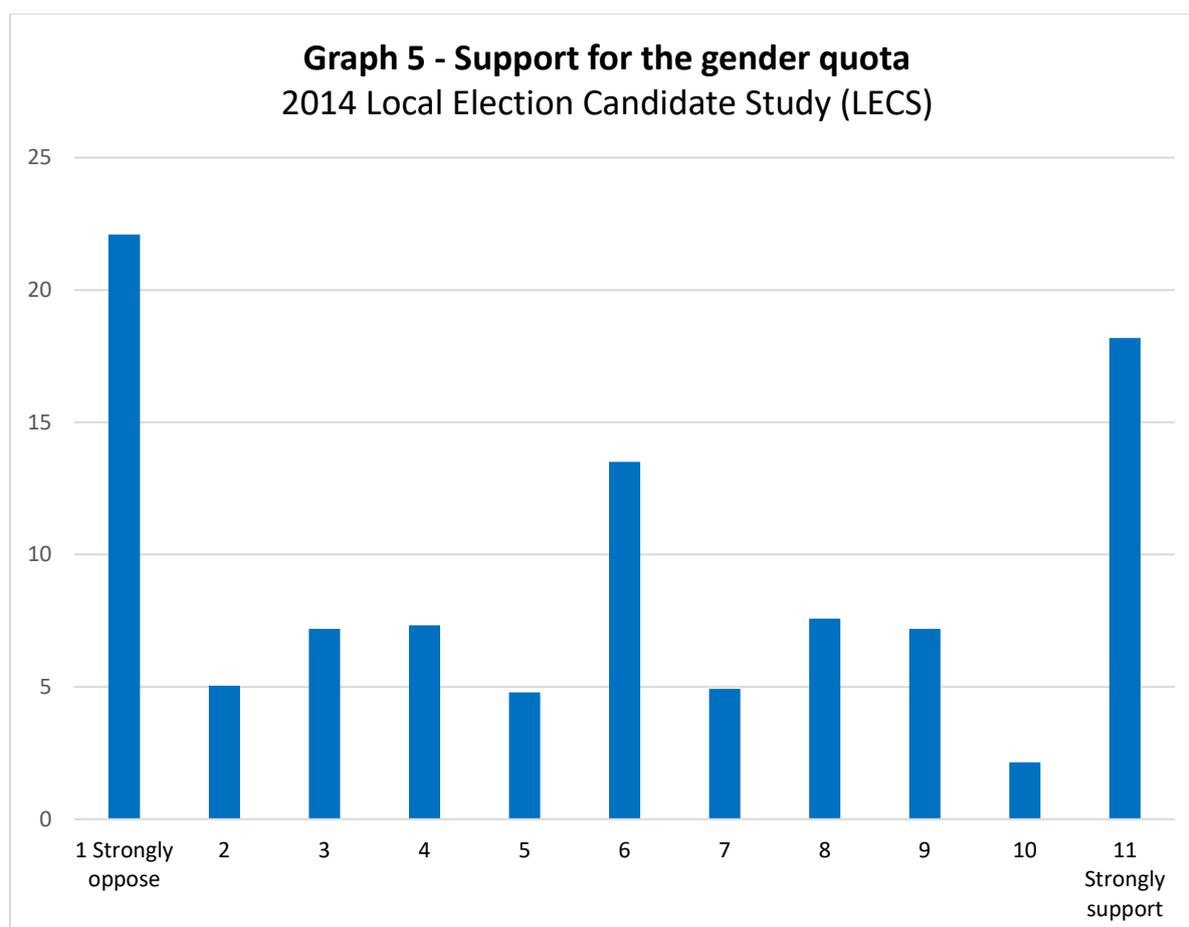
This section commences by detailing the historically strong political resistance to the introduction of gender quotas in Ireland, even among female legislators themselves. Moreover, the gradual lessening of such opposition is documented, observing a shift in public opinion and a desire for significant reforms, stemming from the financial crisis of 2008. From there a number of opinion based studies are revealed by academics Keenan & McElroy of Trinity College Dublin. Their published findings subsequent to the introduction of gender quota legislation in 2012, allowed for a cross analysis of opinions and attitudes (pertaining to gender quota use) held by local election candidates and professionals who are over-represented in Irish politics. Chapter results end by questioning the validity of current public opinion, citing a number of recent polls which stand in contrast to those mentioned.

### ***Public & Political Opinion on Gender Quotas – Results***

One of the most significant studies into political opinion on the issue gender quotas sprang to public attention in August 2010, when the Irish Times newspaper revealed that 14 out of the then 23 female TDs were in fact opposed to the introduction of such measures, leaving eight in favour and one undecided (Minihan, M., 2010). Importantly, opposition to the proposal was unanimous among all female governing ministers, namely Fianna Fáil Tánaiste and Minister for Education Mary Coughlan, Fianna Fáil Minister for Tourism, Culture and Sport Mary Hanafin, Independent Minister for Health Mary Harney, Green Party Minister of State for Equality Mary White, and Fianna Fáil Minister of State for Older People Áine Brady (Minihan, M., 2010). While party political resistance to greater levels of gender equality or indeed the introduction of electoral quotas has historically been strong, a change in public opinion in favour of more female representation is said to have grown around the turn of the millennium (Galligan, Y., & Knight, K., 2011, as cited in Buckley, F., Galligan, Y., & McGing, C., 2016).

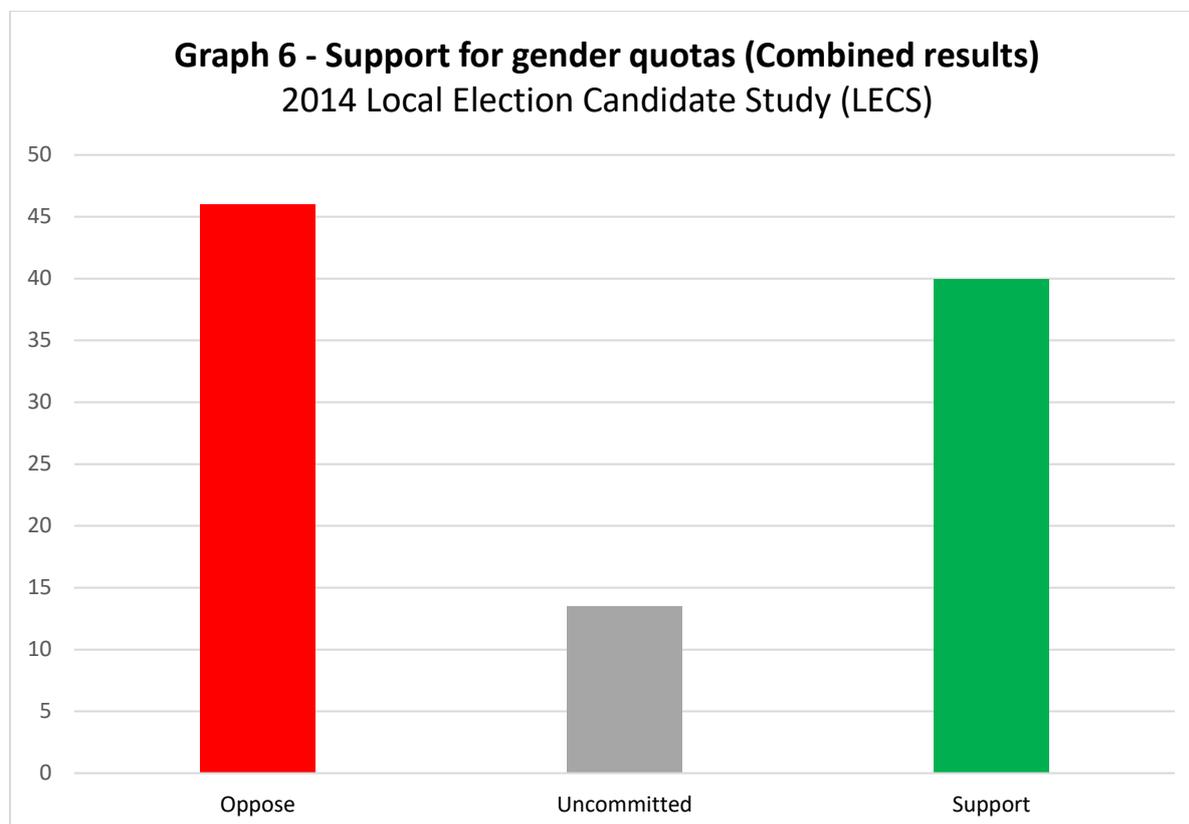
Political resistance would also ultimately fade, with future gender quota laws following the 2011 general election enjoying wide-reaching cross-party support, as noted in *'the Legislation'* chapter (Clancy, E., et al., 2012, as cited in Buckley, F., 2013, p. 354). As has already been spoken of, the social and political fall out from the economic crash from 2008 onwards is said to have focused minds, helping to push forward greater reforms in this area (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 2). Research conducted by academics Keenan & McElroy (n.d.) of Trinity College Dublin subsequent to the introduction of gender quota legislation in 2012, sought a cross analysis of opinions and attitudes held by local election candidates and professionals who are over-represented in Irish politics.

The pair utilized results from a '2014 Local Election Candidate Study (LECS)', and a '2013 Political Attitudes and Experiences (PAE) survey', to gauge the views of potential and current political candidates on a range of matters which included the use of gender quotas. Both datasets were designed and implemented by the authors. "The first dataset (LECS) represents a survey of the entire population of candidates in the May 2014 local elections in Ireland. In total, 2007 questionnaires were sent out with 810 usable responses returned to the research team, giving a response rate of 40.36 per cent" (Keenan, L., & McElroy, G., n.d., p. 8). As observed in 'Graph 5' below, when local election candidates were asked, 'how much do you support the use of gender quotas for national elections?', a plurality of respondents indicated opposition to the proposal, with 22.2 percent 'strongly opposing' such measures, however overall opinion appeared quite mixed (Keenan, L., & McElroy, G., n.d., p. 27). Participants were given 11 choices to choose from, with '1' representing strong opposition and '11' indicating strong support. Options in-between these two points indicated the extent to which local election candidates agreed/disagreed with either positions



Source: Figures adapted from LECS by Keenan, L., & McElroy, G., (n.d.).

By combining the five response options leaning in opposition to gender quotas, 46 percent of candidates are shown to be (to differing extents) opposed to quotas, while adding the five responses of those favouring (to differing extents) the affirmative action measures reveals 40 percent support, with 13.51 percent uncommitted to either stance (Keenan, L., & McElroy, G., n.d., p. 27). This can be also be observed in ‘Graph 6’ below.



*Source:* Figures adapted from LECS by Keenan, L., & McElroy, G., (n.d.).

The second survey (PAE) sought the opinions of professionals from sectors most likely to enter the political realm, and was conducted using a “random sample of 2500 people working in the education (school principals, heads of university departments), health (doctors, dentists), and legal professions (barristers and lawyers) in the Republic of Ireland, plus people employed at a senior level in business (CEOs, chartered accountants) and policy sectors (directors and senior researchers in think tanks)” (Keenan, L., & McElroy, G., n.d., p. 9). Of the 2500 contacted professionals, 732 or 29.28 percent from the overall total were deemed valid (Keenan, L., & McElroy, G., n.d., p. 9). While a plurality of respondents (16.69 percent) again strongly oppose the use of gender quotas, overall the compiled data appears too inconclusive to make any meaningful judgements (Keenan, L., & McElroy, G., n.d., p. 28). Combining the results from the first four response levels which lean in opposition to gender quota use reveals 49 percent of respondents are opposed, however a slim majority (51 percent) indicated varying degrees of support for such measures (Keenan, L., & McElroy, G., n.d., p. 28).

Moreover, the Irish National Election Survey 2011 (as cited in Keenan, L., & McElroy, G., n.d., p. 9) interviewed 1800 general public respondents immediately subsequent to the 2011 general election, seeking instead to gauge the wider national opinion as it pertains to women in politics. Unfortunately no question was asked about gender quotas specifically as the law had not yet been presented, instead respondents were asked whether or not they agreed with the following statement, '*parties should be forced to nominate more women candidates*' (Irish National Election Survey 2011, as cited in Keenan, L., & McElroy, G., n.d., p. 15). Overall, 48 percent indicated agreement with the statement, 22 percent disagreement, and 30 percent uncommitted (Irish National Election Survey 2011, as cited in Keenan, L., & McElroy, G., n.d., p. 28). Due to the unspecificity of the statement however, directly presenting such findings as showing support for gender quotas cannot be accepted in this report.

No academically recognised nationwide (Ireland) public opinion polls in relation to gender quota adoption have been found for this research report, moreover it is beyond the scope and resources of this study to adequately and accurately measure opinion on such a scale. Online polling on this matter has occurred through the popular Irish news website *the Journal.ie*, who according to the Reuters Institute Digital News Report for Ireland (2017), is the main source of online news in the state, boasting a 32 percent viewership (p. 49). In November 2015 the website opened an online poll asking, '*Are political gender quotas a good idea?*' (Healy, C., 2015). As of November 2018, 7702 (78 percent) of participants said '*No*', 1663 (16 percent) responded '*Yes*', agreeing that gender quotas were a good idea, while 462 (4 percent) indicated uncertainty (Healy, C., 2015).

Move forward to September 2018 and the same news website asked a related question, '*Should quotas be introduced in local elections?*' (Burke, C., 2018). Similar results to that of 2015 were revealed, with those in disagreement to the question on 6635 (74 percent), those in agreement at 1859 (20 percent), while those who were uncertain standing at 388 (4 percent) (Burke, C., 2018). Given the unscientific nature of online polling these results cannot be accepted as revealing the national opinion on this matter, however with respondents in both polls showing high levels of disagreement to the measures, and participation rates of around 9000 each, research polling of a more credible nature is sorely needed to determine if such apparent widespread opposition truly exists.

***Public & Political Opinion on Gender Quotas – Analysis***

*'Chapter 7 - Public & Political Opinion on Gender Quotas'*, interestingly includes detailed social science research conducted by academics Keenan & McElroy. The pair, in revealing attitudinal findings from both current and potential political candidates, demonstrated the divisions of opinion which are held on the issue of gender quota adoption, with both surveys proving too close to allow for a clear position on the subject. Furthermore, while the results of two online polls by *the Journal*, suggested possible widespread opposition across the wider general public, given such polling is not scientific in nature, this data cannot be accepted for the report. Further research using academically recognized methods is therefore required to allow for a clearer picture of where things currently stand.

## **Chapter 8 - Irish Gender Quota Implementation**

### ***Irish Gender Quota Implementation – Introduction***

In addressing the implementation element of the central question, the following sub-question will be answered: *‘What difficulties if any in the implementation of political gender quotas have arisen within the dominant national parties?’* The chapter begins by outlining the possible mechanisms respective parties can put in place to ensure that the 30 percent gender threshold is met. The importance of balanced gender representation at local level is also emphasised (significant pool of Dáil candidates emerge from local government), while referencing both the historical & contemporary state of affairs. From there, greater detail is provided into the electoral strategies various parties deploy, bringing to the fore controversies stemming from gender imposed party commands upon local level candidate selection. Finally electoral analysis covers both the 2016 general election and the forth coming poll.

### ***Irish Gender Quota Implementation – Results***

The 2016 Irish general election would be the first whereby mandatory gender quotas compelled parties to field no fewer than 30 percent candidates from either sex (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 1). Overall 158 Dáil seats were contested, reduced down from 166 from the previous national contest (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 4). According to Buckley & McGing (as cited in Fianna Fáil Gender Equality Action Plan 2013-2018, 2013, p. 37), the options available for parties who wished to put in place internal candidate selection mechanisms to ensure a certain percentage of female contenders were chosen are as follows: (1) Gender directives, (2) All-women shortlists, (3) Twinning lists, (4) Minimum candidate lists, (5) Open constituencies, and (6) Add-on candidates. As will soon be revealed throughout this chapter, the most common mechanisms used by respective parties in ensuring that the 30 percent minimum threshold was met, were via the use of both *‘gender directives’* and *‘add-on candidates’*.

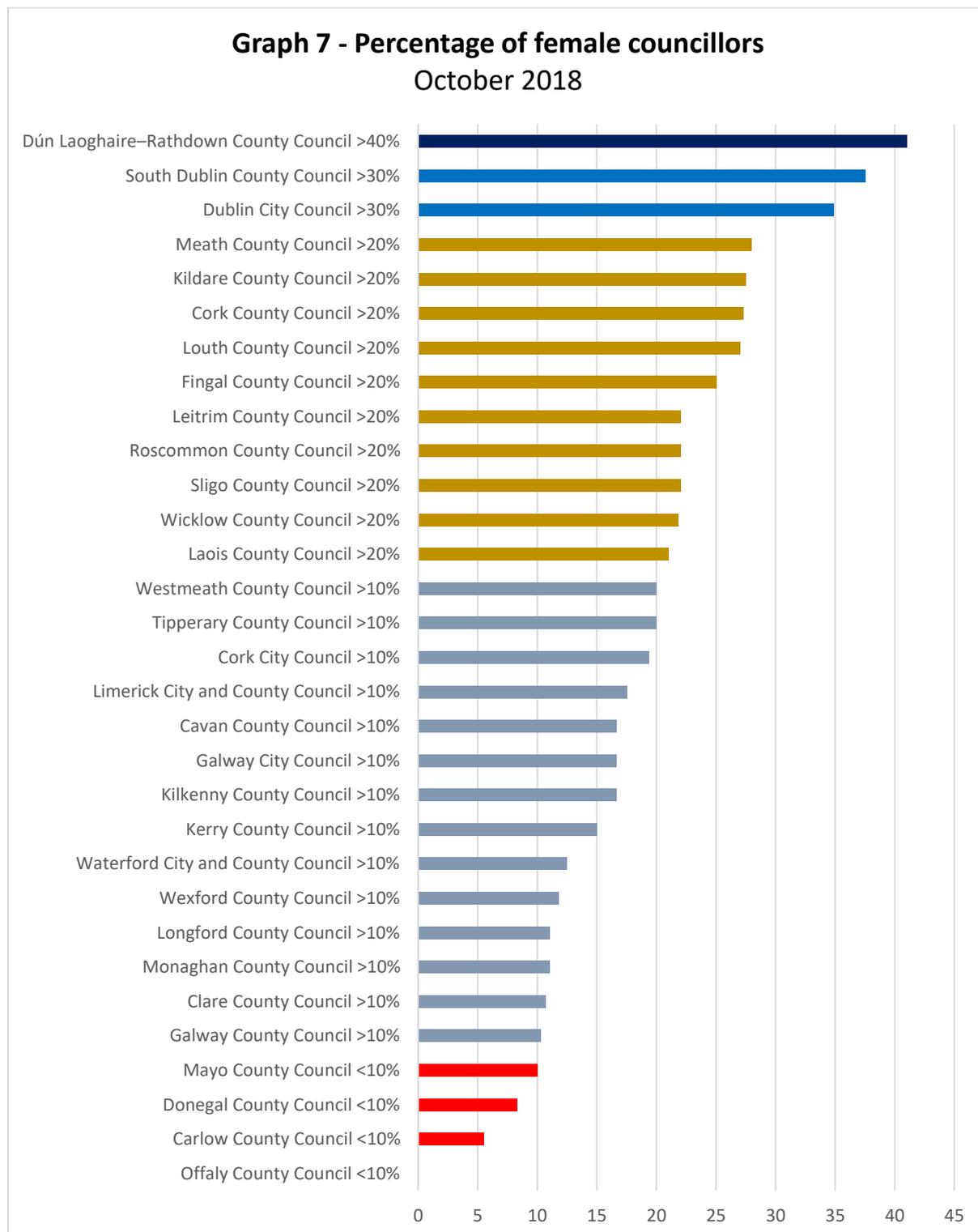
Importantly it should also be noted that electoral candidate gender quotas do not extend to local government elections, however that being said, a sizeable percentage of Dáil candidates have historically first been elected from this lower tier of government, for example *‘at the 1992 general election, only 9.6 percent of TDs had never had local government experience, while at the 2011 general election 128 of non-incumbent party candidates were local councillors’* (Gallagher, M., 1993; Reidy, T., 2011, as cited in Keenan, L., & McElroy, G., n.d., p. 8). Female representation at local government remains poor, representing only one-in-five councillors nationally, and placing Ireland below the EU average of 32 percent (Buckley, F., Mariani, M., & White, T., 2014, p. 476).

As of the 2014 local elections, women councillors accounted for just over 20 percent of all elected officials (Kavanagh, A., Buckley, F., McGing, C., & Clancy, N., 2014). This election was nonetheless seen as a good trial run for parties to increase their female representation ahead of the national 2016 vote (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 3). Overall smaller leftist groupings would fair far better than that of the larger more conservative Fine Gael or Fianna Fáil parties (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 3). More specifically Labour, the Green Party, People-Before Profit (PBP) and the Anti-Austerity Alliance (AAA) would all go on to field just under 30 percent female candidates, while Fine Gael and Fianna Fáil would reach significantly less, fielding 23 percent and 17 percent respectively (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 3). It was widely anticipated given the difficulties already experienced by Fine Gael and Fianna Fáil at local level, that both parties would find reaching the 30 percent gender quota for the national elections to be a significant challenge (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 4). *'Graph 7'* on the following page highlights the poor showing of female local representatives across the country.

While party issued gender directives have been known to cause tension and controversy at local branch level, it should however be noted that the use of directives more broadly is not uncommon in Irish politics, with party headquarters often using the mechanism to control the number of candidates that will be allowed contest a given district, or indeed the use of geographic directive to maximise party support locally (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 7). It is also a normal practice for respective parties to add candidates subsequent to local branch selection conventions, again taking into account gender, geography and electoral strength (McGing, C., 2015, p. 5). In respect to the 2016 general election, early assertions that Fine Gael and Fianna Fáil in particular would experience greatest difficulty and challenge in meeting the 30 percent quota would ultimately prove accurate.

One such major party setback would arise from a high profile Fine Gael local delegate's revolt occurring early on in the selection convention process for the Dublin Bay North constituency in April 2015 (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 4). A total of four Fine Gael candidates, one of which was incumbent TD and Minister for Jobs, Enterprise and Innovation Richard Bruton, would put their names forward seeking to contest the seat for the 2016 election (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 4). A controversy would nonetheless arise due to a party headquarter issued gender directive on the night of the convention, which dictated *'two candidates were to be selected, one woman and one man'*, with the incumbent Minister expecting certain selection (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 4). However, this ruling by the party would send a clear message to former lord mayor and popular councillor in the constituency Naoise O Muirí, essentially indicating to him not to contest (McGee, H., 2015a). (*Continued on page 48*).

‘Graph 7’, which reveals the percentage of female councillors across each local authority, appears to highlight an urban/rural divide, with the Dublin region leading the way (Dun Laoghaire-Rathdown – over 40%, South Dublin and Dublin City both over 30%), while more geographically and perhaps economically isolated counties trail behind (Offaly at 0%, and Carlow, Donegal and Mayo under 10%).



Source: Figures adapted from each of the 31 local authority websites. Correct as of October 2018.

Strong opposition from the local electorate against the directives which ordered both the number and gender of candidates to be selected, would ultimately lead to tactical voting by the membership, who would instead go on to elect Cllr. Naoise O'Muire (male) and Stephanie Regan (female) (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 4). In so doing however the branch would deal an embarrassing public blow to the government, resulting in an undermining of the party hierarchy, who the following morning would hastily add Minister Bruton as a third electoral candidate in an attempt to avoid further public attention (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 4). The local branch revolt in Dublin Bay North served to remind parties of the potential significant local resistance against such reforms if not handled in a sensitive manner (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 4).

Moreover, Fine Gael would go on to issue a further four dual candidate (one male, one female) gender directives in Dublin West, Dublin Rathdown, Kildare South and Longford-Westmeath, again resulting in opposition and protest but not to the extent as was observed in Dublin Bay North (Buckley, F., Galligan, Y., & McGing, C., 2016). Eyebrows were raised however in Dublin West with the selection of Catherine Noone who had no previous ties to the constituency (McGee, H., 2015a). Notwithstanding a number of local difficulties, Fine Gael would ultimately go on to reach the required 30 percent female candidates mark, fielding a total of 27 women (30.7 percent) from an overall total of 88 candidates, representing a 69 percent increase from the previous election (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 4). It is important to note that of the 22 Fine Gael female candidates who were not aided by gender directives, 13 were chosen through open local conventions and nine were later added to respective contests subsequent to conventions (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 4).

In regards to Fianna Fáil reaching the 30 percent threshold, it had originally been thought that the party may have had less difficulties than that of Fine Gael given low incumbency levels across the country, however not long into the selection conventions a male dominated trend would soon begin to emerge forcing the party to act, likewise issuing a number of controversial gender directives (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 5). Said directives would begin in the Dublin Central and Dublin South Central constituencies in September 2015, with the party ordering the added restriction of allowing only one candidate to contest, instantly resulting in criticism from both branch members and potential male candidates alike who had been forced to withdraw (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 5).

Criticisms focused upon the *'undemocratic and discriminative'* nature of the decision, while scenes described as chaotic emerged from the Dublin Central convention where one female candidate, Denise McMorrow, withdrew in protest claiming the gender directive *'had diminished her'* (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 5). Outside of Dublin, dual candidate gender directives were issued in Galway East and Louth, while both a geographic and gender directive was issued in Longford-Westmeath, mandating the Longford based candidate be a woman, which would lead to an uproar among local members who claimed their right to select a candidate had been undermined (Buckley, F., Galligan, Y., & McGing, C., 2016, pp. 5-6). Opposition was so great in this instance, a local motion of *'no confidence'* in the unopposed female candidate was declared, with local members calling upon party headquarters to reconvene the selection convention, however such demands were ultimately dismissed (Buckley, F., Galligan, Y., & McGing, C., 2016, pp. 5-6).

While the female candidate Ms. Gerety-Quinn (as cited in McConnell, D., 2015) had initially indicated a reluctance for the Longford convention to be subject to a gender directive, stating, *"I am making it very clear that I am not going to go on the gender ticket. I would not, I could not. I have more respect for myself and, indeed, for my colleagues,"* she would nonetheless go on to contest the seat. Notwithstanding a number of high profile controversies, Fianna Fáil would also go on to reach the 30 percent requirement, fielding 22 (31 percent) female candidates out of an overall total of 71, representing a 100 percent increase in female party candidates from the 2011 election (Buckley, F., Galligan, Y., & McGing, C., 2016, pp. 5-6). Aside from the five gender directives observed above, eight female candidates were selected at open conventions without the aid of any directive, while a further nine women were added to the ticket subsequent to convention selections (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 6).

Best available records would suggest Sinn Féin only issued one formal gender directive (Mayo constituency) in the lead up to the 2016 general election campaign (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 6). However, those who have closely studied the respective selection conventions for the party believe this figure to be higher, with the true data remaining unknown due to a more secretive culture of internal political decision making which may seek to avoid public attention on the matter (McGing, C. personal communication, October 18, 2018). Overall Sinn Féin would go on to field 18 female candidates (36 percent) from a total of 50 contenders, selecting 15 through selection conventions without the apparent aid of gender directives, a further two being added to the ticket subsequent to conventions, and one formally recorded use of gender directive in Mayo (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 6). Likewise the smaller Labour Party would also reach the 30 percent mandate, fielding 13 female candidates (36.1 percent) out of a total of 36, all without the use of gender directives (Buckley, F., Galligan, Y., & McGing, C., 2016, pp. 6-12).

In summary, of the four main political parties, (Fine Gael, Fianna Fáil, Sinn Féin and Labour), 155 selection conventions took place, of which reportedly *‘twelve gender directives were issued – six by Fianna Fáil, five by Fine Gael and one by Sinn Féin’* (Brennan, M., & Buckley, F., 2017, p. 29). However, due to the more secretive nature of certain parties in relation to such matters, the exact number of gender directives issued cannot fully be known (McGing, C. personal communication, October 18, 2018). Of the twelve recorded gender directives, three were single-candidate woman-only directives, while the others were *‘dual-candidate tickets’*, whereby only one man and one woman were permitted to contest (Brennan, M., & Buckley, F., 2017, p. 29). Furthermore, a total of 20 female contenders were added-on to party tickets subsequent to selection conventions having taken place (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 6).

All parties would go on to successfully field at least 30 percent female candidates, with a total of 80 women contesting seats across the four main parties (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 6). Overall, 551 candidates would contest the 2016 general election, 163 women and 388 men, with the overall percentage of female candidates coming in at just under 30 percent, a historical high for Ireland (Brennan, M., & Buckley, F., 2017, p. 24). In respect to potential female party candidatures in the next general election, which must take place on or before April 2021, clear trends have already begun to occur, with all parties in a state of high alert and preparedness for an early election given current government instability (McMorrow, C., 2018b). This of course means party candidate selection is well under way, with contests being held across the country.

According to Dr. Adrian Kavanagh (2017) of Maynooth University, as of November 2018, *“297 candidates have been selected to contest the next general election”*, of these 99 (33.3 percent) are women. In terms of the geographical breakdown of these figures, Kavanagh (2017) notes how the Dublin region is currently leading the way in respect to female candidates, representing 44.3 percent of all contestants, with the rest of Leinster, Connacht-Ulster, and Munster all reaching around the 28 percent mark. In terms of the latest respective party figures, Fine Gael have put forth 23 (29.9 percent) female candidates from a total of 77, Fianna Fáil have 19 (29.7 percent) female candidates of 65, Sinn Féin have so far announced 45 candidates, of which 19 (42.2 percent) are female, while the Labour party stands at 6 (27.3 percent) female candidates from a smaller total of 22 (Kavanagh, A., 2017). In terms of gender quota implementation measures being imposed by the four largest parties upon any of the currently declared female candidates, it is understood that four gender directives have indeed been issued (Kavanagh, A., 2017).

Specifically two such orders were announced by Sinn Féin and Fine Gael respectively, with Sinn Féin imposing the direction in Cavan–Monaghan, and Tipperary, while Fine Gael on the other hand sought the controversial measures in Dublin West, the constituency of current party leader and Prime Minister Leo Varadkar, and Longford–Westmeath (“Sinn Féin to run two candidates,” 2018; “Ciara McCormack to represent SF,” 2018; Nugent, R., 2018; “FG Chooses Election Candidates,” 2017). Of the four gender directives issued thus far, the greatest level of opposition seems to have come from Sinn Féin local branch members in Tipperary, where delegates were instructed to choose only one candidate, which would have to be female, unlike the three other constituencies where orders were issued to field a balanced ticket (at least one man and one women) (“Ciara McCormack to represent SF,” 2018).

Moreover, local media reports have noted the dismay of male councillors in the county, calling the decision both ‘*undemocratic and sexist*’ (“Ciara McCormack to represent SF,” 2018). As was previously explained in the last section covering the 2016 general election candidates, internal party political decisions of a more secretive nature may impact the accurate recording of overall gender directives issued, with some parties more transparent than others, therefore researchers can only record what has been made public, even if high speculation exists surrounding uncontested conventions without apparent party involvement.

As of yet, no major controversies appear to have arisen in respect to the issuing of such restrictive gender orders, however it is perhaps too early to know for certain what measures parties will implement in reaching the required 30 percent threshold before the election, including how local delegates will ultimately react. In respect to the adding of female candidates post selection conventions, as of November 2018 it is understood that seven female candidates have been added to tickets, four by Fine Gael, and three by Fianna Fáil. More specifically, for Fine Gael these constituencies include Cork North-Central, Dublin Bay North, Dublin Central, and Tipperary, and for Fianna Fáil Dún Laoghaire, Kerry, and also Tipperary (Fine Gael Press Office, 2018; “Senator Catherine Noone added by FG,” 2018; Larkin, L., 2018; Loughlin, E., 2018b; Kelly, F., 2017; Brouder, S., 2018; Kelleher, E., 2018). It is important to note however that these figures only represent a snapshot in time, and will likely change closer to the next election, whenever that may be.

### ***Irish Gender Quota Implementation – Analysis***

Within *'Chapter 8 - Irish Gender Quota Implementation'*, what seemed apparent from the outset was how the lack of any gender quota provisions for local government, would almost definitely impact candidate selection for the Dáil, with results displayed in *'Graph 7 – Percentage of female councillors'*, showing particularly poor female representation levels outside of urban areas. The second most notable observation was that of party mismanagement in attempting to ensure the quota had been reached. For example instead of informing local conventions of gender and geographic directives on the night of candidate selection, the parties should have given satisfactory prior notice. Such failures in early communication would ultimately lead to a number of high profile controversies which more likely than not could have been avoided, or at least become far more manageable, had the appropriate longer term planning been put in place.

A third area of interest includes that of the one apparent gender directive issued by Sinn Féin in the Mayo constituency. Academics who have studied party selection conventions are openly of the opinion that more than one directive was indeed issued by the party. This rather secretive approach taken by Sinn Féin could possibly be replicated by other political groupings in order to likewise avoid public controversy, however local branch selection conventions for the main parties (excluding Sinn Féin) remains quite transparent as it currently stands.

Finally in terms of possible changes in approach between the 2016 election and preparations for the forthcoming poll, results interestingly revealed a clear reduction in the use of gender directives, which is possibly a sign of greater normalisation and improved management strategies by the parties. The results also indicated that main parties would again achieve reaching the 30 percent quota, with the largest groupings Fianna Fáil and Fine Gael currently around the 29 percent mark, with other smaller parties also on track to meet the required threshold. Perhaps in order to avoid the controversies of 2016, parties are deciding instead to simply add female candidates to the ticket subsequent to selection conventions, rather than risk upset from divisive gender directives. However, the full extent of party strategies will not become known until after the next election, which must take place before April 2021.

## **Chapter 9 - Measurement of Ultimate Outcome**

### ***Measurement of Ultimate Outcome – Introduction***

'Chapter 9' seeks to answer the sub-question related to that of desired outcome: '*Has the introduction of gender quotas resulted in the desired projected outcome?*' This section begins by detailing published academic literature by Associate Professor of Political Science at Rice University, Leslie Schwindt-Bayer. Schwindt-Bayer presents a detailed mathematic formula based off wide-ranging international comparative analysis of gender quota use and corresponding representative outcome. Her findings act as a foundation for which the Irish analysis is based, with specific criteria detailed by the Associate Professor being applied, namely that of quota size, whether or not the jurisdiction had placement mandates, and finally the use or indeed absence of enforcement mechanisms in ensuring that said quota laws are adhered to. In understanding the Irish data in this regard, comparative analysis between the 2016 Irish general election (after Irish gender quota) with that of the 2011 (prior to the introduction of gender quotas) is undertaken, examining this change from a number of angles.

### ***Measurement of Ultimate Outcome – Results***

In respect to possible gender quota measurement methods which have attempted to allow for greater accuracy in projected outcome, Associate Professor of Political Science at Rice University, Leslie Schwindt-Bayer, has very much so led the way. Schwindt-Bayer (2009) carried out extensive international research on this topic, focusing upon national candidate quota laws as opposed to voluntary use, while narrowing down three potentially correlating variables, namely, quota size, whether or not the jurisdiction had placement mandates, and finally the use or indeed absence of enforcement mechanisms in ensuring that said quota laws are adhered to (pp. 5-6). To clarify, quota size simply refers to that of the chosen gender specific candidate requirement threshold, normally ranged between 10 and 30 percent (Schwindt-Bayer, L., 2009, pp. 9-11).

Placement mandates condition that '*female candidates must be placed in winnable constituencies or winnable positions on party ballots*', while enforcement mechanisms naturally enough refer to what extent the state is prepared to penalize parties for non-compliance (Schwindt-Bayer, L., 2009, p. 10). Scholars are of the opinion that diverges in how these three variable factors have been applied, allows for the explanation of a wide array of differing results across states which have all adopted quotas (Dahlerup, D., & Freidenvall, L., 2005; Htun, M., & Jones, M., 2002; Jones, M., 2004; Matland, R., 2006, as cited in Schwindt-Bayer, L., 2009, p. 10). While quota size is of course a critical dimension, the relationship between it and actual female percentage outcome is of course not guaranteed (Schwindt-Bayer, L., 2009, p. 10).

Further understood determining factors surrounding quotas and ultimate female representation includes '*proportionality of electoral rules, the electoral formula employed, the size of the electoral district, and voter preferences*' (Schwindt-Bayer, L., 2009, p. 11). Removing one or more of the identified core electoral variables can have a significant impact upon outcome, for example a quota set at 30 percent without placement mandates or enforcement mechanisms will almost certainly result in fewer elected female representatives than would otherwise be the case (Schwindt-Bayer, L., 2009, p. 14). In respect to that of placement mandates, given Ireland uses an open-list PR-STV electoral system, such mechanisms are not possible as parties are unable to impose favoured candidate rankings, with the wider electorate instead determining which contenders are to be preferred (Schwindt-Bayer, L., 2009, p. 11).

In the Irish context, candidates appear on the ballot paper ranked from top to bottom in alphabetical order, along side their photograph and party emblem (Office for Democratic Institutions and Human Rights, 2007, p. 6). Whether or not this electoral system acts as a help or hindrance to women in politics remains the subject of debate, however the specific issue of small district magnitude as was spoken of previously remains problematic, and is generally regarded as less favourable than constituencies of greater magnitude (Schwindt-Bayer, L., Malecki, M., & Crisp, B., 2010, p. 694; Schwindt-Bayer, L., 2009, p. 16). Remaining on the subject of placement order as it pertains to which constituency female contenders are selected. While many mainstream female party candidates are highly competitive in their own right, there have been concerns surrounding parties fielding women contenders in what are largely considered unwinnable seats, solely to ensure that the 30 percent quota is reached (Brennan, M., & Buckley, F., 2017, pp. 15-29).

Possible examples of female candidates being put forth in unwinnable seats for the 2016 election may include Mary Howard, the third Fine Gael contender selected in Clare who ended up finishing in 11<sup>th</sup> position (first preference votes), and as a result was unable to retrieve expenses (Houses of the Oireachtas, 2016, p. 10). Staying with Fine Gael, Stephanie Regan who was ensured selection due to a gender directive in Dublin Bay North, came in 15<sup>th</sup> position (first preference votes), again failing to reach the expenses entitlement threshold (Buckley, F., Galligan, Y., & McGing, C., 2016, p. 4; Houses of the Oireachtas, 2016, p. 18). Moreover, a particularly poor race for a female Fine Gael candidate occurred in Kerry, where Grace O'Donnell who was the third party candidate added to the ticket, finished in 13<sup>th</sup> position, only receiving 776 first preference votes (O'Connor, G., 2015; Houses of the Oireachtas, 2016, p. 36).

Fianna Fáil have also been accused of fielding female candidates in unwinnable seats, such example may include Galway West, where Mary Hoade who was one of three Fianna Fáil contenders came in 11<sup>th</sup> position with no expenses (Houses of the Oireachtas, 2016, p. 34). Further examples for Fianna Fáil may include Louth or Wexford, however the defeats in these constituencies were not as great (Houses of the Oireachtas, 2016, pp. 44-54). Addressing the third critical variable identified by Associate Professor Schwindt-Bayer, that of enforcement rules. Ireland should be considered a country with strict quota compliance measures, as a 50 percent reduction in state funding deprives parties of potentially millions in operations costs, something Irish parties are heavily dependent upon (Buckley, F., Galligan, Y., & McGing, C., 2016, pp. 2-3).

However, it should be noted that not all TDs are recipients of such exchequer funding, namely independents and some smaller parties, as a minimum electoral threshold must first be reached, specifically *'at least 2% of the first preference votes at the last Dáil general election'* (Standards in Public Office Commission, 2016). One the following page within *'Table 1'*, are the 2016 general election results for the constituency of Kerry. A possible example of where a female candidate, i.e. Grace O'Donnell of Fine Gael, was put forth in a so called *'unwinnable'* constituency in order for the party to reach the 30 percent quota threshold.

**Table 1 - General Election: 26 February 2016****Kerry**

5 Seats		16 Candidates			11 Counts		
Electorate: 112,751					Quota: 13,213		
Candidate	Party	1st Pref	Share	Quota	Count	Status	Seat
*Michael Healy Rae	IND	20,378	25.71%	1.54	1	Made Quota	1
Danny Healy Rae	IND	9,991	12.60%	0.76	2	Made Quota	2
*Brendan Griffin <sup>2</sup>	FG	9,674	12.20%	0.73	11	Made Quota	3
*Martin Ferris	SF	9,458	11.93%	0.72	11	Elected	4
John Brassil	FF	8,156	10.29%	0.62	11	Elected	5
*Jimmy Deenihan	FG	6,489	8.19%	0.49	(11)	Not Elected	
*Arthur J Spring	Lab	4,813	6.07%	0.36	(10)	Eliminated	
Norma Moriarty	FF	4,348	5.48%	0.33	(9)	Eliminated	
Michael O'Gorman	IND	1,236	1.56%	0.09	(8)	No expenses	
Brian Finucane	PBP	981	1.24%	0.07	(8)	No expenses	
Michael Fitzgerald <sup>3</sup>	G	1,011	1.28%	0.08	(7)	No expenses	
Donal Corcoran <sup>2</sup>	RI	716	0.90%	0.05	(6)	No expenses	
Grace O'Donnell	FG	776	0.98%	0.06	(5)	No expenses	
Mary Fitzgibbon	IND	635	0.80%	0.05	(4)	No expenses	
Kevin Murphy	IND	464	0.59%	0.04	(3)	No expenses	
Henry Gaynor	IND	147	0.19%	0.01	(3)	No expenses	
<b>Total valid</b>		<b>79,273</b>	<b>70.31%</b>				
Spoilt votes		476	0.60%				
<b>Total poll</b>		<b>79,749</b>	<b>70.73%</b>				

\* outgoing TD

Source: Figures adapted from Houses of the Oireachtas, (2016), p. 36; "Election 2016," (2016).

Upon comparing and contrasting the international environment, Schwindt-Bayer (2009) would determine that quota size is in fact the only variable which can act independently of the two other identified elements, *“adding 0.44 to the percentage of the legislature that is female for every 1% increase in the size”*, according to the professor (p. 17). However, if no placement or enforcement rules are in place, Schwindt-Bayer (2009) calculates that the female electoral increases are likely to stand at *“0.35 percentage points with a 1% increase in quota size”* (p. 19). If on the other hand the contrary were to be the case, with placement mandates and strong enforcement mechanisms imposed, sizable increases are said to be the likely outcome, potentially witnessing increases of *“0.92 percentage points with a 1% increase in size”* (Schwindt-Bayer, L., 2009, p. 19). For example, a 30 percent quota under such conditions should in theory result in an average return of 27 percent female legislators, while a quota of the same size minus said conditions would more likely return a mere 10 percent (Schwindt-Bayer, L., 2009, p. 19).

In measuring these changes within the Irish context, we can compare the results of the 2011 general election for which no quota laws were imposed, to that of the 2016 election whereby parties were mandated to field at least 30 percent candidates from the lesser represented sex (Buckley, F., Mariani, M., & White, T., 2017, p. 20). Firstly for that of the 2011 national election, women would go on to represent 15.2 percent of all candidates and 15.1 percent of all elected TDs (Buckley, F., Mariani, M., & White, T., 2017, p. 20). Move forward to the quota imposed 2016 election and these figures witness impressive increases, with women now representing 29.6 percent of all declared candidates and 22.2 percent of all elected TDs (Buckley, F., Mariani, M., & White, T., 2017, p. 20). More specifically this change saw a 14.4 percent increase in the number of female candidates, and a 7.1 percent increase in the number of women TDs.

For 14 newly elected female TDs, it would also be their first time running as candidates (Gittens, G., 2016). At first glance such overall increases appear at least to be a direct result of the new gender quota law, however a more detailed analysis may in fact cast such assertions into doubt. For example, while the overall number of female candidates and TDs has risen, the success rate of said candidates has seen a drop, falling from 29.1 percent in 2011 to 22 percent in 2016 (Buckley, F., Mariani, M., & White, T., 2017, p. 20). Furthermore, it is also critical to recognise that both the total number of female candidates and elected TDs also includes independent politicians and smaller parties who fall outside of the quota compliance framework, given the Electoral (Amendment) (Political Funding) Act 2012 only makes reference to qualified *‘political parties’* and not non-aligned individuals or indeed small parties who fail to meet certain legal requirements (Govt of Ireland, 2012; Standards in Public Office Commission, 2016).

In all two independent female candidates were elected TDs at the 2011 general election, increasing to five subsequent to the 2016 poll, which included two deputies from the political grouping *'Independents 4 Change'* who did not qualify for state funding (Houses of the Oireachtas, 2011, pp. 86-96; Houses of the Oireachtas, 2016, pp. 95-104; Standards in Public Office Commission, 2016). In order to allow for a comparative analysis of the results, attention must instead be placed upon the political parties who were recipients of state funding subsequent to both the 2011 and 2016 general elections. That being said an important note of caution in respect to such a direct comparative analysis should observe a reduction in Dáil deputies which occurred during this timeframe, lowering the total number of TDs from 166 to 158, including a reduction in constituencies from 43 to 40, which if not factored into results may potentially skew outcome projections (Collins, S., 2015).

According to the 2011 Standards in Public Office Commission (2011) annual report, full party funding was made available to Fianna Fáil, Fine Gael, Sinn Féin and the Labour Party, while the People before Profit Alliance and Socialist party only received the leaders allowance. All mentioned political groupings would continue to qualify for state funding post the 2016 general election, with the People before Profit Alliance and Socialist party merging to form the AAA/PBP (Standards in Public Office Commission, 2016; Minihan, M., 2015). Moreover, while Renua, the Social Democrats and the Green Party did qualify for full state funding in 2016, due to the fact that they were not named recipients in 2011, they will be excluded from this initial stage of analysis (Standards in Public Office Commission, 2011; Standards in Public Office Commission, 2016). Solely taking into consideration the parties subject to financial penalty who had previously been state recipients in 2011, namely Fianna Fáil, Fine Gael, Sinn Féin, the Labour Party, and the AAA/PBP, the increases in female representation are not as great, changing from a total of 23 TDs in 2011, to 27 TDs in 2016, representing a mere four seat bump and now comprising 17 percent of all Dáil deputies (Galligan, Y., 2011, p. 22; McGee, H., 2015b; "Record number of women," 2016).

Include the parties who only qualified for state funding in 2016 and that figure increases by a further three TDs, bringing the overall representation of female TDs from parties subject to financial penalty to 30 or just under 19 percent of legislators, as opposed to the grand total of 35 female deputies at 22 percent which also includes those who fall outside the scope of the legislation ("Record number of women," 2016; Houses of the Oireachtas, 2016, pp. 95-104). That being said, in accounting for the rise in female representation by those not subject to penalty, it has been suggested that a more organic shift and focusing of the minds on this matter may have occurred across the entire political spectrum and society at large, requiring a more holistic approach in analysing this shift (McGing, C. personal communication, October 18, 2018).

***Measurement of Ultimate Outcome – Analysis***

Key findings from the final section, '*Chapter 9 - Measurement of Ultimate Outcome*', suggests that explanation for the augmentation in female legislator figures may not have been as straightforward as first thought. By breaking down and analysing the various political groupings depending upon whether or not they were actually subject to penalty, and from what point, allowed for a more detailed study of direct comparative changes. While these results were interesting, they did not perhaps account for a broader political and social shift which may have encouraged more female candidates to run, whether or not penalty applied. Moreover, given gender quotas are to reach 40 percent by 2023, further comparative analysis observations will likely be needed, perhaps around 10 to 15 years more, to truly allow for credible trends within this area of research, as premature studies may ultimately prove unfruitful.

### Conclusion

In conclusion, while Ireland has witnessed her global rankings in female parliamentary representation improve subsequent to the introduction of gender quotas, the state continues to lag significantly behind, both within the wider international and European contexts. In enacting such electoral reform measures however, the Irish Government sets in train a major political shift, not only upon those directly effected by the change in law, but across greater society as a whole, and in so doing gradually alters the perception of, and demand for, more women in Irish politics. Implementation of the 30 percent gender quota requirement for the 2016 general election, was overall successfully achieved, although notwithstanding a number of controversies and some mismanagement along the way.

All current indicators would suggest that fewer gender directives will be issued in approaching the forthcoming general election, with the less contentious adding of extra candidates subsequent to selection conventions more likely the mechanism of choice. Moreover, the latest data also indicates that all parties are well on course to reach the quota threshold for the following poll. In respect to the projected outcome of results, both broader and indeed a more detailed comparative analysis revealed mixed findings, while further notable factors such as shifting constituency boundaries, reductions in Dáil seats, and an imminent future 10 percent increase in the quota requirement, also hold the potential to skew or at least confuse current and later comparative research data.

The identifying of clearer, more academically credible trends may in fact take a number of electoral cycles more, in order to satisfactorily determine more accurate conclusions in respect to the degree to which this new reform should be directly attributed to certain successes or not. Furthermore, although some had predicted greater female parliamentarian numbers in 2016, the comparatively higher rate of female candidates does at least offer the hope that a significant surge in female representation may occur sooner than expected, given both a heightening in the public profile of former unelected female candidates, and an increasingly competitive political landscape. It should also be clearly stated that the desired effect for all parties to field 30 percent candidates from the minority represented sex was successfully achieved, however any such translation into actual Dáil seats reaching the same figures was not met, and no guarantee of a similar result in terms of those elected can be made, but augmentation is likely and expected.

### Recommendations

Report recommendations primarily focus upon the need for greater management and communication strategies in terms of how respective parties reach the 30 percent gender quota, with particular attention given to the use of gender directives during candidate selection conventions. When directives of this kind are to be issued, local delegates should be informed well in advance of the vote, allowing for a period of debate and indeed consultation between grassroots membership and the party national executive. For larger parties who will likely field more than one candidate, the introduction of a system which allows for greater transparency, with defined structures and due process is recommended. Such a system would allow party delegates to know how, when and why gender directives are to be issued, giving them a sense of control over planning.

Said internal party reforms may incorporate a decentralized open convention candidate selection for the first candidate, giving every member an equal chance at nomination irrespective of gender. For the second and third candidates however, a centralized party controlled process could take over, with those seeking nomination instead facing a series of interviews, conducted by both national and local officials. During this interview process, gender, geography, and electoral strength could all be given greater consideration, including the taking into account of the overall national picture. Where such recommendations run into difficulties however is with the smaller parties, given the option to field more than one candidate is not always available, either due to financial or electoral weaknesses.

In such circumstances parties are forced to field only one candidate, and if needed also to issue a gender directive, without the possibility for an open decentralized selection process. Said scenarios have resulted in some of the strongest opposition at grass routes level, with claims of sexism and an attack on local democracy. As of yet there are no simple solutions to this issue, other than appropriate national management and communication of such decisions to local delegates well in advance of selection, as was spoken of at the beginning. Possible options may include the twinning of neighbouring constituencies, whereby delegates come together from two districts and select a male/female balanced ticket, as is done by the Labour Party in Scotland. However, this is not a quick fix solution, given localism is such a strong feature of Irish politics, with any external interference, even from a neighbouring constituency, likely leading to controversy and upset.

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## Appendices

### Appendix A: Data for Graph 1 – Top 20 in world (p. 11).

Percentage of female legislators (Lower House). *Source:* Figures adapted from IPU. (2018b).

Rank	Country	Elections	Seats	Women	% W
1	Rwanda	03.09.2018	80	49	61.3%
2	Cuba	11.03.2018	605	322	53.2%
3	Bolivia	12.10.2014	130	69	53.1%
4	Mexico	01.07.2018	500	241	48.2%
5	Grenada	13.03.2018	15	7	46.7%
6	Namibia	29.11.2014	104	48	46.2%
7	Sweden	09.09.2018	349	161	46.1%
8	Nicaragua	06.11.2016	92	42	45.7%
9	Costa Rica	04.02.2018	57	26	45.6%
10	South Africa	07.05.2014	396	168	42.4%
11	Finland	19.04.2015	200	84	42.0%
12	Senegal	30.07.2017	165	69	41.8%
13	Norway	11.09.2017	169	70	41.4%
14	France	11.06.2017	576	228	39.6%
"	Mozambique	15.10.2014	250	99	39.6%
16	Spain	26.06.2016	350	137	39.1%
17	Argentina	22.10.2017	257	100	38.9%
18	Ethiopia	24.05.2015	547	212	38.8%
19	New Zealand	23.09.2017	120	46	38.3%
"	The F.Y.R. of Macedonia	11.12.2016	120	46	38.3%

**Appendix B: Data for Graph 2 – EU member states (p. 13).**

Percentage of female legislators (Lower House). *Source:* Figures adapted from IPU. (2018b).

Intl. Rank	EU Rank	Country	Elections	Seats	Women	% W
7	1	Sweden	09.09.2018	349	161	46.1%
11	2	Finland	19.04.2015	200	84	42.0%
14	3	France	11.06.2017	576	228	39.6%
16	4	Spain	26.06.2016	350	137	39.1%
22	5	Belgium	25.05.2014	150	57	38.0%
24	6	Denmark	18.06.2015	179	67	37.4%
27	7	Netherlands	15.03.2017	150	54	36.0%
28	8	Italy	04.03.2018	630	225	35.7%
29	9	Portugal	04.10.2015	230	80	34.8%
31	10	Austria	15.10.2017	183	63	34.4%
38	11	United Kingdom	08.06.2017	650	209	32.2%
47	12	Germany	24.09.2017	709	218	30.7%
52	13	Luxembourg	20.10.2013	60	17	28.3%
53	14	Poland	25.10.2015	460	129	28.0%
<b>55</b>	-	<b>EU average</b>	-	-	-	<b>27.8%</b>
61	15	Estonia	01.03.2015	101	27	26.7%
71	16	Slovenia	03.06.2018	90	22	24.4%
73	17	Bulgaria	26.03.2017	240	57	23.8%
<b>81</b>	<b>18</b>	<b>Ireland</b>	<b>26.02.2016</b>	<b>158</b>	<b>35</b>	<b>22.2%</b>
83	19	Czech Republic	20.10.2017	200	44	22.0%
87	20	Lithuania	09.10.2016	141	30	21.3%
90	21	Romania	11.12.2016	329	68	20.7%
100	22	Slovakia	05.03.2016	150	30	20.0%
107	23	Greece	20.09.2015	300	56	18.7%
108	24	Croatia	11.09.2016	151	28	18.5%
113	25	Cyprus	22.05.2016	56	10	17.9%
124	26	Latvia	04.10.2014	100	16	16%
144	27	Hungary	08.04.2018	199	25	12.6%
150	28	Malta	03.06.2017	67	8	11.9%

**Calculation of EU average:***EU % total ÷ 28*779 ÷ 28 = **27.8%****Appendix C: Data for Graph 3 – Main UK parties (p. 14).** Number of female MPs (1983-2017).

*Source:* Figures for 1983-2010 adapted from Ashe et al., (2010), as cited in Childs, S. (2015); figures for 2015 adapted from Lowther, E., & Thornton, C. (2015); figures for 2017 adapted from Childs, S., Kenny, M., & Smith, J. (2017).

	1983	1987	1992	1997	2001	2005	2010	2015	2017
<b>LAB</b>	10 (4.8%)	21 (9.2%)	37 (13.7%)	101 (24.2%)	95 (23%)	98 (27.7%)	81 (31.6%)	99 (42.6%)	119 (45%)
<b>CON</b>	13 (3.3%)	17 (4.5%)	20 (6%)	13 (7.9%)	14 (8%)	17 (8.6%)	49 (15.7%)	68 (20.5%)	67 (21%)
<b>LIB</b>	0 (0%)	1 (4.5%)	2 (10%)	3 (6.5%)	6 (11%)	10 (16%)	7 (12.3%)	0 (0%)	4 (33%)

**Appendix D: Data for Graph 4 – Percentage of female candidates & TDs (p. 28).** (1977-2016).

*Source:* Figures for 1977–2002 adapted from Galligan (2005); figures for 2007 and 2011 calculated by Buckley, F. (2013); figures for 2016 calculated by Brennan, M., & Buckley, F. (2017).

<i>Female %</i>	1977	1981	F82	N82	1987	1989	1992	1997	2002	2007	2011	2016
<b>Candidates</b>	6.6	10.1	9.6	8.5	13.9	14.0	18.5	19.8	18.1	17.4	15.2	29.6
<b>TDs</b>	4.1	6.6	4.8	8.4	8.4	7.8	12.0	12.0	13.3	13.3	15.1	22.2

**Appendix E: Data for Graph 5 – Support for the gender quota (p. 41).**

2014 Local Election Candidate Study (LECS).

*Source:* Figures adapted from LECS by Keenan, L., & McElroy, G., (n.d.).

22.1	5.051	7.197	7.323	4.798	13.51	4.924	7.576	7.197	2.146	18.18
1	2	3	4	5	6	7	8	9	10	11
<b>Strongly oppose</b>								<b>Strongly support</b>		

**Appendix F: Data for Graph 7 – Percentage of female councillors (p. 47).** October 2018.*Source:* Figures adapted from each of the 31 local authority websites. Correct as of October 2018.

Rank	Council	Seats	Women	%W
1	Dún Laoghaire–Rathdown County Council	40	16	40%
2	South Dublin County Council	40	15	37.5%
3	Dublin City Council	63	22	34.9%
4	Meath County Council	40	11	27.5%
"	Kildare County Council	40	11	27.5%
6	Cork County Council	55	15	27.27%
7	Louth County Council	29	8	27%
8	Fingal County Council	40	10	25%
9	Leitrim County Council	18	4	22%
"	Roscommon County Council	18	4	22%
"	Sligo County Council	18	4	22%
12	Wicklow County Council	32	7	21.8%
13	Laois County Council	19	4	21%
"	Westmeath County Council	19	4	21%
15	Tipperary County Council	40	8	20%
16	Cork City Council	31	6	19.35%
17	Limerick City and County Council	40	7	17.5%
18	Cavan County Council	18	3	16.6%
"	Galway City Council	18	3	16.6%
"	Kilkenny County Council	24	4	16.6%

21	Kerry County Council	33	5	15%
22	Waterford City and County Council	32	4	12.5%
23	Wexford County Council	34	4	11.76%
24	Longford County Council	18	2	11%
"	Monaghan County Council	18	2	11%
26	Clare County Council	28	3	10.7%
27	Galway County Council	39	4	10.25%
28	Mayo County Council	30	3	10%
29	Donegal County Council	37	3	8.1%
30	Carlow County Council	18	1	5.5%
31	Offaly County Council	0	19	0%

### Appendix G: Interview Transcript – Dr. Claire McGing, Maynooth University.

(October 18, 2018).

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*Dr. McGing is a Government of Ireland IRCHSS scholar in the Department of Geography, NUI Maynooth. She has published widely in the area of gender and politics in Ireland. McGing is also a member of The 50/50 Group, a single issue national advocacy group dedicated to achieving equal representation in Irish politics, and acts as an adviser to the Irish Women's Parliamentary Caucus.*

**Seán Dunleavy (SD) 0:13** – Thanks a million for agreeing to the interview.

**Claire McGing (CM) 0:15** – No problem at all, happy to help.

**SD 0:42** – Also thank you for sending me the chapter of the book you were working on, and congratulations on the publication.

**CM 0:44** – Thank you, it was a lot of work.

**SD 0:45** – Is it ok if I can record the audio, to use for my research?

**CM 0:51** – Yes, that's fine.

**SD 0:56** – So as you know, I'm doing my dissertation on the gender quota legislation. I'm taking in the international context, the national historical context, and the major issues around causation. So I'd just like to go over a number of points where there has perhaps been some disagreement, or debate. In terms of causation to begin, I've narrowed it down to the institutional factors, socio-economic, cultural, and there are a number of other more subtle areas. Starting with institutional factors, I understand there is some disagreement in respect to our electoral system being an advantage, certainly proportional representation is seen as an advantage over first past the post, but there's some debate around the single transferable vote (STV) and how beneficial it is specifically in regards to district magnitude, given our district magnitude may be regarded as being too small, with our 3 to 5 seat constituencies, including issue around incumbency. So I was just curious first of all, in terms of our electoral system, whether you feel that our districts should be increased to maybe 6, whether there is a disadvantage there, and whether there is an issue around incumbency.

**CM 2:21** – The first thing to say is that I have an article on this, and I haven't really gone back on it since. I suppose, it's a tricky one, I use what came first, the chicken or the egg concept. So is Ireland's political culture localised because of STV? Or was STV introduced into a localised political culture? I suppose a couple of things about STV and women. The first is to say that at a formal level, and certainly from a normative perspective, it should benefit women's representation. Because it is as you say a form of proportional representation, it takes a lot of power out of the parties hands, which we know are the problem for women, and into the voters. We know that voters don't have a problem with women. In theory the transfer mechanism should allow non-incumbents who are more likely to be women, as well as small parties who are more likely to run women, to get ahead. So in theory it should be good. In practice however, there's a couple of issues. Firstly the district magnitude is too small. That being said, academics have come to different conclusions on this, given many differing methodologies are used. There tends to be a bit of chopping and changing between elections. Some elections we find that women tend to do better in 4 and 5 seaters. I certainly found that in my research. In 2016 that trend wasn't so clear cut. I do think constituencies should be larger. Less so because it would automatically lead to an increase in women's representation, because we can't actually be guaranteed that. But what it would do is, it would make the system more proportional anyway. And that would be a good thing regardless of gender. So that's the first thing. The bigger issue is around localism as you say, and incumbency factors. Certainly there is an issue around the type of candidate that emerges from the Irish system. Whether that's because of STV or not as I said....you have to be a local councillor..if you're not a local councillor, you have to be a fairly well networked member of society. And that is all causing a big disadvantage towards women. They

are less likely to be in local government, less likely to be in the GAA, less likely to be in the IFA. And all of those things are blocking women at that first stage. Whether or not that is being caused by STV, I don't think anyone has properly answered.

**SD 5:20** – Yes, and the international environment is quite mixed as well, with Malta on 11% female representation, the Australian Senate 30%, and the Northern Ireland Assembly on 28% from 2016, so its quite mixed.

**CM 5:35** – And the numbers are so small that it's so difficult to come to any kind of real comparison. Northern Ireland had 6 seats reduced down to 5, they have different party level factors. Malta has a standard 5 seater, that hasn't helped. And the Australian Senate is essentially a party list system in all but name because it's above the line. So we're not even comparing really, you know they're STV in name, but in reality, STV can be quite a variant system, depending on the cultural context etcetera. I'm not sure we really come to an answer to be honest. But as I said I do think there are certain things we can do, such as increasing the magnitude, that is good in of itself. And also I suppose rethinking the informal normalities around selection, who gets selected and why?

**SD 6:29** – So the second major issue that keeps coming up are the socio-economic factors, and there's the broader international issues around women in the work force, and women in third level education. That seems to be quite high in Ireland, however women are still seen disproportionately as the care givers in families, and they take on more part time work, so they are still statistically less economically independent compared to their male counterparts. What recommendations would you have in that area, which would help level the playing field between men and women, in the socio-economic area?

**CM 7:15** – I have shifted my views on the socio-economic literature in the past couple of years, you probably seen that from my own chapter. There's two things. Firstly, absolutely as you say, the fact that we do have a gender division in care in society, you know, women are more likely to do unpaid labour etcetera, that feeds into political time. They're all important issues, childcare is important etcetera. But they're issues that are prevalent in other countries too. There's two things to say about the socio-economic/cultural argument in the Irish case. The first is that, we saw exponential rates of change in women's representation from the late 70s to the early 90s, then growth slowed from the 90s up to 2011. And yet that is the Celtic tiger period, where women never had better opportunities. So if socio-economic factors were the total explanation, I don't know why rates slowed down in the 90s, and they were faster in the 70s and 80s, when women were very much bound to the home. So I don't buy the socio-economic argument as much as I used to. The second one is that, as you seen in my chapter, at a macro level it's actually kind of been blown out of the water, because countries

with lower rates of development and economic growth, they are now world leaders in women's representation. So I think socio-economic factors are important for building up the capital to contest as a candidate, but it doesn't provide a total explanation.

**SD 9:35** – In terms of the cultural dimension, I think its pretty interesting contrasting Ireland and Scandinavia, because they seem to be completely at odds historically. The dominance of the Catholic Church in Ireland with the Protestant churches in Scandinavia, leading to a more secular culture, which gradually led to equality there, as opposed to Ireland where there was more of a patriarchy. I don't know if you've gone into the Scandinavian case study in any great depth...I understand that in the 1970s female representation there took off before the introduction of any form of gender quota. And that it was the 1980s that voluntary gender quotas were introduced. So it's very much so the contrary to Ireland. A very incremental path.

**CM 10:50** – Yes absolutely, and too often Scandinavia is held up as being this model that we need to follow, but in reality quotas are not universally in place across the region, as you probably know they were never actually used in Finland. But in reality quotas were used in Scandinavia to consolidate women's power as opposed to increase it dramatically. What we're seeing at the moment in the new model, unlike Scandinavia, where it was women who got to a certain point, and it was women who were advocating for quotas, or certainly were putting the measures in place, in the Irish context, and any other context, it is now male dominate parliaments which are introducing quotas. So you're right, Scandinavia is not an instrumental model as is often the case. It was very much as you say incremental. And it's patchy. So you know, in Norway not all parties use quotas, they don't use them at all in Finland. And also if we were to include Iceland into this analysis, the Icelandic case is really interesting, because you probably know the issue of gender really came about in politics when there was a women's party set up. And so there was a certain level of contagion there. Scandinavia is also interesting, because in the last couple of general elections women's representation is actually stabilising, and in some cases is falling. Professor Drude Dahlerup has written on this a good bit, we can't assume that if we put in place the factors that were in play in Scandinavian countries, and transplant them elsewhere, that that would necessarily make the same impact. For example you've probably seen the literature around critical mass. Critical mass is not a real thing you know. But yet it's become such an important mobilising tool, as much as it is an actual kind of empirically evident phenomenon you know. So there is kind of an interesting perception there, the myths about Scandinavia, and I don't think they match up to the actual reality on the ground.

**SD 13:21** – If we can go then to the 2016 general election. I have recorded that there were 12 gender directives issued. Six by Fianna Fail, five by Fine Gael, one by Sinn Fein.

**CM 13:36** – Hmm...yes, that was our data, however, and there's a big however, and I'm more than happy for you to quote me on this. There were definitely others in Sinn Finn. However, they weren't directives in the sense, you know, somebody came that night and told them it has to be a woman. I think that they were directives which were probably negotiated before the convention. Particularly with Sinn Fein, the party is so secretive they won't tell you anything. So it was only one, however as I said I'm quite happy to be quoted as saying the number was probably higher. There may have been a level of negotiation prior to convention. They don't talk to researchers anyway.

**SD 14:21** – Yes, I kind of detected that myself as I started going through all the conventions, and...

**CM 14:25** – I mean just look at Kildare South. In that example they selected a woman candidate there. She wasn't even from the constituency. I can't think of her name now. And that was definitely some form of directive. In Mayo it's quite interesting, the one directive that we seem to have. There was a man who wanted to go forward, as far as I know. And he was more or less kind of dissuaded to put himself forward. And he was then the one who nominated the woman candidate. Like that is a directive, but they probably don't call it a directive. Even at that, Sinn Fein never told us that that was a directive, we kind of said it was a directive.

**SD 15:21** – No, my suspicions rise myself when I look at certain conventions, so you have an open convention, and all of a sudden one candidate will put their name forward and nobody else will challenge. You kind of think.

**CM 15:31** – They were never open conventions. And my own PhD looked at this, this supply demand model, and in reality they were not open conventions. They were conventions where there was a period of negotiation prior to the convention. And as researchers we can never really know. We can never truly know those who wanted to go forward, those who were discouraged from doing so, or were told they were not allowed. We can only really work on limited data.

**SD 16:48** – But personally you would find that Fianna Fail, Fine Gael and Labour are more transparent about these things than Sinn Fein?

**CM 16:50** – Oh absolutely, Labour are wonderfully transparent because they've been on this issue for a long time, they've nothing to hide. I also have developed a personal relationship with those three parties in a way that I never had it in with Sinn Fein, if you know what I mean. I could identify individuals, less so now, but a couple of years ago I could identify individuals in Fianna Fail, Fine Gael

and Labour who would tell me things. Sinn Fein were very resistant to researchers. Probably because of their history.

**SD 17:29** – Can I speak to you then about the actual process in terms of how parties go about implementing that 30 percent quota. What struck me was that directives are absolutely nothing new to Irish politics. First of all the party will dictate how many candidates are going to run in a given constituency. And that can create a lot of tension from the offset. And then you have geographic directives which are issued. And it seems that there is conflict and overlap between the gender and geographic directives, because you're narrowing down the districts even further. So if you just take Louth for example, I believe Fianna Fail have an incumbent, so there's going to be a geographic directive in the Dundalk region, north Louth, and for the Drogheda region. So basically the Drogheda candidate will have to be a female. What strikes me though, is that the larger parties, Fianna Fail and Fine Gael, they seem to have a lot more flexibility when it comes to implementing the quota because they can field more candidates. Labour on the other hand, while they're of the best intentions, they're fearful I'm sure that they're going to split the vote. Say in Louth example again, Ged Nash, he told me himself, they wanted to field a second female candidate but were afraid that they'd split the vote. So can I just speak to you about the actual process? Do you think that there needs to be more of a formalized process in place? To prevent the tensions and difficulties you see at convention level. I know for example in Dublin Bay North in 2016, for Richard Brutan there was a bit of an upheaval. Do you think that there could be more formalities within the parties to prevent the surprise directive in certain areas, that there's more structure, and that the delegates would know before hand, how do you feel the process is going?

**CM 19:33** – I mean Fianna Fail and Fine Gael are just procrastinators. The legislation was in place from 2012, and the best place to look was at the 2014 local election, when they should have been running higher numbers of women in anticipation for a general election. And while most parties did increase, and quite significantly, Fianna Fail hardly had any change at all relative to 2009. So they were just procrastinating on the issue. I agree with you on members...if you are going to combine a gender directive with the one member one vote system, as with Fianna Fail..not only was it their first election with gender quotas, it was their first election where they had one member one vote, so you have this strange kind of conflation of trying to increase members say in candidate selection, but at the same time a real central control, so it all came together. There is research on the power play between local and national level, and how these can often be at odds with each other. So Fianna Fail they just weren't ready for it. And they should have been. They should have as you say, picked their constituencies well in advance, and said look, this is a woman only constituency. You have to put in place some kind of a process. That would have still have resulted in conflict, but it could have been

managed. Like this thing of telling members on the night of their convention is not fair on anyone. And also it acts to diminish the woman candidate too. You know what happened in Longford I assume, there were mass resignations. But that female candidate actually did quite well. So it was just that they weren't ready for it. In terms of could we formalize it a bit more. There was a discussion at the time the quota was being implemented, if the quota should be run at constituency level. That is not practical on two fronts. Firstly, you will have cases where, for right or wrong, the two best candidates happen to be men. When I say best I mean by how we measure voter expectation, or by incumbency factors, or indeed by geographical factors etcetera, because parties are out to win seats. But that kind of a quota applied at constituency level would also have a detrimental effect on small parties. The Green Party, where they often struggle to find any candidate at all, so I think the solution has to come at party level. They have to be more ready, identifying these constituencies earlier on. Whether or not they're already doing that for the next general election I don't know. I know there was one gender directive put in place by Fine Gael in Westmeath for the next general election, and she was an incumbent TD, Gabriel McFadden, so she would have been selected anyway.

**SD 23:52** – Going through the constituency conventions it seems as if Fianna Fail, Fine Gael, they'll have an open convention, maybe constituency wide, and whoever comes top in the poll will be their first candidate. And then from there they'll hold interviews, to take in national issues, maybe around gender, geography. But it seems as if Fine Gael and Fianna Fail are better placed, because they can incorporate the decentralized democratic process, but then allowing for a joint male/female ticket via the selection of a second candidate through a centralized command. There seems less resistance to that, than there would be perhaps if a party came into a constituency and said for the whole constituency, we're just fielding a female candidate?

**CM 24:44** – That's a better strategy. I also think quotas are being increasingly normalized in the party system, I don't think it's the same shock to the system as it was in 2016. When this discussion started in 2012, you wouldn't believe how bitter the debate was. I think there is more of an acceptance now that it is the law and have moved on. But they probably are learning their lessons from 2016. But you're right, for smaller parties who can't add on second candidates, it becomes then a matter of I suppose having to identifying women only constituencies, and in cases as I say the Green Party might not have any candidate at all, that becomes a challenge. That being said, the Greens did meet their quota, will meet it again, but there are different strategies at play depending on the size of the party, depending on the culture, particular circumstances in certain constituencies. I think we also need to speak about so called unwinnable seats, yes many of these women may have been running in unwinnable seats in 2016, but they certainly are now in a position where they can

start to build a career following on from that. I think we need a more nuanced understanding of parties just running candidates in unwinnable seats. Yes the circumstances probably weren't right in 2016, but they plan be right next year. And there are many women TDs, regardless of what Mary O'Rourke would say, there are a number of women TDs from all parties, and Senators, and councillors, and candidates, who would not have been selected without the gender quota. And whether that was the form of a directive or a more subtle focusing of the minds. I also think what's interesting from 2016, is that you have a number of women run in open conventions, without any directive, so there seems to have been also a more organic shift, to women realizing that politics was now a place for them to run. And you know where else you also see that, why was it that the percentage women independents increased so significantly, given formally speaking there's no party factors at play? So there seems to have been a wider national conversation about women in politics, and they spurred on women outside of the party system as well, so we have to measure the impact of the quota in a much more nuanced comprehensive way. As opposed to just looking at these directives. As important as they were.

**SD 28:20** – Ok interesting. And I just see here then that most parties are well on their way in preparation for the next general election, because they don't know when it's going to be. So most parties have at least their first candidate selected. Fianna Fail and Fine Gael will probably add a second or third. But as it stands I'm counting four gender directives. Two by Fine Gael and two by Sinn Fein, and a number of add-ons of female candidates.

**CM 28:48** – You have more up to date information than I do. Because I haven't looked at it in a while actually.

**SD 28:53** – That's ok. I do see there was a controversy in Tipperary, where Sinn Fein only fielded one candidate and it had to be a woman. Local councillors were quite upset about that, calling it undemocratic and sexist. And I think Dunleary is also quite interesting, you had an open convention where the male candidate came first, and the second candidate was Kate Feeney. So the male candidate got on the ticket. But instead of maybe Kate Feeney becoming a second candidate, it instead Mary Hanafin, who came further down the list. So it was purely for electoral gain that she was added.

**CM 29:29** – So this is for you're saying the future election?

**SD 29:35** – The next general election yes.

**CM 29:37** – I haven't been following it that much, but you know it amazes me why Fianna Fail keep protecting Mary Hanafin and not someone like Kate Feeney. Mary Hanafin didn't win a seat in 2016.

I think what's going on there is....I think there's probably a faction within Fianna Fail in Dunleavy, who would be very much so the kind of Hanfin social conservative type wing, and maybe they're trying to appease that...I just can't understand what the party is doing there...you know...

**SD 30:06** – Well, in the last election though she did poll very well, I think she just came below the threshold, and the male candidate actually lower, so I think...

**CM 30:19** – Yes I see, so it's an electoral thing, yeah it's interesting. And you know it's ironic because Mary Hanafin was totally opposed to quotas, and she has benefited from that system. I have read though that Mary Hanafin has subsequently spoken of her turn around in respect to quotas. She never really suggests that because she has benefited from quotas that she's now changed her mind, but there's no doubt about it that it has to have had an influence. If it wasn't for gender quotas she would never see the light of day again.

**SD 31:03** – As you said there as well, as I go through this, the pool of candidates predominately seems to come from councillors...so I think that's where....well it was probably out of their control....as when they were writing up the law for the national quota, there wasn't going to be a local election for quite some time. I believe they want to enact new legislation before the end of the year for local elections?

**CM 31:26** – So they're saying. But as you probably know that it's rather complicated, because of the way the party funding system is structured. It would require a total overhaul of party funding rules to operate it you know. So what they're planning or suggesting at the moment is that there would be an incentives model instead. So that parties who reach 30 percent in the locals, would get funding to run an equality officer, or to hire an equality officer. Now, that fine. But, firstly what I would say is that there is no way they're going to get that legislation passed by the end of the year. Not a chance. They haven't even drafted it, is my understanding. There has been some delay on the report. Secondly, candidates are already being selected for the local elections, as you know, and they come quick. But thirdly, and I agree there has to be something in for local level, as that from my work shows, is where the pipeline begins for most people. Unless you're kind of like a George Lee kind of celebrity, or a GAA man...other than that, most people do need local level backing, and have to have local government experience. But surely its counterintuitive, it's the parties who don't reach 30 percent, they're the ones that need the equality officer, not the one that reaches 30 percent. They're saying that would be an incentive. I'd also be curious to know, how long would they have those equality officers....are they just there for a year or two and then they just go away again.

**SD 33:02** – Yes, maybe just a financial incentive would be better?

**CM 33:05** – Yes, I don't know. I'm an advisor to the Women's Parliamentary Caucus, and they asked me to come and speak to them a couple of months ago about auctions. And I had suggested, could it not be the case that parties who get 30 percent, could they get a top up of their funding instead...for example...something like that...it's complicated because you have so many independent candidates at local government level, you would be giving further advantages to parties and not local level independents. You could also have a hypothetical situation where parties don't contest local elections but only contest national elections. So there was a party a number of years ago in Cork, that only contested local elections on the hospitals...save out hospital....so where would that money go? So there's all these kind of strange hypothetical scenarios would have to be ironed out, but at the moment yes, that is the plan, that they would get an equality officer. But we haven't seen any detail. To be honest I think this government is hanging on by a limb...so I don't think we're ever going to see it passed.

**SD 34:25** – So you're quite sceptical that the legislation would be prepared in time for the next local elections?

**CM 34:29** – Oh absolutely, it won't. There's not a chance. From speaking to the Caucus, that doesn't seem to be, unless there's a draft which could be done quite quickly.

**SD 34:43** – It seems to me as if, they're almost putting the cart before the horse, because female representation at local level is quite poor. It seems that Dublin is certainly leading the way, with Dunleary on 40 percent...many of the Dublin councils on 30 percent, and then Offaly no female councillors at all, Carlow, Donegal below 10 percent, so I think the average is around 20 percent nationally

**CM 35:10** – And actually, quite interestingly, it's at local government level where socially economic factors are probably coming more into play. So there's still a big piece of work to be done on women in local government in this country. And to drill down into the women who were selected, who were they and where do they come from? Socio-economic factors seem to play a role to an extent in explaining that urban rural divide, as well as the kind of cultural issues. I'm fully supportive of it, but I also don't know if it needs legislation? Like is there anything to stop the department of the environment, just giving parties who get 30 percent, just giving them a fund. But I don't know, I really don't know. If it could have been done easily it would have been done in 2012. If Phil Hogan could have gotten it across the line he would have.

**SD 36:03** – If we can take a look at the actual progress we've made. So we've come from 25 TDs, 15 percent, to 35 women TDs, 22 percent. That's a 40 percent increase. And I'm reading literature from

Associate Professor Schwindt-Bayer from Rice University, she's come up with various formulae allowing us outcome projections from differing types of quotas. This depends on electoral system, candidate placement, type of penalties in place. And I think the Irish case looks like a pretty good example of a state meeting all the positive points she speaks of, not perhaps in district magnitude, and incumbency. But she projects that from a 30 percent quota you should ultimately be looking at 27.6 percent female legislators, or at a 40 percent quota which we're heading for, a 36.8 percent female representation. So I'm curious as to the type of projections you have been looking at yourself...did you expect us to be at 22 percent...or it's too difficult to project where we might end up?

**CM 37:33** – At the time I wouldn't have expected 22 percent. I kind of thought that if we could get to 17-18 percent we'd be doing well. And actually I do RTE's election analysis, and I remember being in studio that day, and being asked by David McCullagh you know, him asking me from the first count, how many women can you see progressing? And my expectations were quite low. And I was saying at one point, we might not see an increase at all. But I was actually proven really wrong. So I wasn't expecting that. I'm sure there must be a mathematical formula for working it out. However, it would depend on numerous factors. Incumbency, district magnitude, but also on the type of parties. I kind of feel that if we got to 30 percent that would be a massive achievement. I can't see us reaching 50 percent females representation in the Irish Parliament for quite some time. I would be quite happy if we could get to around 25-26 percent in the next general election. I think that would be quite an achievement. And the fact that the House of Commons is better than us, and it shouldn't be.

**SD 39:05** – Well that's obviously because the Labour Party have Women Only Shortlists.

**CM 39:08** – Yes, but they have an electoral system that's totally opposed to equality, the Tory party is in government, and yet they seem to be doing much better than us. For a couple of reasons. But no I think 25-30 percent would be a very good day.

**SD 39:26** – Ok, so I just have two more quick questions then I can let you go. I'm interested also in the legal analysis, I'm just wondering, as part of your research what you've come across. Because I understand in the UK there was legal challenge initially by Labour Courts, and they had to actually change the law in the 90s. In France there was also a legal challenge, and they had to change the meaning of the word equality, heading more towards that of parity. So they had to change the law there as well. In Latin America a number of cases surrounding gender quotas were sent to the Supreme Court, and ultimately in most of these cases that I've read, the Supreme Courts favoured the parties in favour of gender quotas. I know that there was legal challenge in Ireland, however it was ultimately thrown out, as it was deemed that the complainant did not have legal standing. But

I'm just curious if you've read or spoke to colleagues about the possibility that this law could be successfully challenged, if an individual or party in the future would have legal standing. Can you foresee any circumstance that there would be difficulties to the law, or you think it's safe in how it's written?

**CM 40:51** – In that particular case I was actually sought....but Fiona Buckley was the state witness, from UCC, they did ask me to be a second, but I was on holiday at the time, so I was only a partial witness. I co-wrote the submission however, on behalf of the state, so I was quite closely involved in that case. So my understanding now is that he's going to challenge the ruling in the Court of Appeal, was the last I heard. In terms of the legal challenge I don't see it as a threat in the near future. What I do think however given that particular case, was that while the court found that he didn't have the locus standi, they did indicate that a party would have locus standi. I don't personally see that happening at present. Maybe if we had an extreme right wing party in government in the future, or in theory an all male party. I can't see any of the main parties mounting legal challenge, so that's not a threat. What I do think is even more of a threat, is the possibility of a future government attempting to water down the legislation. And my fear from parties is not with Fine Gael but with Fianna Fail. Given how difficult they've had it trying to meet the quota at local and national level, given the resistance they've had from party members, I do fear a potential watering down if they were in government. I'm less likely to fear that now, than I was a couple of years ago. But that would be more my kind of feeling, if there were any threats to the legislation that's where it's going to come from. They do have many strong feminist actors within the party, including leader Michael Martin, but there are other potential leaders that could be there after him, and I don't know to what extent they might seek to water it down, particularly considering who their coalition partners could be, so that would be my fear...but at the moment I don't think it's in threat, no.

**SD 44:14** – And also given the fact we are going up another 10 percent, so there will in fact be even more pressure and resistance.

**CM 44:23** – That could change, Fianna Fail could bring that down to maybe 30 percent, and that could be a fairly straightforward amendment. So that's something maybe to watch out for.

**SD 45:00** – And do you feel, if come the next general election we witness a clear reduction in the number of gender directives that are being issues, would you see that as a measurement as more progress being made in this area? That parties don't have the need to implement gender quotas, would you measure that as a success as we move forward?

**CM 45:19** – Yes absolutely, it would show a level of normalization. And this is the normative idea behind gender quotas of course. And that's the idea behind a sunset clause, the idea that you lift it once you meet the requirements. The Irish legislation of course doesn't have one, I don't know why. To go back to your last question, that's an other change that a future government could make, a sunset clause, and it wouldn't shock me if Fianna Fail did it. But that would show a level of normalisation. What I think of, going back to my earlier point on unwinnable seats, what I think will really be a measure of the success of the spirit of the legislation, will be to look at how many women who ran in 2016, whether on directives, or HQ adds, how many of them are going to be elected the next time. And that I think is a more nuanced measure of the success of the quota. However, I think given the minority status of the current government, we are witnessing more cross party co-operation, as demonstrated by the women's caucus. I think once we go back to business as usual, i.e. a government with a comfortable majority, I think there'll be less opportunities for women's collaboration, across parties.

**SD 47:26** – And you just touched upon the last question I wanted to ask. In your chapter you sent me, it speaks of the Convention on the Elimination of all Forms of Discrimination Against Women, in 1979, Article 4 directs parties to implement temporary special measures, however it proceeds, the convention stresses that the operation of these measures should cease when the objective of equality of opportunity and treatment have been achieved. And you just spoke about how there were those who were advocating for a sunset clause. But I'm curious as to your opinion in respect to what point gender quotas would not be needed. Because even if you take a look at Scandinavia where you have voluntary quotas, you would think that they are some of the most progressive countries in the world, where you have great equality between men and women, however they are still needed, so at what point do you believe that they should be removed, when would you have equality of opportunity?

**CM 48:32** – The thing is, with a 50/50 quota there is no quota, men are in a quota as much as women are, if you think about it, so from my perspective, once we get to the point where we have parity, and for me parity is more of a 60/40 model, I think 50/50 is too clinical, its impossible, 60/40 allows for some level of flexibility, and after that we would have to go back and look at how we would do a redress. I suppose once we get to 50/50 candidacies, whether that translates into seats or not is an other matter, but that should be the point where the quota is no longer needed, but then sure you may as well just leave it there, because if parties are running 50/50 anyway, what harm does the quota do, and my fear is of course, if we do reach 50/50 and the quota is removed, that they would start to maybe fall back to old patterns again. Research has shown, that where such affirmative action reforms are relaxed or withdrawn, male gendered norms and traditions come

right back. So my opinion would just be to leave the quota there, if its going to lead to 40/60, that's a good thing, that just shouldn't have to change you know. There seems to be some form of irrational fear about it that shouldn't really exist.

**SD 50:21** – So you don't see any reason for their removal into the future?

**CM 50:22** – No, I don't. But as I say I think Fianna Fail might. I also think sunset clauses are quite normal in quota regimes. But you know someone said to me, did the quota work? Well it made all parties field 30 percent female candidates, so yes it did. So we got exactly what we asked for. But as a wider kind of discussion, the Irish state hasn't said what they want quota to achieve in reality, in terms of representation patterns.

**SD 51:16** – So that hasn't been explicitly stated by the parties?

**CM 51:18** – No, its actually a really kind of watered down quota, its about equal opportunities for candidates, but after that, for example difficulties for women in politics don't really get considered. There's a lot more work which needs to be done about women once they get into politics. So it was one step, but one of a large number of steps more that need to be taken, before the parliament can really say that it is truly representative of the people.

**SD 52:26** – Well Claire, it's been really interesting, I really appreciate you taking the time to help.

**CM 52:27** – No problem at all Sean, email me if you need anything else! Happy to help.

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**Appendix I: Student Ethics Form.**

**Student Ethics Form**

**European Studies  
Student Ethics Form**

**Your name:** Seán Dunleavy

**Supervisor:** Ms. Krijtenburg

**Instructions/checklist**  
Before completing this form you should read the APA Ethics Code (<http://www.apa.org/ethics/code/index.aspx>). If you are planning research with human subjects you should also look at the sample consent form available in the Final Project and Dissertation Guide.

- a.  Read section 3 that your supervisor will have to sign. Make sure that you cover all these issues in section 1.
- b.  Complete sections 1 and, if you are using human subjects, section 2, of this form, and sign it.
- c.  Ask your project supervisor to read these sections (and the draft consent form if you have one) and sign the form.
- d.  Append this signed form as an appendix to your dissertation.

**Section 1. Project Outline (to be completed by student)**

(i) **Title of Project:** The Irish Legislative Gender Quota: Analysing Implementation & Outcome

(ii) **Aims of project:** *Has the introduction of state mandated gender quotas for political party election candidates in the Republic of Ireland had the desired effects both in terms of implementation and ultimate outcome?*

(iii) **Will you involve other people in your project – e.g. via formal or informal interviews, group discussions, questionnaires, internet surveys etc. (Note: if you are using data that has already been collected by another researcher – e.g. recordings or transcripts of conversations given to you by your supervisor, you should answer 'NO' to this question.)**

YES /  NO

**If no: you should now sign the statement below and return the form to your supervisor. You have completed this form.**

This project is not designed to include research with human subjects. I understand that I do not have ethical clearance to interview people (formally or informally) about the topic of my research, to carry out internet research (e.g. on chat rooms or discussion boards) or in any other way to use people as subjects in my research.

Student's signature \_\_\_\_\_ - date \_\_\_\_\_

If yes: you should complete the rest of this form.

**Section 2 Complete this section only if you answered YES to question (iii) above.**

**(i) What will the participants have to do? (v. brief outline of procedure):**

Answer a series of questions during a formal online interview.

**(ii) What sort of people will the participants be and how will they be recruited?**

Dr. Claire McGing, Maynooth University (Academic) – Expert in the field of gender issues related to Irish politics.

**(iii) What sort stimuli or materials will your participants be exposed to, tick the appropriate boxes and then state what they are in the space below?**

Questionnaires[ ]; Pictures[ ]; Sounds [X]; Words[X]; Other[ ].

**(iv) Consent:** Informed consent must be obtained for all participants before they take part in your project. Either verbally or by means of an informed consent form you should state what participants will be doing, drawing attention to anything they could conceivably object to subsequently. You should also state how they can withdraw from the study at any time and the measures you are taking to ensure the confidentiality of data. A standard informed consent form is available in the Dissertation Manual.

**(vi) What procedures will you follow in order to guarantee the confidentiality of participants' data?** Personal data (name, addresses etc.) should not be stored in such a way that they can be associated with the participant's data.

Student's signature: Sean Dunleavy date: 12 Dec 2018

Supervisor's signature (if satisfied with the proposed procedures): ..... date: 12 Dec 2018



**Appendix J: Electoral (Amendment) (Political Funding) Act 2012 (Relevant pages).**

Source: Govt of Ireland (2012) pp. 32-33

[2012.] *Electoral (Amendment) (Political Funding) [No. 36.] Act 2012.*

Pr.6 S.42

- (c) the name of each candidate who was not elected to whom the greatest number of votes credited at any stage of the counting of votes exceeds one quarter of the quota, and”,

and

- (ii) by inserting the following new paragraph after paragraph (c):

“(d) the gender of each candidate.”,

and

- (c) by inserting the following subsection after subsection (4A) (inserted by section 50(c)(iv) of the Act of 2001):

“(4B) (a) Payments calculated in accordance with this Part shall be reduced by 50 per cent, unless at least 30 per cent of the candidates whose candidatures were authenticated by the qualified party at the preceding general election were women and at least 30 per cent were men.

(b) Paragraph (a)—

- (i) comes into operation on the polling day at the general election held next after *section 42* of the *Electoral (Amendment) (Political Funding) Act 2012* comes into operation, and
  - (ii) ceases to have effect on the polling day at the general election held next after the expiration of 7 years from the polling day specified in subparagraph (i).
- (c) Payments calculated in accordance with this Part shall be reduced by 50 per cent, unless at least 40 per cent of the candidates whose candidatures were authenticated by the qualified party at the preceding general election were women and at least 40 per cent were men.
- (d) Paragraph (c) comes into operation on the day after the day on which paragraph (a) ceases to have effect.”.